

Place of meetings.

92. Every meeting shall be held at such place as is in the opinion of the person convening the same most convenient for the majority of the creditors or contributories or both. Different times or places or both may if thought expedient be named for the meetings of creditors and for the meetings of contributories.

Costs of calling meeting.

93. The costs of summoning a meeting of creditors or contributories at the instance of any person other than the Official Receiver or Liquidator shall be paid by the person at whose instance it is summoned who shall before the meeting is summoned deposit with the Official Receiver or Liquidator (as the case may be) such sum as may be required by the Official Receiver or Liquidator as security for the payment of such costs. The costs of summoning such meeting of creditors or contributories including all disbursements for printing, stationery, postage and the hire of room, shall be calculated at the following rate for each creditor or contributory to whom notice is required to be sent, namely, one rupee per creditor or contributory for the first 20 creditors or contributories, fifty cents per creditor or contributory for the next 30 creditors or contributories, twenty-five cents per creditor or contributory for any number of creditors or contributories after the first 50. The said costs shall be repaid out of the assets of the company if the court shall by order or if the creditors or contributories (as the case may be) shall by resolution so direct. This rule shall not reply to meetings under section 229 or section 233 of the Ordinance.

Chairman of meeting.

94. Where a meeting is summoned by the Official Receiver or the Liquidator, he or someone nominated by him shall be Chairman of the meeting. At every other meeting of creditors or contributories the Chairman shall be such person as the meeting by resolution shall appoint. This rule shall not reply to meetings under section 229 of the Ordinance.

95. At a meeting of creditors a resolution shall be deemed to be passed when a majority in number and value of the creditors present personally or by proxy and voting on the resolution have voted in favour of the resolution, and at a meeting of the contributories a resolution shall be deemed to be passed when a majority in number and value of the contributories present personally or by proxy, and voting on the resolution, have voted in favour of the resolution, the value of the contributories being determined according to the number of votes conferred on each contributory by the regulations of the company.

Ordinary resolution of creditors and contributories.

96. The Official Receiver or as the case may be the Liquidator shall file in the court a copy certified by him of every resolution of a meeting of creditors or contributories in a winding up by the court.

Copy of resolution to be filed.

97. Where a meeting of creditors or contributories is summoned by notice the proceedings and resolutions at the meeting shall unless the court otherwise orders be valid notwithstanding that some creditors or contributories may not have received the notice sent to them.

Non-reception of notice by a creditor.

98. The Chairman may with the consent of the meeting adjourn it from time to time and from place to place, but the adjourned meeting shall be held at the same place as the original meeting unless in the resolution for adjournment another place is specified or unless the court otherwise orders.

Adjournments.
Form 69.

99. (1) A meeting may not act for any purpose except the election of a Chairman, the proving of debts and the adjournment of the meeting unless there are present or represented thereat at least three creditors entitled to vote or three contributories or all the creditors entitled to vote or all the contributories if the number of creditors entitled to vote or the contributories as the case may be shall not exceed three.

Quorum.

(2) If within half an hour from the time appointed for the meeting a quorum of creditors or contributories is not present or represented the meeting shall be adjourned to the same day in the following week at the same time and place or to such other day or time or

place as the Chairman may appoint but so that the day appointed shall be not less than seven or more than twenty-one days from the day from which the meeting was adjourned.

Creditors
entitled to
vote.

100. In the case of a first meeting of creditors or of an adjournment thereof a person shall not be entitled to vote as a creditor, unless he has duly lodged with the Official Receiver not later than the time mentioned for that purpose in the notice convening the meeting or adjourned meeting a proof of the debt which he claims to be due to him from the company. In the case of a court meeting or Liquidator's meeting of creditors a person shall not be entitled to vote as a creditor unless he has lodged with the official Receiver or Liquidator a proof of the debt which he claims to be due to him from the company and such proof has been admitted wholly or in part before the date on which the meeting is held :

Provided that this and the next four following rules shall not apply to a court meeting of creditors held prior to the first meeting of creditors. This rule shall not apply to any creditor or class of creditors who by virtue of the rules or any directions given thereunder are not required to prove their debts or to any voluntary liquidation meeting.

Cases in
which
creditors
may not
vote.

101. A creditor shall not vote in respect of any unliquidated or contingent debt, or any debt the value of which is not ascertained, nor shall a credit vote in respect of any debt on or secured by a current bill of exchange or promissory note held by him unless he is willing to treat the liability to him thereon of every person who is liable thereon antecedently to the company and who has not been adjudged insolvent, as a security in his hands, and to estimate the value thereof, and for the purposes of voting, but not for the purposes of dividend, to deduct it from his proof.

