

69. Provisional list of contributories and objection by person included in the list

- (1) For the purposes of settling the list of contributories of a company as required by rule 68, the liquidator must—
 - (a) make a provisional list of contributories; and
 - (b) as soon as reasonably practicable after making the provisional list, serve a notice on each person included in the provisional list.
- (2) The provisional list of contributories must be in Form 42.
- (3) A notice of provisional list of contributories must—
 - (a) notify the person on whom the notice is served that the person is included in the provisional list of contributories of the company;
 - (b) state—
 - (i) in what character, and for what number of shares or extent of interest, the person is included in the provisional list; and
 - (ii) what amount has been called up, and what amount has been paid up, in respect of such shares or interest;
 - (c) inform the person that—
 - (i) the liquidator will settle the list of contributories of the company based on the provisional list;
 - (ii) the person will be included in the settled list unless, on considering an objection or otherwise, the liquidator decides to exclude the person from the list when settling it; and
 - (iii) in relation to any shares or interest not fully paid up, the inclusion of the person in the settled list may result in the unpaid capital being called; and
 - (d) inform the person of the effect of paragraph (6).
- (4) In addition, a notice of provisional list of contributories must be in Form 43.
- (5) An affidavit in Form 44 is, unless the contrary is proved, sufficient evidence that a notice of provisional list of contributories has been served on each of the persons included in the provisional list of contributories.
- (6) If a person on whom a notice of provisional list of contributories is served objects to the inclusion of the person in the settled list of contributories, the person may inform the liquidator of the objection in writing within 21 days from the date of service of the notice on the person.
- (7) On receiving an objection from a person, the liquidator must—
 - (a) determine the objection; and
 - (b) give notice of the determination to the person—
 - (i) within 14 days from the date of receipt of the objection; or
 - (ii) within any further period allowed by the court.

(14 of 2016 s. 149)