



POTUNGAUE FEFAKATAU'AKI
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FAKA'EKONOMIKA

Ministry of Trade & Economic Development

Business Registration and Certification Division

How to Fix Mistakes in the Registry

Everyone makes mistakes. There may be time when you see that a typo or some other error is present in the register for an entity that you are managing or otherwise researching. When you find an error, there is a way for it to be corrected.,

The correction of an error is officially called a “rectification.” The types of errors that can be corrected are typically typos in names or addresses. If the error is something more substantial like failing to file a change of director when the change occurred, that is not addressed via this correction process. Instead, you must file the proper change of director form.

For companies, the first step in seeking a correction is to file an “Application for Rectification of Register” in the online registry. This is the Form CO-58 and is used for both local and overseas companies. You must have a client account with the online registry in order to file this form.

Persons who can file an Application for Rectification. Usually, the person seeking rectification is associated with the company like a director. However, register allows a shareholder, director, creditor, liquidator, a receiver of property of the company and a party to a legal proceeding against the company to file this Application. If the person that wants to file the Application does not have a client account with the registry, then creating an account is the first thing they will need to do.

Client Accounts. Creating a client account with the online registry is free. Simply click on the Create Account link on the upper right-hand section of the register website. You will then enter your name and organization details, and then scan and submit a currently valid government issued photo ID to open the account. You will receive an email from the website confirming your account is active.

Find the company that has the error. You can search for the company in two ways. If you already have authority to submit filings for the company it will appear on your dashboard

when you click on the My Entities tab. If you are a third party without authority, you will need to conduct a search for the company by its name or registration number.

Complete the Application for Rectification. The Application is straightforward. Once you identify the company you will be asked to identify yourself by providing your contact details and the capacity in which you are acting. Simply tick one of the following boxes:

I declare that I am (tick all that apply)–

Capacity:

- ☐ Creditor
- ☐ Director
- ☐ Shareholder
- ☐ Receiver
- ☐ Liquidator
- ☐ Party to Legal Proceeding

 This field is required!

You will then be asked to explain the error and the proposed correction in your own words. You should provide all relevant details. You may copy and paste from another document if you wish.

4. Statement detailing the proposed rectification

*Please provide information about the proposed rectification. **

 This field is required!

Finally, you are given the opportunity to attach any supporting documents you think are relevant. For example, if a shareholder's name was misspelled you could attach their driver's licence.

Pay the fee. The Application for Rectification has a fee of 80 pa'anga. The reason why there is a fee is because some rectification requests are complicated and require register staff to spend considerable time researching whether to proceed with the request or seek additional information.

Will the correction be made? Register staff will review the application and make a determination whether the request is both reasonable and within the scope of the type or error that can be fixed up via the process. Staff may also seek additional information if something is unclear. If the request is problematic then staff is empowered to reject the request and require a different filing or even suggest that the applicant may wish to seek a court order to address the situation.

Errors for business names. The same process can be used to fix errors on business names filings. Use form BN-14 to submit your application. The fee is 20 pa'anga.

Errors for business licences. You can also submit an application to correct errors on business licences via form BL-13. The fee is 20 pa'anga.