

## **10.8 ENQUIRIES IN TERMS OF SECTION 417 OF THE COMPANIES ACT 61 OF 1973**

- 1.1 The request that the enquiry be held in secret should be fully motivated. Secrecy will not be ordered as a matter of course.
- 1.2 Where application is made to examine a particular witness, it must be shown that the witness in question has refused to furnish the information required of him or is otherwise unwilling to cooperate with the liquidator.
- 1.3 Since the amendment of section 417 which has given the power to the Master to hold the enquiry, any application to the Court under this section must indicate whether the Master himself has instituted an enquiry and why it is necessary to apply to Court for this purpose.