SECOND SCHEDULE

FORM FC 1

APPLICATION FOR REGISTRATION AS A FOREIGN COMPANY

[Sections 975 of the Companies Act, 2015]

In accordance with section 975 of the Companies Act, 2015, the following company hereby applies to be registered as a foreign company under Part XXXVII of the Companies Act, 2015.

Particulars of foreign company

|  |  |
| --- | --- |
| Name of foreign company |  |
| Name of country or territory in which the company is incorporated: |  |
| Date of company’s incorporation: | \_\_\_\_/\_\_\_\_/\_\_\_\_\_\_ [*dd/mm/yyyy*] |
| Address of the company’s registered office in the place of origin or principal place of business in its country or territory of origin: |  |
| Postal address of the company’s proposed registered office in Kenya: |  |
| Hours at which the foreign company’s registered office in Kenya is kept open for business on business days*c* |  |

List and particulars of directors of the foreign company

|  |  |  |
| --- | --- | --- |
| Name | Nationality | Postal Address |
|  |  |  |

|  |  |  |
| --- | --- | --- |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

Memorandum on resident directorsci

The powers of resident directors who reside in Kenya and are members of a local board of directors are as follows:

|  |  |
| --- | --- |
| Director | Powers |
|  |  |
|  |  |
|  |  |
|  |  |

Statement of use of alternative name

The above company intends to carry on business in Kenya under the following alternative name:cii \_\_\_\_\_\_ \_\_\_\_ \_\_\_\_ \_\_\_\_ \_\_\_\_ \_

Particulars of local representative of foreign company

The following information is provided in respect of the person(s) resident in Kenya whom the company has appointed or proposes to appoint as its local representative in Kenya.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Full name(s) of representative(s) | local | or | proposed | local |  |
| Postal address(es) of local or proposed local representative(s)ciii | | | | |  |
| Nationality of representative(s) | local | or | proposed | local |  |
| Details of identity card(s) or passport(s) of local or proposed local representative(s) or in the case of a body corporate or partnership, any particulars of registrationciv | | | | |  |
| Telephone number(s) of local or proposed local representative(s)cv | | | | |  |
| E-mail address(es) of local or proposed local representative(s) | | | | |  |

*(In case the company wishes to appoint more than one local representative, please replicate the form of this table and fill in the additional local representative’s details)*

Statement of charges created by the foreign company in Kenyacvi

the company has not created any charges over any property in Kenya; OR

the company has created the following registrable charges created over property in Kenya and the documents that would be required to be lodged for registration with the Registrar with regard to the charges under Part XXXII of the Companies Act, 2015 are attached cvii

Particulars of charges

As required by section 975(3) of the Companies Act, 2015, the following documents are attached to this application:

* 1. A certified copy of a current certificate of the foreign company’s incorporation or registration in its place of origin, or a document of similar effect;cviii
  2. A certified copy of its constitution;cix
  3. A notice, under section 982 of the Companies Act, 2015, giving the addresses of each place at which the company proposes to carry on business in Kenya;
  4. A notice under section 983 of the Companies Act, 2015, giving the address of the company’s proposed registered office in Kenya to which all communications and notices may be addressed.

Lodged on behalf of the company by:cx

Name: Address:

Signature: Capacitycxi: Date:

NOTES:

* Specify whether the details relate to the person’s identity card or passport. Specify the number of the identity card or passport and the date and place of its issue.
* Specify the country ad area codes as well as the number.