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Model Works in

the Philippines

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cooperatives and

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~~Revised Ohada~~

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Date and place
of adoption:

December 15,

2010 in Lomé

(Togo)Date of

publication in

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February 15,

2011 Entry into
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2011 15/12/2010

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Affaires, OHADA)

adopted a

“significantly

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on January 30,
2014; the
original Act was
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17, 1997.

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(UAAFR), adopted
by the Council
of Ministers of
OHADA on January
26, 2017 in
Brazzaville

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(Congo), was

published in the
Official Gazette
of the

Organization on

February 15,

2017. With more
than 1,200

pages, the

special edition

devoted to the

publication of

this important

instrument also

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revised OHADA
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system

(SYSCOHADA),
namely: the
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companies and

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(the “Revised

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was adopted on

30 January 2014

by the OHADA

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Ministers. The
Revised Uniform
Act, which
replaces the
Uniform Act of
17 April 1997,
was published in
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official gazette
on 4 February
2014 . The
Revised Uniform
Act is

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applicable to
all companies
incorporated in
any of the OHADA
Member States
from 5 May 2014.

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Companies and
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law has been

adopted on 15

December 2010,

but it became

effective in

each of the -

then - 16 member

states on 16 May

2011 - it

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the security ...

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revised Uniform

Act and Rules

aim at promoting

arbitration

seated in OHADA

Member States

and/or conducted

under CCJA rules

by increasing

efficiency and

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the independence

of the arbitral
procedure, only

the future

interpretation

and application

of these texts

by the CCJA and

Member State

courts, will

show whether

these goals have

been achieved.

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1993, as revised
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particularly in
articles 2, 5
and 10 and 12;

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and 10 and 12 ;

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to the report of
the Office of
the Permanent
Secretary and
the comments of
States Parties;

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GENERAL
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revised rules of
arbitration The

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new Uniform Act
on arbitration
amends the
initial text
adopted in 1999.
The spirit is
clear: ensuring
promptness of
proceedings and
strength of
arbitral awards
while
maintaining the
parties' ability

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to adapt the
procedure to
meet their
particular needs
and solve their
dispute.

~~OHADA updates
its law on
arbitration and
implements a new~~

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gives full legal recognition to the contribution in the form of services. The previous Act limited the contribution in the form of services to a supply of labour without specifying the applicable legal

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regime. It is currently defined as the contribution of technical or professional knowledge or services.

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Uniform Act on
security law has
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15 December
2010, but it
became effective
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states on 16 May
2011 - it
specifies that
the security
granted before
16 May 2011 will
continue to be
governed by the
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dated 17 April

1997. Since 12
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on Mediation

fills the

legislative gap

that existed in

most OHADA

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with regard to
the amicable
settlement of
disputes. The
other two
instruments
update the laws
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aim to enhance
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arbitral

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proceedings in
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while improving
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uniform act
relating to
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interest groups
iv (ohada),
parties;
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this uniform act
117. 118 uniform
act relating to
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companies and
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companies.

articles of
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communes aux
États membres de
l'OHADA sont
contenues dans
des Actes
Uniformes,
adoptés par le
Conseil des
Ministres. A ce
jour, neuf (09)

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Actes uniformes
ont déjà été
adoptés et, pour
certains,
révisés. Sont
concernées, les
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and the GIE
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(Organisation

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of Business Law in
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~~OHADA revises
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Companies and
GIE~~

This Uniform Act
shall apply to
every Trader

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irrespective of
whether he is a
natural or
corporate person
and shall
include all
commercial
companies of
which a State or
person governed
by public law is
a member.

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