Votes of
secured
creditors.

102. For the purpose of voting, a secured creditor shall, unless he surrenders his security, state in his proof or in a voluntary liquidation in such a statement

as is hereinafter mentioned the particulars of his security, the date when it was given, and the value at which he assesses it, and shall be entitled to vote only in respect of the balance (if any) due to him after deducting the value of his security. If he votes in respect of his whole debt he shall be deemed to have surrendered his security, unless the court on application is satisfied that the omission to value the security has arisen from inadvertence.

103. The Official Receiver or Liquidator may within twenty-eight days after a proof or in a voluntary liquidation a statement estimating the value of a security as aforesaid has been used in voting at a meeting require the creditor to give up the security for the benefit of the creditors generally on payment of the value so estimated with an addition thereto of twenty per cent. :

Creditor required to give up security.

Provided that where a creditor has valued his security he may at any time before being required to give it up correct the valuation by a new proof and deduct the new value from his debt, but in that case the said addition of twenty per cent. shall not be made if the security is required to be given up.

104. The Chairman shall have power to admit or reject a proof for the purpose of voting, but his decision shall be subject to appeal to the court. If he is in doubt whether a proof shall be admitted or rejected he shall mark it as objected to and allow the creditor to vote subject to the vote being declared invalid in the event of the objection being sustained.

Admission and rejection of proofs for purpose of voting.

105. For the purpose of voting at any voluntary liquidation meetings a secured creditor shall unless he surrenders his security lodge with the Liquidator or where there is no Liquidator at the registered office of the company before the meeting a statement giving the particulars of his security, the date when it was given and the value at which he assesses it.

Statement of security.

Minutes of meeting.
Form 64.

106. (1) The Chairman shall cause minutes of the proceedings at the meeting to be drawn up and fairly entered in a book kept for that purpose and the minutes shall be signed by him or by the Chairman of the next ensuing meeting.

(2) A list of creditors and contributories present at every meeting shall be made and kept in Form 64.

PROXIES IN RELATION TO A WINDING UP BY THE COURT AND TO MEETINGS OF CREDITORS IN A CREDITORS' VOLUNTARY WINDING UP

Creditor or contributory may vote by proxy.

107. A creditor or contributory may vote either in person or by proxy. Where a person is authorized in manner provided by section 114 of the Ordinance to represent a corporation at any meeting of creditors or contributories such person shall produce to the Official Receiver or Liquidator or the Chairman of the meeting a copy of the resolution so authorizing him. Such copy must either be under the seal of the corporation or must be certified to be a true copy by the Secretary or a director of the corporation. The succeeding rules as to proxies shall not (unless otherwise directed by the court) apply to a court meeting of creditors or contributories prior to the first meeting.

Form of proxies.
Forms 70 and 71.

108. Every instrument of proxy shall be in Form 70 or 71 as the case may be and every written part thereof shall be in the handwriting of the person giving the proxy or of any manager or clerk or other person in his regular employment.

Forms of proxy to be sent with notices.

109. General and special forms of proxy shall be sent to the creditors and contributories with the notice summoning the meeting, and neither the name nor description of the Official Receiver or Liquidator or any other person shall be printed or inserted in the body of any instrument of proxy before it is so sent.

General proxies.

110. A creditor or contributory may give a general proxy to any person.

111. A creditor or a contributory may give a special proxy to any person to vote at any specified meeting or adjournment thereof—

Special proxies.

- (a) for or against the appointment or continuance in office of any specified person as Liquidator or member of the Committee of Inspection, and
- (b) on all questions relating to any matter other than those above referred to and arising at the meeting or an adjournment thereof.

112. Where it appears to the satisfaction of the court that any solicitation has been used by or on behalf of a Liquidator in obtaining proxies or in procuring his appointment as Liquidator except by the direction of a meeting of creditors or contributories, the court if it thinks fit may order that no remuneration be allowed to the person by whom or on whose behalf the solicitation was exercised notwithstanding any resolution of the Committee of Inspection or of the creditors or contributories to the contrary.

Solicitation by Liquidator to obtain proxies.

113. A creditor or a contributory in a winding up by the court may appoint the Official Receiver or Liquidator and in a voluntary winding up the Liquidator or if there is no Liquidator the Chairman of a meeting to act as his general or special proxy.

