EXPLANATORY NOTE

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

This Order amends the Companies (Forms) Order, 1949. It prescribes new Forms 100A and 100B for the purposes of subsection (2) of section 209 of the Companies Act, 1948.

The new Forms will be appropriate whether or not the scheme or contract has been approved in the time and manner specified in subsection (1) of that section, whereas the previous forms were appropriate only where the scheme or contract had been so approved.

1957 No. 973 (L. 6)

The Companies (Winding-up) (Amendment) Rules, 1957

Made - - - -	*4th June*, 1957
Laid before Parliament	*7th June*, 1957
Coming into Operation	*18th June*, 1957

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), as amended(c), shall be amended as follows:—

(*a*) In Rule 4 (3) for the words "Master, Registrar, or Taxing Master" there shall be substituted the words "Master or Registrar of the Court";

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

"Taxation. 188.—(1) Except as otherwise provided in the Act or in the Rules every bill of costs, charges or expenses shall be taxed as if it were a bill of costs arising out of proceedings in or before the Court under its ordinary jurisdiction.

(2) Upon taxation being completed—

(*a*) in the High Court, a Taxing Master;

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

Form 91. shall issue to the person presenting the bill for taxation a certificate of taxation.

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

(*c*) In Rule 189 the words "or, in a case where the taxation is being conducted by a person under the direction of the Registrar, to that person" shall be omitted;

(*d*) In Rule 193 for references to "the Taxing Officer of the High Court" there shall be substituted references to "a Taxing Master of the Supreme Court";

(a) 11 & 12 Geo. 6. c. 38. (b) S.I. 1949/330 (1949 I, p. 789).
(c) S.I. 1954/162, 1955/1077 (1954 I, p. 509; 1955 I, p. 516).

(*e*) For paragraph (2) of Rule 195 there shall be substituted the following paragraph :—

"Costs. (2) No payments in respect of bills of costs, charges or expenses of solicitors, managers, accountants, auctioneers, brokers or other persons, other than payments for costs, charges or expenses fixed or allowed by the Court under the Act or the Rules, or sanctioned by the Official Receiver under Rule 56, shall be allowed out of the assets of the company unless they have been duly taxed and allowed by the Taxing Officer. The Taxing Officer shall, before passing the bill of costs, charges or expenses of a solicitor satisfy himself that the appointment of a solicitor to assist the Liquidator in the performance of his duties has been duly sanctioned: Provided that the Official Receiver when acting as Liquidator may, without taxation, allow and pay the costs, charges and expenses of any person employed by him where such costs, charges and expenses are within the scale usually allowed by the Court and do not exceed the sum of 5 guineas so, however, that the Board of Trade may require such costs, charges and expenses to be taxed by the Taxing Officer." ;

(*f*) In the Appendix in Form 2 the words "Mr. Justice" shall be omitted ; and

(*g*) 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].

".

£	:	:

2.—(1) The Companies (Winding-up) (Amendment) Rules, 1955(a), are hereby revoked.

(2) These Rules may be cited as the Companies (Winding-up) (Amendment) Rules, 1957, and shall come into operation on the 18th day of June, 1957.

Dated this fourth day of June, 1957.

Kilmuir, C.

I concur,

David Eccles,

President of the Board of Trade.

(a) S.I. 1955/1077 (1955 I, p. 516).

EXPLANATORY NOTE

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

These Rules amend the Companies (Winding-up) Rules, 1949. The principal changes are as follows :—

(1) The taxation of costs in proceedings in the Companies Court of the High Court may now be conducted only in the Supreme Court Taxing Office. Hitherto the Registrar or any person acting under his direction has been authorised to conduct such taxations.

(2) In the general title used in proceedings in that Court (Form 2) a reference to a particular judge is no longer required.

The Companies (Winding-up) (Amendment) Rules, 1955, are revoked and in consequence Form 91, which remains unchanged, is included in these Rules.

CONSULAR RIGHTS AND PRIVILEGES

1957 No. 2052

The Consular Conventions (Federal Republic of Germany) Order, 1957

Made - - - -	*27th November,* 1957
Laid before Parliament	*3rd December,* 1957
Coming into Operation	*28th December,* 1957

At the Court at Buckingham Palace, the 27th day of November, 1957

Present,

The Queen's Most Excellent Majesty in Council

Whereas by Section 6 (1) of the Consular Conventions Act, 1949(a), (hereinafter referred to as "the Act") it is enacted that Her Majesty may by Order in Council direct that Sections one and two or Section four of the Act (which provide for the exercise by consular officers of certain powers in relation to the property of deceased persons, and for the restriction of the powers of entry in relation to consular offices) shall apply to any foreign State specified in the Order, being a State with which a Consular Convention providing for matters for which provision is made by those Sections has been concluded by Her Majesty ;

And Whereas a Consular Convention (hereinafter referred to as "the Convention") between Her Majesty in respect of the United Kingdom of Great Britain and Northern Ireland and the President of the Federal Republic of Germany was signed at Bonn on the 30th day of July, 1956, which provides for matters for which provision is made in the said Sections one and two and Section four, and which enters into force on the thirtieth day after the date of exchange of instruments of ratification ;

And Whereas Her Majesty desires to ratify the Convention :

(a) 12, 13 & 14 Geo. 6. c. 29.