

Form T  
CIVIL CODE, SECOND SCHEDULE  
(CAP. 16)

No. of Organisation .....

*Notification of establishment of a segregated cell of an organisation*

Pursuant to article 20(4)(c)

Name of Organisation ..... (the "Organisation")

Delivered by .....

To the Registrar for Legal Persons

It is hereby being notified that:

(i) The Organisation is authorised by its statute to establish segregated cells in terms of clause ..... of its statute.

(ii) The administrators have resolved to establish a cell in virtue of a resolution dated ..... to operate under the following name (a) .....

(iii) The cell has been established by reference to:

shares    interests    rights of members or beneficiaries    purposes

(iv) Notice is hereby given of the establishment of such cell.

Signature: .....

Name: .....

*The Administrator /Legal representative*

Dated this ..... day of ..... of the year .....

(a) State name of cell

Important notice: article 20(5) of the Second Schedule, Civil Code, states that when a segregated cell is established (a) the assets and liabilities of the cell shall constitute a distinct patrimony which shall be distinct from all other assets and liabilities of the organisation or other cells which may be established; (b) the assets of such cell shall be available for the fulfilment of any obligations undertaken by the organisation in relation to that cell but not for any other liabilities entered into by the organisation for itself or in respect of other cells; (c) the general assets of an organisation shall not be available for the fulfilment of the obligations undertaken in relation to the cell; and (d) there shall be implied (except in so far as the same is expressly excluded in writing) in every transaction entered into by an organisation with segregated cells the following terms that - (i) no party shall seek, whether in any proceedings or by any other means whatsoever, to make or attempt to use any assets attributable to any cell to satisfy a liability not attributable to that cell; and (ii) if any party succeeds by any means whatsoever in using any assets attributable to any cell to satisfy a liability not attributable to that cell, that party shall be liable to pay to the organisation a sum equal to the value of the benefit thereby obtained by him; and (iii) any asset or sum recovered by the organisation under the implied term set out in this paragraph or by any other means whatsoever in the events referred to herein shall, after the deduction or payment of any costs of recovery, be applied by the organisation so as to compensate the cell affected.