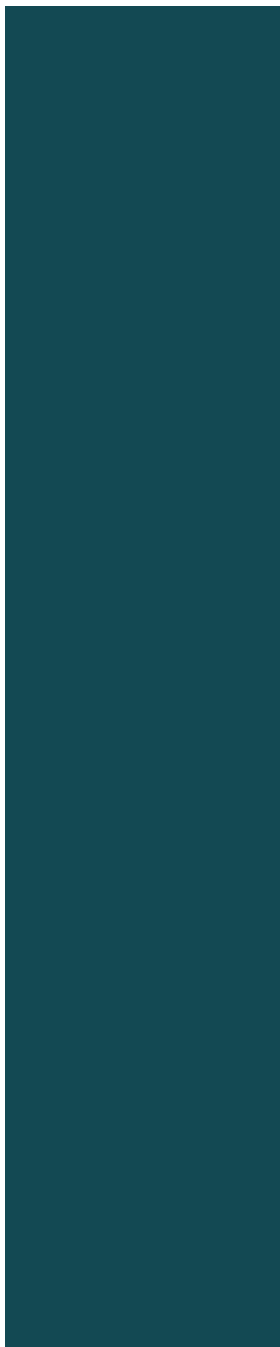




# **REGULATORY REQUIREMENTS**

## **IN SAMPLE JURISDICTIONS**



**AFRICA**  
**MENA**  
**ASIA PACIFIC**  
**EUROPE**  
**LATIN**  
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# AFRICA MENA

# ASIA PACIFIC

# EUROPE

# LATIN AMERICA

# NORTH AMERICA

# OFFSHORE

## REGULATORY REQUIREMENTS IN DUBAI

### LEGAL SOURCE

Federal Decree-Law No.32 of 2021 on Commercial Companies

### ANNUAL COMPLIANCE

#### WHO'S IN CHARGE

Shareholders

#### DOCUMENTS REQUIRED

- ✓ Annual accounts
- ✓ Minutes of annual general meeting
- ✓ Auditor's and directors report

#### REGISTERED AGENT

Not applicable

### COMPANY FORMATION

- ✓ Reservation of the trade name
- ✓ Application for incorporation
- ✓ Memorandum of Association executed before a notary public
- ✓ Copies of passports or corporate documents of shareholders and directors

### CHANGE OF DIRECTOR

Appointment/removal of directors through shareholders' ordinary resolution

## REGULATORY REQUIREMENTS IN IRAQ

### LEGAL SOURCE

Company Law, No. 21 of 1997

### ANNUAL COMPLIANCE

#### WHO'S IN CHARGE

Shareholders

#### DOCUMENTS REQUIRED

- ✓ Annual financial statements
- ✓ Auditor's report
- ✓ Managing director's report
- ✓ Shareholders resolutions

#### REGISTERED AGENT

Not applicable

### COMPANY FORMATION

- ✓ Proposed name of entity for approval
- ✓ Deposit letter of a bank in Iraq
- ✓ Signed memorandum of association
- ✓ Completed Registrar's application
- ✓ Copies of shareholders' passports

### CHANGE OF DIRECTOR

Appointment/removal by general meeting

## REGULATORY REQUIREMENTS IN NIGERIA

### LEGAL SOURCE

Companies and Allied Matters Act, 2020 (Act No. 3 of 2020)

### ANNUAL COMPLIANCE

#### WHO'S IN CHARGE

Members of a Company (a.k.a. Shareholders for companies having a share capital, see article 105)

#### DOCUMENTS REQUIRED

- ✓ Audited financial statements
- ✓ Annual return form - form CAC 19

#### REGISTERED AGENT

Mandatory

### COMPANY FORMATION

- ✓ Memorandum and Articles of Association
- ✓ Notice of address of the registered office
- ✓ Statement containing the list of directors and forms of identification for directors and shareholders
- ✓ Statement of authorised share capital signed by at least 1 director
- ✓ Declaration for registration signed by a legal practitioner
- ✓ Online incorporation form (forms CAC 1 and CAC 1.1)

### CHANGE OF DIRECTOR

- ✓ Board of Directors resolution
- ✓ Appointment of Director - form CAC 7
- ✓ Removal of director - form CAC 7A



## REGULATORY REQUIREMENTS IN SENEGAL

### LEGAL SOURCE

OHADA, Droit Commercial Général - Uniforming Act Relating to Commercial Law

### ANNUAL COMPLIANCE

#### WHO'S IN CHARGE

Shareholders

#### DOCUMENTS REQUIRED

- ✓ Annual financial statements
- ✓ Auditor's report
- ✓ Management report
- ✓ Minutes of shareholders' general meeting

