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ROYAL COURT

19th October, 1990 154.

Before: The Deputy Bailiff,
Jurats Vint and Herbert

In the matter of an ex parte representation
by Douglas John Woolley to reinstate International
Development Associates Limited, in accordance
with the provisions of Article 38A of the Loi
(1861) sur les sociétés à responsabilité limitée

Mr. D.J. Woolley on his own behalf

JUDGMENT

DEPUTY BAILLIFF: Where companies have become defunct and have been struck off, there is provision in Article 38(a) of the 1861 Law for such a company to be reinstated, as you request, Mr. Woolley, and to be deemed never to have been struck off.

However, International Development Associates Limited was not dealt with in that way. It was in fact dissolved. It was incorporated on the 28th April, 1969; it is treated as having been dissolved with effect from the 25th October, 1977, as a result of the registration of a special resolution the text of which states "that the company enter into voluntary liquidation for the purpose of dissolving the company and that Mr. Christopher McFadden" (who is a chartered accountant)" of 3 Charles Street, St. Helier, be appointed as liquidator".

The 1861 Law does not provide for the reinstatement of a company which has been dissolved by special resolution and therefore that reinstatement process I am afraid is not available to you as the Court

does not have the power to reinstate a dissolved company. Therefore your application, I am afraid, has to be refused.