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STATUTORY INSTRUMENTS

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**2013 No. 3208**

The Postal Administration Rules 2013

PART 4

MEETINGS AND REPORTS

CHAPTER 1

*Creditors Meetings*

**Creditors' meetings generally**

**22.**—(1) This Rule applies to creditors' meetings summoned by the postal administrator under paragraph 62 (general power to summon meetings of creditors).

(2) Notice of any meeting referred to in paragraph (1) of this Rule shall be in Form PA9.

(3) In fixing the venue for the meeting, the postal administrator shall have regard to the convenience of creditors and the meeting shall be summoned for commencement between 10.00 and 16.00 hours on a business day, unless the court otherwise directs.

(4) Subject to paragraphs (6) and (7) of this Rule, at least 14 days' notice of the meeting shall be given to all creditors who are known to the postal administrator and had claims against the company at the date when the company entered postal administration unless that creditor has subsequently been paid in full; and the notice shall—

- (a) specify the purpose of the meeting;
- (b) contain a statement of the effect of Rule 26 (entitlement to vote); and
- (c) contain the forms of proxy.

(5) As soon as reasonably practicable after notice of the meeting has been given, the postal administrator must have gazetted a notice which, in addition to the standard contents, must state—

- (a) that a creditors' meeting is to take place;
- (b) the venue fixed for the meeting;
- (c) the purpose of the meeting; and
- (d) a statement of the effect of Rule 26 (entitlement to vote).

(6) If within 30 minutes from the time fixed for commencement of the meeting there is no person present to act as chair, the meeting stands adjourned to the same time and place in the following week or, if that is not a business day, to the business day immediately following.

(7) If within 30 minutes from the time fixed for the commencement of the meeting those persons attending the meeting do not constitute a quorum, the chair may adjourn the meeting to such time and place as the chair may appoint.

(8) Once only in the course of the meeting the chair may, without an adjournment, declare the meeting suspended for any period up to 1 hour.

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(9) The chair may, and must if the meeting so resolves, adjourn the meeting to such time and place as seems to the chair to be appropriate in the circumstances. An adjournment under this paragraph must not be for a period of more than 14 days, subject to the direction of the court.

(10) If there are subsequently further adjournments, the final adjournment must not be to a day later than 14 days after the date on which the meeting was originally held.

(11) Where a meeting is adjourned under this Rule, proofs and proxies may be used if lodged at any time up to 12.00 hours on the business day immediately before the adjourned meeting.

(12) Paragraph (3) of this Rule applies with regard to the venue fixed for a meeting adjourned under this Rule.