

Serial Number 1939/245.



**THE COMPANIES (WINDING-UP) RULES 1934,
AMENDMENT NO. 1.**

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 15th day of
November, 1939.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to section 285 of the Companies Act, 1933, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and with the concurrence of the Right Honourable the Chief Justice and of eight of the other members of the Rules Committee constituted under the Judicature Amendment Act, 1930 (four of such other members being Judges of the Supreme Court), doth hereby make the following rules.

RULES.

1. These rules may be cited as the Companies (Winding-up) Rules 1934, Amendment No. 1.

2. Rule 182 of the Companies (Winding-up) Rules 1934* is amended by revoking item (d) of the second proviso thereto, and by substituting the following items :—

“(d) Any report filed by the Official Assignee under section 184 of the Act, the examination of any person under section 214 or section 215 of the Act, and any proceedings in connection with such examination :

“(e) Any matter in a case in which the Official Assignee satisfies the Registrar that there are no immediately available assets out of which to pay fees.”

3. Rule 184 of the said rules is amended by inserting therein, next after the words “seventy per cent. of the fees”, the following additional words: “comprised in Items numbered II to VI (both inclusive) of the Second Schedule hereto and the whole of the fees comprised in Item numbered VII of the said Second Schedule when such respective fees have been”.

* Gazette, 20th November, 1934, Vol. III, page 3636.

4. The said rules are amended by inserting therein, next following the heading " Official Assignee ", the following additional rule :—

" 170A. Judicial notice shall be taken of the appointment and signature of the Official Assignee and of a deputy of the Official Assignee being an officer of the Public Service, and judicial notice shall be taken of the signature of a deputy of the Official Assignee not being an officer of the Public Service whose appointment has been proved or admitted. Until evidence is given to the contrary, it shall be presumed that a deputy of the Official Assignee is an officer of the Public Service."

5. The Second Schedule to the said rules is amended by adding thereto the following additional item :—

" VII. Amounts actually disbursed for travelling, keeping possession, law-costs, and other reasonable expenses of the Official Assignee."

C. A. JEFFERY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 16th day of November, 1939.

These regulations are administered by the Justice Department.