#### REGISTERED AGENT

Not applicable

### COMPANY FORMATION

- ✓ Certified copy of signed articles of association by notary public
- ✓ Minutes of initial shareholders' meeting
- ✓ Compliance declaration
- ✓ Certificate of the bank regarding the funds for the share capital and the list of subscribers
- ✓ Declaration regarding criminal records
- ✓ Copy of directors' IDs

### CHANGE OF DIRECTOR

- ✓ Minutes of shareholders' general meeting
- ✓ Amended articles of association, if applicable
- ✓ Copy of legal announcement
- ✓ Declaration regarding criminal records
- ✓ Copy of director's ID
- ✓ Certificate of registration of the entity, if the director is a legal entity



## REGULATORY REQUIREMENTS IN SOUTH AFRICA

### LEGAL SOURCE

Companies Act 71 of 2008

### ANNUAL COMPLIANCE

#### WHO'S IN CHARGE

Board of directors

#### DOCUMENTS REQUIRED

- ✓ Audited financial statements
- ✓ Annual returns

#### REGISTERED AGENT

Mandatory for public company

### COMPANY FORMATION

- ✓ Name reservation
- ✓ Memorandum of Incorporation signed by every founders
- ✓ Notice of Incorporation (CoR14.1)
- ✓ Certified identity document of the directors and incorporators

### CHANGE OF DIRECTOR

- ✓ Notice of shareholders' meeting
- ✓ Shareholders' meeting resolution
- ✓ Notice of change of Director (form CoR 39)



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## REGULATORY REQUIREMENTS IN AUSTRALIA

<b>LEGAL SOURCE</b>	Corporations Act 2001 ACN - ASIC - PSP
<b>ANNUAL COMPLIANCE</b>	
<b>WHO'S IN CHARGE</b>	Directors
<b>DOCUMENTS REQUIRED</b>	<ul style="list-style-type: none"> <li>✓ Annual confirmation of details</li> <li>✓ Financial statements (for some companies)</li> <li>✓ Annual financial report (for some companies)</li> <li>✓ Directors' report</li> <li>✓ Auditors' report</li> </ul>
<b>REGISTERED AGENT</b>	Not applicable
<b>COMPANY FORMATION</b>	<ul style="list-style-type: none"> <li>✓ File an application with ASIC in prescribed form (Form 201)</li> <li>✓ Constitution</li> <li>✓ Minimum one or two directors residing in Australia</li> </ul>
<b>CHANGE OF DIRECTOR</b>	<ul style="list-style-type: none"> <li>✓ Consent form to act as director</li> <li>✓ Form 370: removal of directors</li> <li>✓ For appointment: Change to company details online form</li> <li>✓ Letter of resignation or retirement of director</li> </ul>



## REGULATORY REQUIREMENTS IN CHINA | OVERVIEW

<b>LEGAL SOURCE</b>	Company Law of the People's Republic of China
<b>ANNUAL COMPLIANCE</b>	
<b>WHO'S IN CHARGE</b>	Shareholders
<b>DOCUMENTS REQUIRED</b>	<ul style="list-style-type: none"> <li>✓ Annual report</li> <li>✓ Minutes of shareholders' meeting</li> <li>✓ Financial statements</li> </ul>
<b>REGISTERED AGENT</b>	Not applicable
<b>COMPANY FORMATION</b>	<ul style="list-style-type: none"> <li>✓ Application for registration of the company's name</li> <li>✓ Application for registration of the company</li> <li>✓ Application for Business License</li> <li>✓ Minutes of constitution meeting</li> <li>✓ Articles of association</li> <li>✓ Details of directors, supervisory committee, legal representatives</li> </ul>
<b>CHANGE OF DIRECTOR</b>	Shareholders' meeting minutes

