

(3) A petitioner who contravenes subsection (1) or (2) commits an offence and shall, on conviction, be liable to a fine not exceeding ten thousand ringgit and in the case of a continuing offence, to a further fine not exceeding five hundred ringgit for each day during which the offence continues after conviction.

### **Effect of winding up order**

**475.** An order for winding up a company shall operate in favour of all the creditors and contributories of the company as if made on the joint petition of a creditor and of a contributory.

### Subdivision 8

#### *Provisions relating to Liquidators in Winding Up by Court*

### **Interim liquidator**

**476.** (1) The Court may appoint the Official Receiver or an approved liquidator as an interim liquidator at any time after the presentation of a winding up petition and before the making of a winding up order.

(2) The interim liquidator shall have and may exercise all the functions and powers of a liquidator subject to such limitations and restrictions as may be prescribed in the rules or as the Court may specify in the order appointing him.

### **Appointment, style, etc., of liquidators**

**477.** (1) The following provisions with respect to liquidators shall have effect on a winding up order being made:

- (a) if an approved liquidator other than the Official Receiver is not appointed to be the liquidator of the company, the Official Receiver shall by virtue of his office become the interim liquidator and shall continue to act as such until he or another person becomes liquidator and is capable of acting as such;

- (b) if there is no liquidator appointed, the Official Receiver shall summon separate meetings of the creditors and contributories of the company for the purpose of determining whether or not an application is to be made to the Court for appointing a liquidator in the place of the Official Receiver;
- (c) the Court may make any appointment and order required to give effect to any such determination, and, if there is a difference between the determinations of the meetings of the creditors and contributories in respect of the matter aforesaid, the Court shall decide the difference and make such order as the Court may think fit;
- (d) in a case where a liquidator is not appointed by the Court, the Official Receiver shall be the liquidator of the company;
- (e) the Official Receiver shall by virtue of his office be the liquidator during any vacancy;
- (f) any vacancy in the office of a liquidator appointed by the Court may be filled by the Court;
- (g) a liquidator shall be described, where a person other than the Official Receiver is the liquidator, by the style of “the liquidator”, and, where the Official Receiver is the liquidator, by the style of “the Official Receiver and liquidator”, of the particular company in respect of which he is appointed, and not by his individual name.

### **Appointment of other person as liquidator other than Official Receiver**

**478.** (1) Where a person other than the Official Receiver is an appointed interim liquidator or liquidator in a winding up of a company by the Court, that person—

- (a) shall not act as such until he has given—