

308A. Exceptions to section 308

- (1) If a company registered but not formed under the Companies Ordinance (Cap. 622) is wound up, every person who has a relevant liability is—
- (a) a contributory in respect of the company's debts and liabilities contracted before registration; and
 - (b) a contributory who is liable to contribute to the assets of the company, in the course of the winding up, all sums due from the person in respect of the relevant liability.
- (2) In subsection (1)—

relevant liability (相關法律責任) means the liability to pay or contribute to the payment of—

- (a) the company's debts and liabilities contracted before the registration;
 - (b) any sum for the adjustment of the rights of the members among themselves in respect of those debts and liabilities; or
 - (c) the costs and expenses of winding up the company, so far as relating to those debts and liabilities.
- (3) In the event of the death or bankruptcy of such a contributory, the provisions of this Ordinance with respect to the personal representatives of deceased contributories, and to the trustees of bankrupt contributories, apply.

(Added 28 of 2012 ss. 912 & 920)