## REGULATORY REQUIREMENTS IN JAPAN

<b>LEGAL SOURCE</b>	Companies Act, Act No. 86 of 2005
<b>ANNUAL COMPLIANCE</b>	
<b>WHO'S IN CHARGE</b>	Shareholders
<b>DOCUMENTS REQUIRED</b>	<ul style="list-style-type: none"> <li>✓ Financial statements</li> <li>✓ Auditor's report</li> <li>✓ Directors' business reports</li> <li>✓ Annual shareholders' meeting minutes</li> <li>✓ Published notice of financial statements (unless exempted)</li> </ul>
<b>REGISTERED AGENT</b>	Not applicable
<b>COMPANY FORMATION</b>	<ul style="list-style-type: none"> <li>✓ Articles of Incorporation (including details of every shareholder, property assigned to the company, compensation/special benefits, expenses of incorporation) certified by a public notary</li> <li>✓ Registration with Legal Affairs Bureau</li> </ul>
<b>CHANGE OF DIRECTOR</b>	✓ Shareholders' resolution



## REGULATORY REQUIREMENTS IN SINGAPORE

### LEGAL SOURCE

Companies Act Chapter 50

### ANNUAL COMPLIANCE

#### WHO'S IN CHARGE

Directors and Shareholders

#### DOCUMENTS REQUIRED

- ✓ Annual return
- ✓ Appointing an auditor
- ✓ Audited financial statements
- ✓ Minutes of shareholders' annual meeting
- ✓ Filing of financial statements with ACRA

#### REGISTERED AGENT

Mandatory

### COMPANY FORMATION

- ✓ Application for company name
- ✓ Online application to ACRA (including details on registered address, share capital, shareholders, directors and company secretary)
- ✓ Constitution of the company
- ✓ Payment of fees
- ✓ Form 45/Form 45 B signed by each director/secretary
- ✓ At least 1 director with residence in Singapore

### CHANGE OF DIRECTOR

- ✓ Shareholders' general meeting minutes
- ✓ Notice of changes through the business filing portal of ACRA

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## REGULATORY REQUIREMENTS IN FRANCE

### LEGAL SOURCE

French Commercial Code

### ANNUAL COMPLIANCE

#### WHO'S IN CHARGE

Shareholders

#### DOCUMENTS REQUIRED

- ✓ Management Report
- ✓ Inventory and annual accounts
- ✓ Minutes of shareholders' general meeting
- ✓ Statutory auditor's report, if applicable

#### REGISTERED AGENT

Not applicable

### COMPANY FORMATION

- ✓ Articles of association
- ✓ Minutes of Board of Directors' meeting appointing a President if applicable
- ✓ Certificate of the bank regarding the funds for the share capital and the list of subscribers
- ✓ Proof of address for the company
- ✓ Copy of legal announcement
- ✓ Copy of director's ID
- ✓ Declaration regarding criminal records
- ✓ M0 form

### CHANGE OF DIRECTOR

- ✓ Minutes of shareholders' general meeting
- ✓ Amended articles of association, if applicable
- ✓ Copy of legal announcement
- ✓ Declaration regarding criminal records
- ✓ Copy of director's ID
- ✓ Certificate of registration of the entity, if director is a legal entity
- ✓ M3 form



## REGULATORY REQUIREMENTS IN LUXEMBOURG

### LEGAL SOURCE

Luxembourg Commercial Companies Act

### ANNUAL COMPLIANCE

#### WHO'S IN CHARGE

Shareholders

#### DOCUMENTS REQUIRED

- ✓ Minutes of shareholders' general meeting
- ✓ Notice of meeting and attendance sheet
- ✓ Management Report
- ✓ Inventory and balance sheet
- ✓ Statutory auditor's report, if applicable

#### REGISTERED AGENT

Not applicable

### COMPANY FORMATION

- ✓ Constitutive instrument signed in the presence of a notary
- ✓ Details of each founders
- ✓ Details of every asset being brought to the company
- ✓ Blocking certificate issued by the bank (share capital)
- ✓ Official publication of deed of incorporation

### CHANGE OF DIRECTOR

Appointment and removal of directors are processed through a general meeting of shareholders





## REGULATORY REQUIREMENTS IN POLAND

### LEGAL SOURCE

Commercial Companies Code of 15 September 2000

### ANNUAL COMPLIANCE

#### WHO'S IN CHARGE

Shareholders

#### DOCUMENTS REQUIRED

- ✓ Annual Financial Report
- ✓ Management Report
- ✓ Supervisory Report (If applicable)
- ✓ Auditor's Report (If applicable)
- ✓ Minutes of meeting drafted and signed by a notary public
- ✓ Form KRS ZN - submission of financial statement

#### REGISTERED AGENT

Not applicable

### COMPANY FORMATION

- ✓ Articles of Association drafted and signed by a notary public
- ✓ Payment of share capital
- ✓ Application form KRS W3 or KRS W4 signed by the members of management board
- ✓ Registration of company in the Court & Business Gazette

