

### **Liability of directors, etc.**

**53.** (1) Notwithstanding any written law to the contrary, but subject to subsection (2) in relation to a company that is being wound up, where tax is due and payable, surcharge is accrued, or penalty, fee or any other money is payable, under this Act by a company, a limited liability partnership, a firm, a society or other body of persons—

- (a) the directors of the company;
- (b) the compliance officer who is appointed amongst the partners of the limited liability partnership or if no compliance officer is appointed as such, any one or all of the partners thereof;
- (c) the partners of the firm; or
- (d) officials or committee members of the society or other body of persons, as the case may be, shall together with the company, limited liability partnership, firm, society or other body of persons be jointly and severally liable for the tax, surcharge, penalty, fee or any other money.

(2) in relation to a company that is being wound up, the directors of the company shall only be liable where the assets of the company are insufficient to meet the amount due, after paying any sum having priority under the Companies Act 1965 [Act 125] in relation to the application of the assets of the company in the winding-up over the tax, surcharge, penalty, fee or any other money.