

SCHEDULES

SCHEDULE 6

MEETINGS OF CREDITORS AND COMMISSIONERS

PART II

ALL MEETINGS OF CREDITORS

Validity of proceedings

- 9 No proceedings at a meeting shall be invalidated by reason only that any notice or other document relating to the calling of the meeting which is required to be sent or given under any provision of this Act has not been received by, or come to the attention of, any creditor before the meeting.

Locus of meeting

- 10 Every meeting shall be held in such place (whether or not in the sheriffdom) as is, in the opinion of the person calling the meeting, the most convenient for the majority of the creditors.

Mandatories

- 11 (1) A creditor may authorise in writing any person to represent him at a meeting.
(2) A creditor shall lodge any authorisation given under sub-paragraph (1) above with the interim trustee or, as the case may be, the permanent trustee before the commencement of the meeting.
(3) Any reference in paragraph 7(1) of this Schedule and the following provisions of this Part of this Schedule to a creditor shall include a reference to a person authorised by him under this paragraph.

Quorum

- 12 The quorum at any meeting shall be one creditor.

Voting at meeting

- 13 Any question at a meeting shall be determined by a majority in value of the creditors who vote on that question.

Status: This is the original version (as it was originally enacted).

Objections by creditors

- 14 (1) The chairman at any meeting may allow or disallow any objection by a creditor, other than (if the chairman is not the permanent trustee) an objection relating to a creditor's claim.
- (2) Any person aggrieved by the determination of the chairman in respect of an objection may appeal therefrom to the sheriff.
- (3) If the chairman is in doubt whether to allow or disallow an objection, the meeting shall proceed as if no objection had been made, except that for the purposes of appeal the objection shall be deemed to have been disallowed.

Adjournment of meeting

- 15 (1) If no creditor has appeared at a meeting at the expiry of a period of half an hour after the time appointed for the commencement of the meeting, the chairman shall adjourn the meeting to such other day as the chairman shall appoint, being not less than 7 nor more than 21 days after the day on which the meeting was adjourned.
- (2) The chairman may, with the consent of a majority in value of the creditors who vote on the matter, adjourn a meeting.
- (3) Any adjourned meeting shall be held at the same time and place as the original meeting, unless in the resolution for the adjournment of the meeting another time or place is specified.

Minutes of meeting

- 16 The minutes of every meeting shall be signed by the chairman and within 14 days of the meeting a copy of the minutes shall be sent to the Accountant in Bankruptcy.