### CHANGE OF DIRECTOR

- ✓ Shareholder resolution
- ✓ Form KRS ZI - notice of change of director



## REGULATORY REQUIREMENTS IN SWITZERLAND

### LEGAL SOURCE

Swiss Civil Code of Obligations 1911

### ANNUAL COMPLIANCE

#### WHO'S IN CHARGE

Shareholders

#### DOCUMENTS REQUIRED

Shareholders resolution  
Annual Reports prepared by the Board of Directors

#### REGISTERED AGENT

Not applicable

### COMPANY FORMATION

- ✓ Articles of amendment signed before a notary, who files all required documentation with the Registry of commerce. For some companies, incorporation is done in person.

### CHANGE OF DIRECTOR

- ✓ Written, dated and signed request by 1 or 2 directors authorized to represent the company
- ✓ Minutes of general meeting appointing new directors
- ✓ Letter of acceptance of their mandate signed by new directors
- ✓ Copy of valid ID
- ✓ Legalization of signature of the new directors
- ✓ Resignation Letter / Notice from the outgoing director



## REGULATORY REQUIREMENTS IN UKRAINE

<b>LEGAL SOURCE</b>	Law on Joint Stock Companies Law on Limited Liability Companies
<b>ANNUAL COMPLIANCE</b>	
<b>WHO'S IN CHARGE</b>	Shareholders
<b>DOCUMENTS REQUIRED</b>	<ul style="list-style-type: none"> <li>✓ Confirmation statement on ownership structure and ultimate beneficial owners</li> <li>✓ Report to the securities commission (Joint-stock companies)</li> <li>✓ Annual general meeting to approve annual financial statements</li> <li>✓ Filing Financial Statements to State Statistics Authorities (for limited liability companies)</li> </ul>
<b>REGISTERED AGENT</b>	Not applicable
<b>COMPANY FORMATION</b>	<ul style="list-style-type: none"> <li>✓ Charter of the company</li> <li>✓ Minutes of incorporation meeting</li> <li>✓ Application form signed by founders</li> <li>✓ Information about ultimate beneficial owner(s)</li> </ul>
<b>CHANGE OF DIRECTOR</b>	Shareholders, or supervisory board if the company has one

## REGULATORY REQUIREMENTS IN THE UNITED KINGDOM (ENGLAND & WALES)

<b>LEGAL SOURCE</b>	Companies Act 2006
<b>ANNUAL COMPLIANCE</b>	
<b>WHO'S IN CHARGE</b>	Directors
<b>DOCUMENTS REQUIRED</b>	<ul style="list-style-type: none"> <li>✓ Confirmation statement</li> <li>✓ Annual accounts (signed by directors)</li> </ul>
<b>REGISTERED AGENT</b>	Mandatory for public companies
<b>COMPANY FORMATION</b>	<ul style="list-style-type: none"> <li>✓ Memorandum of association</li> <li>✓ Articles of association</li> <li>✓ Application to register a company (form IN01 or online)</li> </ul>
<b>CHANGE OF DIRECTOR</b>	<ul style="list-style-type: none"> <li>✓ Shareholders resolution appointing new director</li> <li>✓ Specific form (AP01 or AP02)</li> <li>✓ Confirmation of consent to act as a director</li> </ul>

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## REGULATORY REQUIREMENTS IN ARGENTINA

<b>LEGAL SOURCE</b>	General Companies Law
<b>ANNUAL COMPLIANCE</b>	
<b>WHO'S IN CHARGE</b>	Shareholders
<b>DOCUMENTS REQUIRED</b>	<ul style="list-style-type: none"> <li>✓ Financial statements</li> <li>✓ Board of directors' company report</li> </ul>
<b>REGISTERED AGENT</b>	Not applicable
<b>COMPANY FORMATION</b>	<ul style="list-style-type: none"> <li>✓ Filing of executed articles of Association</li> <li>✓ Legal announcement notice (for some companies)</li> <li>✓ Majority of members of the Board residents of Argentina</li> </ul>
<b>CHANGE OF DIRECTOR</b>	Filing of minutes of shareholders' meeting approving the change

