
STATUTORY INSTRUMENTS

2013 No. 3208

The Postal Administration Rules 2013

PART 4

MEETINGS AND REPORTS

CHAPTER 1

Creditors Meetings

Entitlement to vote

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

- (a) they have given to the postal 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 they claim to be due to them from the company;
- (b) the claim has been duly admitted under Rule 27 or this Rule; and
- (c) there has been lodged with the postal administrator any proxy which they intend to be used on their behalf,

and details of the debt must include any calculation for the purposes of Rules 28 to 30.

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

(3) The chair of the meeting may call for any document or other evidence to be produced to them, where the chair 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 claim as at the date on which the company entered postal administration, less any payments that have been made to them after that date in respect of their claim and any adjustment by way of set-off in accordance with Rule 55 as if that Rule were applied on the date that the votes are counted.

(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 chair agrees to put upon the debt an estimated minimum value for the purpose of entitlement to vote and admits the claim for that purpose.

(6) No vote shall be cast by virtue of a claim more than once on any resolution put to the meeting.