

**THE OFFICIAL RECEIVER
PRACTICE CIRCULAR NO. 1 OF 2015**

**REIMBURSEMENT OF THE APPLICANT-PLAINTIFFS' COSTS IN THE WINDING UP
OF A COMPANY BY THE COURT**

1 INTRODUCTION

Section 256(2) of the Companies Act (Cap. 50) provides that the liquidator shall reimburse the applicant out of the assets of the company the taxed costs incurred by the applicant in the winding up proceedings, unless the Court orders otherwise. An application for the winding up of a company by the Court must be in accordance with Form 3 of the Companies (Winding Up) Rules.

2 COSTS INCURRED IN WINDING UP PROCEEDINGS

Please note that in respect of all winding up applications filed with the High Court, applicants who wish to have the option of having the Court fix the costs of the application in lieu of taxation and in the absence of an agreement on such costs with the Official Receiver, should incorporate the following prayer in their application:

*“3. That the costs of the proceedings be **taxed, if not agreed or fixed**, and be paid to the plaintiff out of the assets of the defendant.”*

3 EFFECTIVE DATE

This Practice Circular shall take effect on **16 March 2015**.

4 CONTACT PERSON

For queries regarding this Practice Circular, please contact us at Tel: 1800-2255-529 or by submit an online enquiry through our website at www.mlaw.gov.sg/io.

JILL TAN
OFFICIAL RECEIVER
SINGAPORE

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(This Practice Circular is also available on our website at www.mlaw.gov.sg/io)