Proxies to Official Receiver or Liquidator

114. No person acting either under a general or a special proxy shall vote in favour of any resolution which would directly or indirectly place himself, his partner or employer in a position to receive any remuneration out of the estate or business of the company otherwise than as a creditor rateably with the other creditors of the company: Provided that where any person holds special proxies to vote for an application to the court in favour of the appointment of himself as Liquidator he may use the said proxies and vote accordingly.

Holder of proxy not to vote on matter in which he is financially interested.

When
should
proxies be
lodged with
the Official
Receiver.
Forms 70
and 71.

115. (1) A proxy intended to be used at the first meeting of creditors or contributories, or an adjournment thereof, shall be lodged with the Official Receiver not later than the time mentioned for that purpose in the notice convening the meeting or the adjourned meeting, which time shall be not earlier than twelve o'clock at noon of the day but one before, not later than twelve o'clock at noon of the day before the day appointed for such meeting, unless the court otherwise directs.

(2) In every other case a proxy shall be lodged with the Official Receiver or Liquidator in a winding up by the court with the company at its registered office for a meeting under section 229 of the Ordinance, and with the Liquidator or if there is no Liquidator with the person named in the notice convening the meeting to receive the same in a voluntary winding up not later than four o'clock in the afternoon of the day before the meeting or adjourned meeting at which it is to be used.

ATTENDANCE AND APPEARANCE OF PARTIES

Attendance
at
proceedings.

116. (1) Every person for the time being on the list of contributories of the company, and every person whose proof has been admitted shall be at liberty, at his own expense, to attend proceedings, and shall be entitled, upon payment of the cost occasioned thereby, to have notice of all such proceedings as he shall by written request desire to have notice of; but if the court shall be of opinion that the attendance of any such person upon any proceedings has occasioned any additional costs which ought not to be borne by the funds of the company, it may direct such costs, or a gross sum in lieu thereof, to be paid by such person; and such person shall not be entitled to attend any further proceedings until he has paid the same.

(2) The court may from time to time appoint any one or more of the creditors or contributories to represent before the court, at the expense of the company, all or any class of the creditors or contributories, upon any

question or in relation to any proceedings before the court, and may remove the person so appointed. If more than one person is appointed under this rule to represent one class, the persons appointed shall employ the same proctor to represent them.

117. Where the attendance of the Liquidator's proctor is required on any proceeding in the court, the Liquidator need not attend in person, except in cases where his presence is necessary in addition to that of his proctor, or where the court directs him to attend.

Attendance
of
Liquidator's
proctor.

LIQUIDATOR AND COMMITTEE OF INSPECTION

118. The Liquidator of a company which is being wound up by the court may in relation to any particular matter arising under the winding up by motion apply to the court for directions.

Directions
under section
185 (3) of
the
Ordinance.

119. (1) The remuneration of a Liquidator, unless the court otherwise orders, shall be fixed by the Committee of Inspection, and shall be in the nature of a commission or percentage of which one part shall be payable on the amount realized, after deducting the sums (if any) paid to secured creditors (other than debenture holders) out of the proceeds of their securities, and the other part on the amount distributed in dividend.

Remunera-
tion of
Liquidator.

(2) If the Registrar of Companies is of opinion that the remuneration of a Liquidator as fixed by the Committee of Inspection is unnecessarily large, the Registrar of Companies may apply to the court, and thereupon the court shall fix the amount of the remuneration of the Liquidator.

(3) If there is no Committee of Inspection the remuneration of the Liquidator shall be fixed by the court.

(4) This rule shall only apply to a Liquidator appointed in a winding up by the court.

Limit of remuneration.

120. Except as provided by the Ordinance or the rules, a Liquidator shall not under any circumstances whatever, make any arrangement for, or accept from any proctor, auctioneer, or any other person connected with the company of which he is Liquidator, or who is employed in or in connection with the winding up of the company, any gift, remuneration, or pecuniary or other consideration or benefit whatever beyond the remuneration to which under the Ordinance and the rules he is entitled as Liquidator, nor shall he make any arrangement for giving up, or give up any part of such remuneration to any such proctor, auctioneer, or other person.

Dealings with assets.

121. Neither the Liquidator, nor any member of the Committee of Inspection of a company shall, while acting as Liquidator or member of such Committee, except by leave of the court, either directly or indirectly, by himself or any employer, partner, clerk, agent, or servant, become purchaser of any part of the company's assets.

Restriction on purchase of goods by Liquidator.

