

to which it is so sent, and the Registrar of the last-mentioned Court shall seal or stamp the warrant with the seal of his Court and endorse on it a notice in the Form 106 and all Constables and Peace Officers shall aid and assist within their respective districts in the execution of such warrant.

Prison to which a person arrested is to be conveyed, and production and custody of persons arrested

223.—(1) Where a person is arrested under a warrant of commitment issued under any of the provisions of the Act and Rules (other than sections 268 and 271 of the Act and Rule 66 of the Rules) he shall be forthwith conveyed in custody of the Bailiff or Officer apprehending him to the prison of the Court within the ordinary jurisdiction of which he is apprehended and kept therein for the time mentioned in the warrant of commitment, unless sooner discharged by the order of the Court which originally issued the warrant of commitment, or otherwise by law.

(2) Where a person is arrested under a warrant issued under section 268 or section 271 of the Act or under Rule 66 of the Rules, he shall be forthwith conveyed in custody of the Bailiff or Officer apprehending him to the prison of the Court within the ordinary jurisdiction of which he is apprehended and the Governor or Keeper of such prison shall produce such person before the Court as it may from time to time direct, and shall safely keep him until such time as the Court shall otherwise order, or such person shall be otherwise discharged by law: Provided that where any such person is conveyed to a prison other than the prison used by the Court which originally issued the warrant in cases of orders of commitment made by such Court in the exercise of its ordinary jurisdiction, the Court may by order direct such person to be transferred to such last mentioned prison and on receipt of such order the Governor or Keeper of the prison to which such person has been conveyed shall cause such person to be conveyed in proper custody to the prison mentioned in such order, and the Governor or Keeper of such last mentioned prison shall, on production of such Order and of the warrant of arrest, receive such person, and shall produce him before the Court, as it may from time to time direct, and shall safely keep him until such time as the Court shall otherwise order, or such person shall be otherwise discharged by law.

MISCELLANEOUS MATTERS

Board of Trade orders

224. The Board of Trade may from time to time issue general orders or regulations for the purpose of regulating any matters under the Act or the Rules which are of an administrative and not of a judicial character. Judicial notice shall be taken of any general orders or regulations which are printed by the King's Printer and purport to be issued under the authority of the Board of Trade.

Enlargement or abridgment of time

225. The Court may, in any case in which it shall see fit, extend or abridge the time appointed by the Rules or fixed by any order of the Court for doing any act or taking any proceeding.

Formal defect not to invalidate proceedings

226.—(1) No proceedings under the Act or the Rules shall be invalidated by any formal defect or by any irregularity, unless the Court before which an objection is made to the proceeding is of opinion that substantial injustice has been caused by the defect or irregularity and that the injustice cannot be remedied by any order of that Court.

(2) No defect or irregularity in the appointment or election of an Official Receiver, Liquidator or member of a Committee of Inspection shall vitiate any act done by him in good faith.

Application of existing procedure

227. In all proceedings in or before the Court, or any Judge, Registrar or Officer thereof, or over which the Court has jurisdiction under the Act and Rules, where no other provision is made by the Act or Rules, the practice, procedure and regulations shall, unless the Court otherwise in any special case directs, in the High Court be in accordance with the Rules of the Supreme Court and practice of the High Court, and in a Palatine Court and County Court in accordance, as far as practicable, with the existing Rules and practice of the Court in proceedings for the administration of assets by the Court.

Petitions in Liverpool and Manchester District Registries

228. The provisions of Rule 2 of the Rules of the Supreme Court, 1887,⁴ relating to petitions in the District Registries of Liverpool and Manchester, shall apply to petitions presented in those Registries under the Act and Rules.

Annulment

229. The Companies (Winding-up) Rules, 1929,⁵ and all rules amending or supplementing the same and the forms thereby prescribed,⁶ are hereby revoked and annulled, except so far as they relate to any winding-up which commenced before the first day of January, 1891: Provided that such revocation and annulment shall not prejudice or affect anything done or suffered before the date on which these Rules come into operation under any rule or order which is hereby revoked and annulled and that no rule or practice which was annulled or repealed by the said rules and orders shall be revived by reason of the revocation and annulment hereby effected.

Short title and commencement

230. These Rules may be cited as the Companies (Winding-up) Rules, 1949. They shall come into operation on the fourteenth day of March, 1949.

Jowitt, C.

I concur,

Harold Wilson,
President of the Board of Trade.

The 23rd day of February, 1949.

⁴ Rules of the Supreme Court, May, 1887 (S.R. & O. Rev., 1904, XII, Supreme Court, E., p. 131).

⁵ S.R. & O., 1929 (No. 612), p. 208.

⁶ See S.R. & O., 1929 (No. 1177), p. 349; 1931 (No. 70), p. 119; 1932 (No. 802), p. 186; 1933 (No. 234), p. 521; 1937 (No. 115), p. 424; and 1944 (No. 655) I, p. 45.

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APPENDIX 4

FEES, ORDERS, REGULATIONS AND DIRECTIONS

THE COMPANIES (BOARD OF TRADE) FEES ORDER, 1929

DATED OCTOBER 11, 1929

1. The fees and percentages set out in Tables A and B annexed to this Order in respect of proceedings in the Winding-Up of Companies, shall be taken in the office of the Board of Trade, or of any Official Receiver, or of the Registrar of Companies, as the case may be in accordance with and subject to the directions contained in the said Tables.

2. Where the head office of the Company being wound up is situated out of England, and the liquidation takes place partly in England and partly elsewhere, or where the Court has sanctioned a reconstruction of the Company or a scheme of arrangement of its affairs, or where for any other reason the Official Receiver satisfies the Board of Trade that the fees in the said Table B would be excessive, such reduction may be made in the said fees as may, on the application of the Board of Trade, be sanctioned by the Treasury.

3. The Companies (Board of Trade) Fees Order, 1927, is hereby revoked. [Paras. 4 and 5 are repealed by the Order of 1930. See below.]

6. Wherever practicable the stamp shall be affixed or the money paid in respect of every fee before the proceeding is had in respect of which the fee is payable.

7. This Order may be cited as the Companies (Board of Trade) Fees Order, 1929, and shall come into operation on the 1st day of November, 1929.

TABLE A

	Fee	Document to be stamped.
	£ s. d.	
1. On an application by a Committee of Inspection to the Board of Trade for a special Bank account	1 0 0	The application.
2. On an Order of the Board of Trade for a special Bank account	2 0 0	The order.
3. On an application by a Liquidator to an Official Receiver acting as a Committee of Inspection	0 10 0	The application.
4. On a bond with sureties	0 10 0	The bond.
5. On an affidavit other than proof of debt	0 2 6	The affidavit.
6. On an application to the Board of Trade—		
(a) under section 15 of the Companies (Winding-up) Act, 1890; section 224 of the Companies (Consolidation) Act, 1908, or section 285 of the Companies Act, 1929, for payment of money out of the Companies Liquidation Account; or		
(b) after six months from the date of issue for the re-issue of a lapsed cheque, money order or payable order in respect of moneys standing to the credit of that Account:—		
Where the amount applied for does not exceed		
£1	0 1 0	The application.
Where the amount applied for exceeds £1	0 2 6	The application.