

## Calls

### 74. Calls by liquidator

The powers and duties of the court in relation to making calls upon contributories conferred by section 213 of the Ordinance, shall and may be exercised, in a winding up by the court, by the liquidator as an officer of the court subject to the proviso to section 226 of the Ordinance, and to the following regulations— (*14 of 2016 s. 151*)

- (a) where the liquidator desires to make any call on the contributories, or any of them for any purpose authorized by the Ordinance, if there is a committee of inspection he may summon a meeting of such committee for the purpose of obtaining their sanction to the intended call; (*See Form 50*)
- (b) the notice of the meeting shall be sent to each member of the committee of inspection in sufficient time to reach him not less than 7 days before the day appointed for holding the meeting, or such longer time as the court may appoint, and shall contain a statement of the proposed amount of the call, and the purpose for which it is intended. Notice of the intended call and the intended meeting of the committee of inspection shall also be advertised once at least in a Hong Kong daily newspaper. The advertisement shall state the time and place of the intended meeting of the committee of inspection, and that each contributory may either attend the said meeting and be heard, or make any communication in writing to the liquidator or members of the committee of inspection to be laid before the meeting, in reference to the said intended call; (*See Form 51*)
- (c) at the meeting of the committee of inspection any statements or representations made either to the meeting personally or addressed in writing to the liquidator or members of the committee by any contributory shall be considered before the intended call is sanctioned;
- (d) the sanction of the committee shall be given by resolution, which shall be passed by a majority of the members present; (*See Form 52*)
- (e) where there is no committee of inspection, the liquidator shall not make a call without obtaining the leave of the court.