122. Where the Liquidator carries on the business of the company, he shall not, without the express sanction of the court, purchase goods for the carrying on of such business from any person whose connection with him is of such a nature as would result in his obtaining any portion of the profit (if any) arising out of the transaction.

Committee of Inspection not to make profit.

123. No member of a Committee of Inspection shall except under and with the sanction of the court, directly or indirectly, by himself, or any employer, partner, clerk, agent or servant, be entitled to derive any profit from any transaction arising out of the winding up or to receive out of the assets any payment for services rendered by him in connection with the administration of the assets, or for any goods supplied by him to the Liquidator for or on account of the company. In a winding up by the court if it appears to the Registrar of Companies or in a voluntary winding up if it appears to the Committee of Inspection or to any meeting of creditors or contributories that any

profit or payment has been made contrary to the provisions of this rule, they may disallow such payment or recover such profit, as the case may be, on the audit of the Liquidator's accounts or otherwise.

124. In any case in which the sanction of the court is obtained under the two last preceding rules, the cost of obtaining such sanction shall be borne by the person in whose interest such sanction is obtained, and shall not be payable out of the company's assets.

Costs of obtaining sanction of court.

125. Where the sanction of the court to a payment to a member of a Committee of Inspection for services rendered by him in connection with the administration of the company's assets is obtained, the order of the court shall specify the nature of the services, and such sanction shall only be given where the service performed is of a special nature. Except by the express sanction of the court no remuneration shall, under any circumstances, be paid to a member of a Committee for services rendered by him in the discharge of the duties attaching to his office as a member of such Committee.

Sanction of payments to Committee.

126. (1) Where a Liquidator is appointed by the court, and has notified his appointment to the Registrar of Companies, and given security to the Registrar of Companies, the Official Receiver shall forthwith put the Liquidator into possession of all property of the company of which the Official Receiver may have custody :

Discharge of costs before assets handed to Liquidator.

Provided that such Liquidator shall have, before the assets are handed over to him by the Official Receiver, discharged any balance due to the Official Receiver on account of fees, costs, and charges properly incurred by him, and on account of any advances properly made by him in respect of the company, together with interest on such advances at the rate of six per centum per annum ; and the Liquidator shall pay all fees, costs, and charges of the Official Receiver which may not

have been discharged by the Liquidator before being put into possession of the property of the company, and whether incurred before or after he has been into such possession.

(2) The Official Receiver shall be deemed to have a lien upon the company's assets until such balance shall have been paid and the other liabilities shall have been discharged.

(3) It shall be the duty of the Official Receiver, if so requested by the Liquidator, to communicate to the Liquidator all such information respecting the estate and affairs of the company as may be necessary or conducive to the due discharge of the duties of the Liquidator.

(4) This and the next following rules shall only apply in a winding up by the court.

Resignation
of
Liquidator.

127. A Liquidator who desires to resign his office shall summon separate meetings of the creditors and contributories of the company to decide whether or not the resignation shall be accepted. If the creditors and contributories by ordinary resolutions both agree to accept the resignation of the Liquidator, he shall file in the court a memorandum of his resignation; and shall send notice thereof to the Official Receiver, and the resignation shall thereupon take effect. In any other case the Liquidator shall report to the court the result of the meetings and shall send a report to the Official Receiver and thereupon the court may, upon the application of the Liquidator or the Official Receiver, determine whether or not the resignation of the Liquidator shall be accepted, and may give such directions and make such orders as in the opinion of the court shall be necessary.

Office of
Liquidator
vacated by
his
insolvency.

128. If a Liquidator is adjudged insolvent he shall thereby vacate his office, and for the purposes of the application of the Ordinance and the rules shall be deemed to have been removed.

PAYMENTS INTO AND OUT OF A BANK

129. All payments out of the Companies Liquidation Account shall be made by cheque payable to order. Every such cheque shall—

- (a) have marked or written on it the name of the company,
- (b) be signed by the Director of Commerce or by any other officer authorized in that behalf by such Director, and
- (c) be countersigned by any of them except the person who signs the cheque.

Payments
out of
Companies
Liquidation
Account how
made.
[9905/17-9-1948.]

130. (1) Where the Liquidator in a winding up by the court is authorized to have a special bank account, he shall forthwith pay all monies received by him into that account to the credit of the Liquidator of the company. All payments out shall be made by cheque payable to order, and every cheque shall have marked or written on the face of it the name of the company, and shall be signed by the Liquidator, and shall be countersigned by at least one member of the Committee of Inspection, and by such other person, if any, as the Committee of Inspection may appoint.

