1952 No. 1865

The Companies Winding Up (Floating Charges) (Interest) Order, 1952

Made - - - -	16*th October*, 1952
Laid before Parliament	27*th October*, 1952
Coming into Operation	1*st November*, 1952

The Lords Commissioners of Her Majesty's Treasury, in exercise of the powers conferred on Them by section 322 of the Companies Act, 1948(**a**), and of all other powers enabling Them in that behalf, hereby make the following Order:—

1.—(1) This Order may be cited as the Companies Winding Up (Floating Charges) (Interest) Order, 1952.

(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 November, nineteen hundred and fifty-two.

2. The Companies Winding Up (Floating Charges) (Interest) Order, 1949(**c**), is hereby revoked.

Dated this sixteenth day of October, 1952.

Edward Heath,

Dennis Vosper,

Two of the Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

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

Subsection (1) of section 322 of the Companies Act, 1948, provides that, where a company is being wound up, a floating charge on the undertaking or property of the company shall in certain circumstances be invalid, except to the amount of any cash paid to the company at the time of, and in consideration for, the charge, together with interest on that amount at the rate of 5 per cent. per annum or such rate as may for the time being be prescribed by order of the Treasury.

The Companies Winding Up (Floating Charges) (Interest) Order, 1949, prescribed a rate of 4 per cent. per annum; that Order is revoked by the present Order, so that the rate now reverts to 5 per cent. per annum.

(a) 11 & 12 Geo. 6. c. 38. (b) 52 & 53 Vict. c. 63. (c) S.I. 1949/423; 1949 I, p. 931.