

CHAPTER 2 Appointment of Receivers

Notification that receiver has been appointed

429. (1) Where a receiver of the property of a company has been appointed, every invoice, order for goods or business letter issued by or on behalf of the company or the receiver, being a document on or in which the name of the company appears, shall contain a statement that a receiver has been appointed.

(2) Where—

(a) a receiver of the property of a company has been appointed, and

(b) a winding up of the company is taking place (whether that winding up has commenced before or after that appointment),

every invoice, order for goods or business letter issued by or on behalf of the company or the receiver, being a document on or in which the name of the company appears, shall, in addition to the statement referred to in subsection (1), contain a statement that the company is being wound up.

(3) Where a receiver of the property of a company has been appointed, then—

(a) any website of the company, and

(b) any electronic mail sent to a third party by, or on behalf of, the company,

shall contain a statement that a receiver has been appointed (and such a statement on a website shall be in a prominent and easily accessible place on it).

(4) Where—

(a) a receiver of the property of a company has been appointed, and

(b) a winding up of the company is taking place (whether that winding up has commenced before or after that appointment),

then—

(i) any website of the company, and

(ii) any electronic mail sent to a third party by, or on behalf of, the company,

shall, in addition to the statement referred to in subsection (3), contain a statement that the company is being wound up (and such a statement on a website shall be in a prominent and easily accessible place on

it).

(5) In subsections (3) and (4), “third party” means a person other than—

(a) an officer or employee of the company concerned, or

(b) a holding company or subsidiary of the company or an officer or employee of that holding company or subsidiary.

(6) If default is made in complying with subsection (1) or (2)—

(a) the company and any officer of the company who is in default, and

(b) any of the following persons who knowingly and intentionally authorises or permits the default, namely, any liquidator of the company and any receiver,

shall be guilty of a category 4 offence.

(7) If default is made in complying with the requirement under subsection (3) or (4) concerning the company's website, the company concerned and any officer of it who is in default shall be guilty of a category 4 offence.

(8) If default is made by a company, or any person acting on its behalf, in complying with the requirement under subsection (3) or (4) concerning electronic mail, then—

(a) in every case, the company and any officer of it who is in default, and

(b) where the default is made by a person acting on the company's behalf, that person,

shall be guilty of a category 4 offence.