
STATUTORY INSTRUMENTS

2001 No. 3352

The Railway Administration Order Rules 2001

PART 4
MEETINGS

Entitlement to vote

4.3.—(1) Subject as follows, at a meeting of creditors in railway administration proceedings a person is entitled to vote only if—

- (a) he has given to the special railway administrator not later than 12.00 hours on the business day before the day fixed for the meeting, details in writing of the debt which he claims to be due to him from the protected railway company, and the claim has been duly admitted under the following provisions of this Rule, and
- (b) there has been lodged with the special railway administrator any proxy which he intends to be used on his behalf.

Details of the debt must include any calculation for the purposes of Rules 4.5 to 4.8.

(2) The chairman of the meeting may allow a creditor to vote, notwithstanding that he has failed to comply with paragraph (1)(a), if satisfied that the failure was due to circumstances beyond the creditor's control.

(3) The special railway administrator or, if other, the chairman of the meeting may call for any document or other evidence to be produced to him, where he thinks it necessary for the purpose of substantiating the whole or any part of the claim.

(4) Votes are calculated according to the amount of a creditor's debt as at the date of the railway administration order, deducting any amounts paid in respect of the debt after that date.

(5) A creditor shall not vote in respect of a debt for an unliquidated amount, or any debt whose value is not ascertained, except where the chairman agrees to put upon the debt an estimated minimum value for the purpose of entitlement to vote and admits the claim for that purpose.