

88. An order of incorporation may be in the Forms No. 44 or No. 45, as the case may require.

89. The Court may, in and by such order, or by separate order at any time thereafter, and from time to time as the case may require, appoint a place and time (not being earlier than twenty-eight days after the date of the order by which the time is so appointed) for the holding of a meeting of owners for the purpose of electing a committee of management.

90. A notice of the making of the order of incorporation, and of the time and place appointed for the holding of the meeting, shall be forthwith published in the *Kahiti*.

91. An order appointing the committee of management, or any member thereof, may be in the Forms No. 46 or No. 47, as the case may require, and may be made *ex parte*.

92. A member of a committee of management may be removed by the Court by an order made *ex parte* or otherwise as the Court thinks fit:—

- (a.) If he holds any office or place of profit under the body corporate which, in the opinion of the Court, is not consistent with his duty as a member of the committee; or
- (b.) If he is lunatic or of unsound mind, or is imprisoned; or
- (c.) If he becomes bankrupt or insolvent; or
- (d.) If he does any act which, in the opinion of the Court, renders him unfit to hold office as a member of the committee of management; or
- (e.) If he fails without leave of the committee to attend four consecutive meetings of the committee; or
- (f.) If, by resolution of the incorporated owners, it is decided that such member should be removed; or
- (g.) For any other reason which the Court thinks sufficient.

Winding-up of a Body Corporate.

93. An application for an order winding up the body corporate shall be in the Form No. 48.

94. Any such application may be made by the body corporate, or by two or more members thereof, or by a creditor thereof, or by a Registrar of the Court, or by the Native Minister.

95. The Court may in its discretion appoint or remove a liquidator, and, where necessary, may appoint the Registrar or any other person to act as a liquidator, at such remuneration out of the assets of the body corporate as the Court thinks fit. The liquidators shall, subject to the directions of the Court, have all the powers and authorities possessed by an official liquidator under the Companies Act, 1908.

96. On the appointment of a liquidator the Court shall, by the same or another order, remove from office all the members of the committee of management.

97. The order winding up a body corporate may be in the Form No. 49, and notice thereof shall be gazetted.

98. A vesting order under section 324 of the Act may be in the Form No. 50.

99. The order of the Court dissolving a body corporate shall be in the Form No. 51, and notice thereof shall be gazetted.

100. All orders made by the Court pursuant to an order for the winding-up of a body corporate and in the course of that winding-up may be made *ex parte* or otherwise as the Court thinks fit.

Procedure at Hearing.

101. If more than one Judge is present at a sitting of the Court the senior Judge shall preside. It shall be the duty of the Judge, or of one of the Judges if more than one is present, to record the proceedings of the Court and the evidence in a minute-book to be provided for the purpose, which book shall be a record of the Court, and shall be retained in the custody of the Registrar.

102. The Court may, in its discretion, deal with the subject-matter of any application wholly or in part or parts, and make separate orders in respect of such part or parts, or dismiss any application, or grant leave to extend, or amend, or withdraw any application wholly or in part, upon such terms as the Court thinks fit.

103. The Court may, as it thinks fit, arrange the order in which the parties shall be heard.

104. A minute signed by the presiding Judge shall be placed on every plan or other paper produced in evidence, specifying the proceedings in which, and the person by whom, the same was produced, and the date of production.

105. The Court may dismiss any application on the ground of non-appearance of the applicant, or for want of proper prosecution; and upon such dismissal being recorded in the minute-book the application shall be discharged from further consideration of the Court, and shall be noted accordingly in the records of the Court. Such dismissal shall be without prejudice to the right of the applicant to make another application in respect of the same matter.

106. The Court may arrange the order of its business, and determine the procedure in matters not specially provided for in these Rules, as it thinks fit.