



# Ordnance Factories and Military Services Act 1984

## 1984 CHAPTER 59

*Ordnance factories: supplementary*

### **8 Vested liabilities on winding up.**

- (1) This section applies where—
  - (a) a resolution has been passed, in accordance with the <sup>M1</sup>Companies Act 1948, for the voluntary winding up of any company, otherwise than merely for the purpose of reconstruction or amalgamation with another company, or
  - (b) without any such resolution having been passed beforehand, an order has been made for the winding up of any company by the court under that Act.
- (2) The Secretary of State shall become liable on the commencement of the winding up to discharge any outstanding transferred liability of the company or any outstanding part of such a liability.
- (3) In subsection (2) the reference to a transferred liability of the company is a reference to a liability which vested in it by virtue of—
  - (a) a provision made under section 1(1)(a), or
  - (b) a provision made under section 1(1)(b) for the transfer of a liability which on coming into existence was vested in a Minister of the Crown or Her Majesty and has never vested in any other person otherwise than by virtue of a provision made under section 1(1)(a) or (b).
- (4) Any sums required by the Secretary of State for discharging any liability imposed on him by this section shall be paid out of money provided by Parliament.
- (5) Where the Secretary of State makes a payment to any person in discharge of a liability imposed on him by this section, he shall thereupon become a creditor of the company to the extent of the amount paid, his claim being treated for the purposes of the winding up as a claim in respect of the original liability.

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**Changes to legislation:** There are currently no known outstanding effects for the Ordnance Factories and Military Services Act 1984, Section 8. (See end of Document for details)

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- (6) Any sums received by the Secretary of State in respect of any claim made by virtue of subsection (5) in the winding up of the company shall be paid into the Consolidated Fund.
- (7) The reference in subsection (2) to the commencement of the winding up is a reference—
- (a) in a case within subsection (1)(a), to the passing of the resolution, and
  - (b) in a case within subsection (1)(b), to the making of the order.

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**Marginal Citations**

**M1** 1948 c. 38.

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