Payments
out of
special bank
account
how made.
Forms 72
and 73.

(2) Where application is made to the court to authorize the Liquidator in a winding up by the court to make his payments into and out of a special bank account, the court may grant such authorization for such time and on such terms as it deems fit, and may at any time order the account to be closed if it is of opinion that the account is no longer required for the purposes mentioned in the application.

BOOKS

131. In a winding up by the court the Official Receiver, until a Liquidator is appointed by the court, and thereafter the Liquidator, shall keep a book to be called the "Record Book" in which he shall record all minutes, all proceedings had and resolutions passed at any meeting of creditors or contributories, or of the Committee of Inspection, and all such matters as may be necessary to give a correct view of his administration of the company's affairs, but he shall not be bound to

Record Book

insert in the Record Book any document of a confidential nature (such as the opinion of counsel on any matter affecting the interest of the creditors or contributories), nor need he exhibit such document to any person other than a member of the Committee of Inspection, the Official Receiver, or the Registrar of Companies.

Cash Book.

132. (1) In a winding up by the court the Official Receiver, until a Liquidator is appointed by the court, and thereafter the Liquidator, shall keep a book to be called the "Cash Book" (which shall be in such form as the Registrar of Companies may from time to time direct) in which he shall (subject to the provisions of the rules as to trading accounts) enter from day to day the receipts and payments made by him.

(2) In a winding up by the court a Liquidator other than the Official Receiver shall submit the Record Book and Cash Book, together with any other requisite books and vouchers, to the Committee of Inspection (if any) when required, and not less than once every three months.

(3) In a creditors voluntary winding up the Liquidator shall keep such books as the Committee of Inspection or if there is no such Committee as the creditors shall direct and all books kept by the Liquidator shall be submitted to the Committee of Inspection or if there is no such Committee to the creditors with any other books, documents, papers and accounts in his possession relating to his office as Liquidator or to the Company as and when the Committee of Inspection or if there is no such Committee the creditors direct.

INVESTMENT OF FUNDS

133. (1) Where in a winding up by the court or in a creditors voluntary winding up the Committee of Inspection are of opinion that any part of the cash balance standing to the credit of the account of the company should be invested, they shall sign a certificate and request, and the Liquidator shall transmit such certificate and request to the Director.

Investment
of assets in
securities and
realization of
securities.
Forms 74
and 75.

(2) Where the Committee of Inspection in any such winding up are of opinion that it is advisable to sell any of the securities in which the moneys of the company's assets are invested they shall sign a certificate and request to that effect, and the Liquidator shall transmit such certificate and request to the Director.

(3) Where there is no Committee of Inspection in any such winding up as is mentioned in paragraphs (1) and (2) of this rule and in every member's voluntary winding up whether under the supervision of the court or not, if a case has in the opinion of the Liquidator arisen under section 281 of the Ordinance for an investment of funds of the company or a sale of securities in which the company's funds have been invested, the Liquidator shall sign and transmit to the Director a certificate of the facts on which his opinion is founded, and a request to the Director to make the investment or sale mentioned in the certificate, and the Director may thereupon, if he thinks fit, invest or sell the whole or any part of the said funds and securities, as provided in the said section, and the said certificate and request shall be a sufficient authority to the Director for the said investment or sale.

ACCOUNTS AND AUDIT IN A WINDING UP BY THE COURT

134. The Committee of Inspection shall not less than once every three months audit the Liquidator's Cash Book and certify therein under their hands the day on which the said book was audited.

Audit of
Cash Book.
Form 76.

135. (1) The Liquidator shall, at the expiration of six months from the date of the winding-up order, and at the expiration of every succeeding six months thereafter until his release, transmit to the Registrar of Companies a copy of the Cash Book for such period in duplicate, together with the necessary vouchers and copies of the certificate of audit by the Committee of Inspection. He shall also forward with the first accounts, a summary of the company's Statement of Affairs, showing thereon the amounts realized, and explaining the cause of the non-realization of such assets as may be unrealized. The Liquidator shall also

Audit of
Liquidator's
accounts.

at the end of every six months forward to the Registrar of Companies with his accounts, a report upon the position of the liquidation of the company in such form as the Registrar of Companies may direct.

(2) When the assets of the company have been fully realized and distributed, the Liquidator shall forthwith send in his accounts to the Registrar of Companies, although the six months may not have expired.

Form 77.

(3) The accounts sent in by the Liquidator shall be verified by him by affidavit.

Liquidator carrying on business.

