(*b*) for furnishing any such copy for the prosecution on the trial of any such person, 8d. for every folio or part of a folio of 90 words;

(*c*) for furnishing a copy of any document other than a document furnished under the foregoing paragraphs—

(i) for a copy which does not exceed 5 folios of 72 words each, 6s. 8d.;

(ii) for a copy which exceeds 5 but does not exceed 20 folios of 72 words each, 14s. 0d.;

(iii) for a copy which exceeds 20 folios of 72 words each, 14s. 0d. for the first 20 such folios and 8d. for each such folio thereafter:

Provided that where a coroner or other person furnishing a copy under this paragraph is satisfied that the person to whom the copy is being furnished is a properly interested person and by reason of his financial circumstances ought to be furnished with the copy at a lower rate, the fee shall be 8d. for every folio of 72 words.

2.—(1) These Rules may be cited as the Coroners' Records (Fees for Copies) Rules, 1954, and shall come into operation on the first day of February, 1954.

(2) The Coroners' Records (Fees for Copies) Rules, 1929(**a**), are hereby revoked.

David Maxwell Fyfe,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
6th January, 1954.

COTTON INDUSTRY

1954 No. 1023

The Raw Cotton Commission (Dissolution) Order, 1954

Made - - - - 28*th July*, 1954
Coming into Operation 1*st September*, 1954

The Board of Trade and the Minister of Materials, being satisfied that it is in the public interest to provide for the winding up and dissolution of the Raw Cotton Commission and in exercise of the powers conferred upon them by Section 4 of the Cotton Act, 1954(**b**), hereby make the following Order, a draft thereof having been approved in accordance with subsection (1) of Section 5 of the said Act by resolution of each House of Parliament:—

Commission to be wound up

1. The Raw Cotton Commission (hereinafter called "the Commission") shall be wound up and, after the 31st day of August, 1954, shall not exercise any of the functions conferred upon the Commission by the Cotton (Centralised Buying) Act, 1947(**c**), or the Cotton Act, 1954, except so far as may be necessary for the beneficial winding up of the Commission.

(**a**) S.R. & O. 1929/1022 (Rev. V, p. 3: 1929, p. 368). (**b**) 2 & 3 Eliz. 2. c. 24.
(**c**) 10 & 11 Geo. 6. c. 26.

Appointment of liquidator

2.—(1) For the purpose of conducting the winding up of the Commission and performing the duties specified in this Order, the Board of Trade and the Minister of Materials (hereinafter called "the Board" and "the Minister" respectively) may appoint a person to be liquidator of the Commission who shall realize the assets of the Commission and meet the liabilities thereof and the expenses of the winding up and do such other things as may be necessary for the proper winding up of the Commission.

(2) A person appointed hereunder liquidator of the Commission may resign or be removed by the Board and the Minister.

(3) A vacancy in the office of liquidator of the Commission shall be filled by the Board and the Minister.

(4) The remuneration, if any, of the liquidator shall be fixed by the Minister.

Custody of Commission's property

3.—(1) The liquidator shall take into his custody or under his control all the property and things in action to which the Commission is or appears to be entitled.

(2) Unless at any time the Minister otherwise directs, the liquidator shall carry out all subsisting contracts with the Nigerian Produce Marketing Company Limited, the Abyan Development Board and the Governor of Nyasaland for the purchase of raw cotton.

(3) In carrying out any such contract as is mentioned in paragraph (2) of this Article the liquidator shall comply with any direction given to him by the Minister.

Powers of the liquidator

4.—(1) The liquidator in the course of winding up the Commission shall have power, with the sanction of the Minister,—

(*a*) to bring, defend or continue any action or other legal proceedings in the name and on behalf of the Commission;

(*b*) to exercise in the name and on behalf of the Commission any of the Commission's functions so far as may be necessary for the beneficial winding up thereof;

(*c*) to appoint a solicitor to assist him in the performance of his duties;

(*d*) to raise on the security of the assets of the Commission any money requisite;

(*e*) to make any compromise or arrangement with creditors or persons claiming to be creditors, or having or alleging themselves to have any claim against the Commission, or whereby the Commission may be rendered liable;

(*f*) to compromise all debts and liabilities capable of resulting in debts, and all claims subsisting or supposed to subsist between the Commission and a debtor or other person apprehending liability to the Commission, and all questions in any way relating to or affecting the assets or the winding up of the Commission, on such terms as may be agreed, and take any security for the discharge of any such debt, liability or claim and give a complete discharge in respect thereof.

(2) The liquidator, in the course of winding up the Commission, shall, subject to the provisions of Article 5 hereof, have power—

(*a*) to sell the real and personal property and things in action of the Commission by public auction or private contract, with power to transfer the whole thereof to any person or company or to sell the same in parcels;

(*b*) to do all acts and to execute, in the name and on behalf of the Commission, all deeds, receipts and other documents, and for that purpose to use, when necessary, the Commission's seal;

(*c*) to draw, accept, make and indorse any bill of exchange or promissory note in the name and on behalf of the Commission, with the same effect with respect to the liability of the Commission as if the bill or note had been drawn, accepted, made or indorsed by or on behalf of the Commission in the exercise of the Commission's functions;

(*d*) to appoint an agent to do any business which the liquidator is unable to do himself;

(*e*) to do all such other things as may be necessary for the winding up of the affairs of the Commission.