## REGULATORY REQUIREMENTS IN BRAZIL

<b>LEGAL SOURCE</b>	Brazilian Civil Code and Law No. 6.404/1976
<b>ANNUAL COMPLIANCE</b>	
<b>WHO'S IN CHARGE</b>	Shareholders
<b>DOCUMENTS REQUIRED</b>	<ul style="list-style-type: none"> <li>✓ Filing of the shareholders' meeting minutes</li> <li>✓ Annual financial statements</li> </ul>
<b>REGISTERED AGENT</b>	Not applicable
<b>COMPANY FORMATION</b>	<ul style="list-style-type: none"> <li>✓ Filing of executed Articles of Incorporation</li> <li>✓ For Corporations, filing of the minutes of the shareholders' meeting and payment of at least 10% of the initial capital</li> <li>✓ All directors shall be Brazilian citizens or resident in Brazil</li> <li>✓ Shareholders not resident in Brazil must appoint a representative residing in Brazil</li> </ul>
<b>CHANGE OF DIRECTOR</b>	Filing of minutes of shareholders' meeting approving the change



## REGULATORY REQUIREMENTS IN MEXICO

<b>LEGAL SOURCE</b>	General Law on Commercial Companies
<b>ANNUAL COMPLIANCE</b>	
<b>WHO'S IN CHARGE</b>	Shareholders
<b>DOCUMENTS REQUIRED</b>	<ul style="list-style-type: none"> <li>✓ Financial statements</li> <li>✓ Minutes of shareholders' meeting signed by president and secretary of the meeting</li> <li>✓ Management report</li> <li>✓ Auditor's report (if applicable)</li> </ul>
<b>REGISTERED AGENT</b>	Not applicable
<b>COMPANY FORMATION</b>	<ul style="list-style-type: none"> <li>✓ Request of use of corporate name to Ministry of Economy</li> <li>✓ Articles of association/By laws, signed before a notary</li> </ul>
<b>CHANGE OF DIRECTOR</b>	Minutes of shareholders' meeting

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**REGULATORY REQUIREMENTS  
IN CANADA**

<b>LEGAL SOURCE</b>	<ul style="list-style-type: none"> <li>✓ Canada Business Corporations Act (Federal)</li> <li>✓ Provincial legislation</li> </ul>
<b>ANNUAL COMPLIANCE</b>	
<b>WHO'S IN CHARGE</b>	Directors
<b>DOCUMENTS REQUIRED</b>	<ul style="list-style-type: none"> <li>✓ Comparative financial statements</li> <li>✓ Report of the auditor (if any)</li> <li>✓ Any further information related to the financial position of the company as required by articles, by-laws or any shareholder agreement</li> <li>✓ Annual return</li> </ul>
<b>REGISTERED AGENT</b>	Not applicable
<b>COMPANY FORMATION</b>	<ul style="list-style-type: none"> <li>✓ Signed Articles of Incorporation</li> <li>✓ Notice of Registered Address</li> <li>✓ Notice of Directors</li> <li>✓ Under some statutes: 25% of directors must be resident in Canada</li> </ul>
<b>CHANGE OF DIRECTOR</b>	<ul style="list-style-type: none"> <li>✓ Removal/appointment of directors: by way of an extraordinary meeting of shareholders</li> <li>✓ File Notice of Change of Directors within 15 days</li> </ul>





## REGULATORY REQUIREMENTS IN THE UNITED STATES (DELAWARE)

### LEGAL SOURCE

Delaware General Corporation Law

### ANNUAL COMPLIANCE

#### WHO'S IN CHARGE

Directors

#### DOCUMENTS REQUIRED

- ✓ Stockholder annual meeting or written resolutions
- ✓ Filing of an annual return

#### REGISTERED AGENT

Mandatory for every corporation

### COMPANY FORMATION

File Certificate of Incorporation, including:

- ✓ name,
- ✓ registered address,
- ✓ nature of business,
- ✓ class of stock,
- ✓ name & mailing address of incorporators,
- ✓ powers of incorporators,
- ✓ list of directors,
- ✓ provisions to managing the business

### CHANGE OF DIRECTOR

- ✓ Written consent of Board of Directors
- ✓ No filing is required (any change is mentioned in the Annual Return that is required to be filed annually)

