

Provisions as to applications for winding up

571. (1) An application to the court for the winding up of a company shall be by petition presented either by—

(a) the company, or

(b) any creditor or creditors (including any contingent or prospective creditor or creditors) of the company, or

(c) any contributory or contributories of the company,

or by all or any of those parties, together or separately, but this is subject to the following provisions.

(2) The court shall not give a hearing to a winding-up petition presented by a contingent or prospective creditor until such security for costs has been given as the court thinks reasonable, and until a prima facie case for winding up has been established to the satisfaction of the court.

(3) A winding-up petition on the grounds mentioned in section 569 (1)(f) may be presented by any person entitled to bring proceedings for an order under section 212 in relation to the company concerned.

(4) In a case falling within section 569 (1)(g) a winding-up petition may be presented by the Director.

(5) A contributory shall not be entitled to present a winding-up petition unless the shares in respect of which the person is a contributory, or some of them, either—

(a) were originally allotted to the person or have been held by the person, and registered in the person's name, for at least 6 months during the 18 months before the commencement of the winding up, or

(b) have devolved on the person through the death of a former holder.