136. (1) Where the Liquidator carries on the business of the company, he shall keep a distinct account of the trading, and shall incorporate in the Cash Book the total weekly amounts of the receipts and payments on such trading account.

Forms 78 and 79.

(2) The trading account shall from time to time, and not less than once in every month, be verified by affidavit, and the Liquidator shall thereupon submit such account to the Committee of Inspection (if any), or such member thereof as may be appointed by the Committee for that purpose, who shall examine and certify the same.

Copy of accounts to be filed.

137. When the Liquidator's account has been audited, the Registrar of Companies shall certify the fact upon the account, and thereupon the duplicate copy, bearing a like certificate, shall be filed in the court.

Summary of accounts.

138. (1) The Liquidator shall transmit to the Registrar of Companies with his accounts a summary of such accounts in such form as the Registrar of Companies may from time to time direct, and on the approval of such summary by the Registrar of Companies shall forthwith obtain, prepare and transmit to the Registrar of Companies so many printed copies thereof, duly stamped for transmission by post, and addressed to the creditors and contributories, as may be required for transmitting such summary to each creditor and contributory.

(2) The cost of printing and posting such copies shall be a charge upon the assets of the company.

139. Where a Liquidator has not since the date of his appointment or since the last audit of his accounts, as the case may be, received or paid any sum of money on account of the assets of the company, he shall, at the time when he is required to transmit his accounts to the Registrar of Companies forward to the Registrar of Companies an affidavit of no receipts or payments.

Affidavit of
no receipts.

140. Upon a Liquidator resigning or being released or removed from his office, he shall deliver over to the Official Receiver, or as the case may be, to the new Liquidator, all books kept by him, and all other books, documents, papers and accounts in his possession relating to the office of Liquidator. The release of a Liquidator shall not take effect unless and until he has delivered over to the Official Receiver, or as the case may be to the new Liquidator all books, papers, documents, and accounts which he is by this rule required to deliver on his release.

Proceedings
on
resignation,
&c., of
Liquidator.

141. Where property forming part of a company's assets is sold by the Liquidator through an auctioneer or other agent, the gross proceeds of the sale shall be paid over by such auctioneer or agent, and the charges and expenses connected with the sale shall afterwards be paid to such auctioneer or agent, on the production of the necessary certificate of the taxing officer. Every Liquidator by whom such auctioneer or agent is employed, shall, unless the court otherwise orders, be accountable for the proceeds of every such sale.

Expenses
of sales.

TAXATION OF COSTS

142. Every proctor, manager, accountant, auctioneer, broker or other person employed by an Official Receiver or Liquidator in a winding up by the court shall on request by the Official Receiver or Liquidator (to be made a sufficient time before the declaration of a dividend) deliver his bill of costs or charges to the Official Receiver or Liquidator for the purpose of taxation; and if he fails to do so within

Taxation of
costs payable
by or to
Official
Receiver or
Liquidator or
by company.

Form 80.

the time stated in the request, or such extended time as the court may allow, the Liquidator shall declare and distribute the dividend without regard to such person's claim and subject to any order of the court the claim shall be forfeited. The request by the Official Receiver or Liquidator shall be in Form 80.

Notice of appointment.

143. Where a bill of costs or charges in any winding up has been lodged with the taxing officer, he shall give notice of an appointment to tax the same, in a winding up by the court to the Official Receiver, and in every winding up to the Liquidator, and to the person to or by whom the bill or charges is or are to be paid (as the case may be).

When bill or charges to be lodged with Official Receiver.

144. The bill or charges, if incurred in a winding up by the court prior to the appointment of a Liquidator, shall be lodged with the Official Receiver, and if incurred after the appointment of a Liquidator, shall be lodged with the Liquidator. The Official Receiver or the Liquidator, as the case may be, shall lodge the bill or charges with the proper taxing officer.

Copy of the bill to be furnished.

145. Every person whose bill or charges in a winding up by the court is or are to be taxed shall, on application either of the Official Receiver or the Liquidator, furnish a copy of his bill or charges so to be taxed, on payment at the rate of twenty-five cents per folio, which payment shall be charged on the assets of the company. The Official Receiver shall call the attention of the Liquidator to any items which, in his opinion, ought to be disallowed or reduced, and may attend or be represented on the taxation.

Certificate of taxation. Form 81.

146. Upon the taxation of any bill of costs, charges, or expenses being completed, the taxing officer, shall issue to the person presenting such bill for taxation his allowance or certificate of taxation. The bill of costs, charges, and expenses, together with the allowance or certificate, shall be filed in the court.