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## REGULATORY REQUIREMENTS IN THE CAYMAN ISLANDS

<b>LEGAL SOURCE</b>	Companies Act (2023 Revision)
<b>ANNUAL COMPLIANCE</b>	
<b>WHO'S IN CHARGE</b>	Secretary, Manager or Directors
<b>DOCUMENTS REQUIRED</b>	Annual Return (exempted companies / associations not for profit)
<b>REGISTERED AGENT</b>	Not applicable
<b>COMPANY FORMATION</b>	<ul style="list-style-type: none"> <li>✓ Company name reservation</li> <li>✓ Signed Articles and Memorandum of Association in the presence of at least 1 witness</li> <li>✓ Consent form signed by directors</li> <li>✓ Beneficial ownership information</li> </ul>
<b>CHANGE OF DIRECTOR</b>	<ul style="list-style-type: none"> <li>✓ Letter of resignation from resigning director</li> <li>✓ Directors or shareholders resolution</li> <li>✓ Update register of directors and officers, and report changes to General Registry</li> </ul>

## REGULATORY REQUIREMENTS IN THE BRITISH VIRGIN ISLANDS

<b>LEGAL SOURCE</b>	BVI Business Companies Act (Revised 2020) as amended by BVI Business Companies (Amendment) Act, 2023
<b>ANNUAL COMPLIANCE</b>	
<b>WHO'S IN CHARGE</b>	Director or Registered Agent
<b>DOCUMENTS REQUIRED</b>	Annual Return
<b>REGISTERED AGENT</b>	Mandatory
<b>COMPANY FORMATION</b>	<ul style="list-style-type: none"> <li>✓ Articles and Memorandum of Association</li> <li>✓ Name reservation</li> <li>✓ Incorporation form: R101</li> <li>✓ Signed document of the authorised agent</li> <li>✓ Directors' acceptance letter</li> <li>✓ Share certificate</li> <li>✓ Articles and plan of consolidation</li> <li>✓ Notarized passport copies</li> <li>✓ Bank statements of beneficial owners</li> </ul>
<b>CHANGE OF DIRECTOR</b>	Special shareholder's resolution (unless provided otherwise by the company's memorandum of articles)

## REGULATORY REQUIREMENTS IN JERSEY

<b>LEGAL SOURCE</b>	Companies Law 1991 Financial Services (Disclosure and Provision of Information) (Jersey) Law 2020
<b>ANNUAL COMPLIANCE</b>	
<b>WHO'S IN CHARGE</b>	Directors or Company Secretary
<b>DOCUMENTS REQUIRED</b>	<ul style="list-style-type: none"> <li>✓ Accounts - signed by the directors</li> <li>✓ Submission of annual confirmation statement (from 2021)</li> </ul>
<b>REGISTERED AGENT</b>	Mandatory
<b>COMPANY FORMATION</b>	<ul style="list-style-type: none"> <li>✓ Online application</li> <li>✓ Memorandum and articles signed by all founders</li> <li>✓ Statement authorising an agent (if any)</li> <li>✓ Certified proof of ID and address of every beneficial owner and director</li> </ul>
<b>CHANGE OF DIRECTOR</b>	<ul style="list-style-type: none"> <li>✓ Directors are appointed/removed by ordinary resolution</li> <li>✓ Statement containing intended registered address</li> </ul>

# REGULATORY REQUIREMENTS IN MAURITIUS

## LEGAL SOURCE

Companies Act 2001

## ANNUAL COMPLIANCE

### WHO'S IN CHARGE

Directors

### DOCUMENTS REQUIRED

- ✓ Audited financial statements
- ✓ Annual return

### REGISTERED AGENT

Mandatory

## COMPANY FORMATION

- ✓ Signed application for incorporation
- ✓ List of all directors/secretary
- ✓ At least 1 or 2 directors residing in Mauritius (depending on entity set up)
- ✓ Notice for name reservation
- ✓ Proposed constitution
- ✓ Incorporation form: S23-F1

## CHANGE OF DIRECTOR

- ✓ Ordinary Shareholder's resolutions
- ✓ Form 16 Notice of Appointment
- ✓ Form 17 Notice of Cessation to Hold Office as Director
- ✓ Letter to The Corporate and Business Registration Department for the change of directorship



# WE MANAGE. YOU BENEFIT.

## 1 LANGUAGES

Our teams can operate in all required languages to work with local authorities.

## 2 IN-PERSON LOCAL PRESENCE

Our regional hubs work hand in hand with our network of local partners.

## 3 KNOWLEDGE OF LOCAL LEGAL SYSTEM

We know all local processes and regulatory requirements inside out.

## 4 COST

We identify the right balance of quality and cost to ensure completion on time and on budget.

## 5 REPUTATIONAL RISK COVERED

We manage corporate secretarial plans from end to end to prevent any costly mistakes.

## GET IN TOUCH

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*Last updated: 10 September 2023*

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