STATUTORY INSTRUMENTS

1982 No. 860 (L. 21)

COMPANIES

WINDING-UP

The Companies (Department of Trade) Fees (Amendment No. 2) Order 1982

Made - - - -	21*st June* 1982
Coming into Operation	13*th July* 1982

The Lord Chancellor and the Treasury, in exercise of the powers conferred on them by section 365(3) of the Companies Act 1948(**a**) and section 2 of the Public Offices Fees Act 1879(**b**) and of all other powers enabling them in that behalf, hereby make, sanction and consent to the following Order:—

1. This Order may be cited as the Companies (Department of Trade) Fees (Amendment No. 2) Order 1982 and shall come into operation on 13th July 1982.

2. The Schedule to the Companies (Department of Trade) Fees Order 1980(**c**) shall be amended:—

(*a*) by substituting for the amount "£2.00" shown in relation to Fee No. 1 the amount "£3.00";

(*b*) by substituting for the amount "£15.00" shown in relation to Fee No. 4, the amount "£17.00";

(*c*) by substituting for the words "petitioning creditor" in Fee No. 6 the word "petitioner";

(**a**) 1948 c. 38. (**b**) 1879 c. 58.
(**c**) S.I. 1980/2008, as amended by S.I. 1981/1643 and 1982/542.

(*d*) by inserting immediately after Fee No. 6, a new fee as follows:—

No. of Fee	*Description of Proceeding*	*Amount*
"6A	On the making of a winding-up order on or after 13th July 1982, for the performance by the Official Receiver of his general duties as Official Receiver and in addition to any other fee payable hereunder.	200.00"

; and

(*e*) by inserting immediately after Fee No. 10, a new fee as follows:—

No. of Fee	*Description of Proceeding*	*Amount*
"10A	Where the Official Receiver as liquidator on or after 13th July 1982 at the request of a secured creditor or a receiver appointed by him, transfers or conveys property subject to any charge created thereon by the company— on the sale price of the property ..... per cent.	0.50 Minimum fee 100.00"

Hailsham of St. Marylebone, C.

Dated 17th June 1982.

J. A. Cope,
John Selwyn Gummer,
Two of the Lords Commissioners of Her Majesty's Treasury.

Dated 21st June 1982.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order, which further amends the Companies (Department of Trade) Fees Order 1982, increases with effect from 13th July 1982 certain fees set out in the Schedule to that Order in respect of proceedings in the winding up of Companies. It amends Fee No. 6 in that Schedule so that the petitioner (whether a creditor or contributory) may be directed to pay the Fee and introduces two new fees which are additional to other fees payable. The new Fee No. 6A provides for a fee of £200 for the performance by the Official Receiver of his general duties as Official Receiver when a winding up order is made on or after 13th July 1982. The new Fee No. 10A provides for a fee at the rate of 0.50 per cent. of the sale price of property subject to any charge (with a minimum fee of £100.00) when the Official Receiver acting as liquidator transfers or conveys such property at the request of a secured creditor or a receiver appointed by him.

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