COMPANIES

1955 No. 1077 (L. 7)

The Companies (Winding-up) (Amendment) Rules, 1955

Made - - - -	20*th July*, 1955
Laid before Parliament	22*nd July*, 1955
Coming into Operation	25*th July*, 1955

I, David, Viscount Kilmuir, Lord High Chancellor of Great Britain, with the concurrence of the President of the Board of Trade, in exercise of the powers conferred upon me by Section 365 (1) of the Companies Act, 1948(a), and of all other powers enabling me in that behalf do hereby make the following Rules:—

1. The Companies (Winding-up) Rules, 1949(b), shall be amended as follows:—

(*a*) For Rule 188 there shall be substituted the following:—

"Taxation. 188.—(1) Every bill of costs, charges or expenses shall be taxed—

(*a*) in the High Court, by the Taxing Officer or by any person under the direction of the Registrar;

(*b*) in any other Court, by the Taxing Officer.

Form 91. (2) Upon the taxation being completed, the Taxing Officer shall issue to the person presenting the bill for taxation an allowance or certificate of taxation.

(3) The bill of costs, charges and expenses, together with the allowance or certificate, shall be filed with the Registrar.";

(*b*) In Rule 189 after the words "the Taxing Officer" there shall be inserted the words "or, in a case where the taxation is being conducted by a person under the direction of the Registrar, to that person"; and

(*c*) In the Appendix for Form 91 there shall be substituted the following:—

"No. 91. (Rule 188.)

Certificate of Taxation

(*Title.*)

I hereby certify that the bill of costs [*or* charges] [*or* expenses] of Mr. C.D. [*here state capacity in which employed or engaged*] [*where necessary add* "pursuant to an order of the Court dated the day of , 19 "] has been taxed and has been allowed at the sum of pounds shillings and pence [*where necessary add* "which sum is to be paid to the said C.D. by as directed by the said order"]

Dated this day of , 19 .

Taxing Master [*or* Registrar].

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(a) 11 & 12 Geo. 6. c. 38. (b) S.I. 1949/330 (1949 I, p. 789).

2. Any allowance or certificate of taxation given, whether before or after the coming into operation of these Rules, by the Registrar after taxation by a person under his direction shall for all purposes be as effective as if given after taxation by the Registrar.

3. These Rules may be cited as The Companies (Winding-up) (Amendment) Rules, 1955, and shall come into operation on the 25th day of July, 1955.

Kilmuir, C.

Dated this 20th day of July, 1955.

I concur,

Peter Thorneycroft,
President of the Board of Trade.

Dated this 20th day of July, 1955.

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

These Rules which amend The Companies (Winding-up) Rules, 1949, authorise the taxation of costs in proceedings in the Companies Court of the High Court to be conducted by a person acting under the direction of the Registrar.

They sanction a long standing practice of the Court which has recently been held to have no legal basis.

1955 No. 1343

The Companies Liquidation Account (Interest) Order, 1955

Made - - - -	25*th August*, 1955
Laid before Parliament	30*th August*, 1955
Coming into Operation	1*st September*, 1955

The Lords Commissioners of Her Majesty's Treasury, in exercise of the powers conferred upon them by subsection (4) of section 362 of the Companies Act, 1948(**a**), and of all other powers enabling them in that behalf, hereby make the following Order :—

1. From the coming into operation of this Order the interest mentioned in subsection (4) of section 362 of the Companies Act, 1948, shall be at the rate of two and one half per cent. per annum.

2.—(1) This Order may be cited as the Companies Liquidation Account (Interest) Order, 1955.

(2) The Interpretation Act, 1889(**b**), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(3) This Order shall come into operation on the first day of September, nineteen hundred and fifty-five.

(**a**) 11 & 12 Geo. 6, c. 38. (**b**) 52 & 53 Vict. c. 63.