Disposal of residual stocks

5. So far as the property of the Commission consists of raw cotton, the liquidator shall—

(*a*) carry out all subsisting contracts of the Commission for the sale thereof unless the other party to any such contract shall prevent the liquidator from carrying out that contract;

(*b*) sell all raw cotton of the Commission not required for the carrying out of any contract mentioned in head (*a*) of this Article in accordance with arrangements made by the liquidator and approved by the Minister, after consultation with the Treasury, as being best calculated to serve the public interest in all respects, due regard being had to the price obtaining for comparable cotton in the open market.

Provisions relating to debts and claims

6.—(1) Every creditor of the Commission shall notify the liquidator in writing before the 1st day of March, 1955, of each of his debts or claims against the Commission and shall give to the liquidator such further information in relation thereto as the liquidator may reasonably require:

Provided that the provisions of this paragraph shall not apply to any debt or claim that is the subject of an action or other legal proceedings which have been commenced against the Commission before the coming into operation of this Order.

(2) Every creditor, in the notification given to the liquidator in pursuance of paragraph (1) of this Article, shall state the amount of the debt or claim, or, where the debt or claim is subject to a contingency or sounds only in damages or for some other reason does not bear a certain value, shall include therein, so far as is possible, a just estimate of the debt or claim.

(3) The liquidator shall examine each debt or claim notified to him in accordance with the provisions of this Article, and shall notify the creditor in writing whether he admits or rejects it in whole or in part.

(4) If the liquidator thinks that a debt or claim has been improperly admitted in whole or in part, he may thereupon reject the whole or that part as the case may be.

(5) If the liquidator rejects a debt or claim in whole or in part he shall state in writing to the creditor the grounds of the rejection.

Limitation of actions

7. No action or other legal proceedings shall be commenced, in respect of any debt or claim or any part thereof against the Commission, after the coming into operation of this Order unless—

(*a*) that debt or claim has been notified to the liquidator in accordance with the provisions of the last preceding Article ;

(*b*) that debt or claim or that part has been rejected by the liquidator ; and

(*c*) not more than two months have elapsed since the liquidator stated to the creditor the grounds of the rejection.

Payment of liabilities and expenses

8. The liquidator shall meet the liabilities of the Commission and the expenses of the winding up out of the assets of the Commission, in so far as they are sufficient, and shall meet the balance, if any, of such liabilities and expenses out of such sums as the Minister shall pay to the Commission in accordance with Article 12 hereof.

Keeping and production of books, etc.

9. The liquidator shall, for the purposes of the winding up, keep such books and other documents and records as the Minister may from time to time direct, and shall, at such times as the Minister may direct, produce for examination by or on behalf of the Minister such books and other documents and records kept by him as aforesaid and such books and other documents and records of the Commission as the Minister may direct.

Furnishing of information

10. The liquidator shall furnish to the Minister such information relating to the winding up as the Minister may from time to time direct.

Surplus moneys

11. If during the course of the winding up it is determined by the liquidator with the approval of the Minister that any moneys belonging to the Commission are moneys which are not required, and will not be required, to meet the liabilities of the Commission and the expenses of the winding up, the liquidator shall pay those moneys to the Minister.

Deficiency of assets

12. If during the course of the winding up it is determined by the liquidator with the approval of the Minister that the assets of the Commission are insufficient to meet the liabilities of the Commission and the expenses of the winding up, then, unless the Minister shall, in exercise of the powers conferred on him by subsection (6) of Section 4 of the said Cotton Act, 1954, with the consent of the Treasury by order provide for the cancellation of any liabilities of the Commission to which that subsection relates, and in so far as such cancellation shall not extend, the Minister shall out of moneys provided by Parliament pay to the Commission such sums as shall be requisite to make good the deficiency.

Liquidator's accounts

13.—(1) The liquidator shall, during the course of the winding up, prepare and submit to the Minister, in relation to the winding up, such accounts in such form, at such times and subject to such audit as the Minister may

from time to time direct; and, on the completion of the winding up, shall prepare and submit to the Minister a final account in such form as the Minister may, with the approval of the Treasury, direct showing how the winding up has been conducted.

(2) The Minister shall lay a copy of the final account before Parliament.

Disposal of books, etc.

14. On the Board and the Minister being satisfied that the winding up has been duly completed, the liquidator shall transfer to the Minister all books and other documents and records kept by him for the purposes of the winding up and all books and other documents and records of the Commission.

Release of the liquidator

15.—(1) The Board and the Minister, on being satisfied that the winding up has been duly completed, shall release the liquidator, and such release shall discharge him from all liability in respect of any act done or default made by him in the administration of the affairs of the Commission or otherwise in relation to his conduct as liquidator.

(2) Where the liquidator has not previously resigned or been removed, his release shall operate as a removal of him from his office.

Dissolution of the Commission

16.—(1) The Board and the Minister shall, on being satisfied that the winding up has been duly completed, cause a notice to be published in the London Gazette to that effect and to the effect that on the date of the publication of the notice the Commission is dissolved.

(2) The Commission shall, on the said date and by virtue of this Order, be dissolved.

Interpretation

17.—(1) In this Order—

"claim" includes a claim present or future, certain or contingent, ascertained or sounding only in damages;

"debt" includes a debt payable on a contingency.

(2) The coming into operation of this Order shall not determine the employment of any officers, agents or servants of the Commission.

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

Citation, Coming into Operation

18. This Order may be cited as the Raw Cotton Commission (Dissolution) Order, 1954, and shall come into operation on the 1st day of September, 1954.

Dated this 28th day of July, 1954.

Peter Thorneycroft,
President of the Board of Trade.

Dated this 28th day of July, 1954.

Woolton,
Minister of Materials.

(**a**) 52 & 53 Vict. c. 63.