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STATUTORY INSTRUMENTS

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**2016 No. 1024**

**The Insolvency (England and Wales) Rules 2016**

PART 15

DECISION MAKING

CHAPTER 8

Creditors' voting rights and majorities

**Claim made in proceedings in other member States**

**15.30.**—(1) Where a creditor in an administration, a creditors' voluntary winding up, a winding up by the court or a bankruptcy—

- (a) is entitled to vote under rule 15.28(1) (as determined, where that be the case, in accordance with rule 15.35);
- (b) has made the claim in other proceedings; and
- (c) votes on a resolution in a decision procedure;

and a member State liquidator casts a vote in respect of the same claim, only the creditor's vote is to be counted.

(2) Where in an administration, a creditors' voluntary winding up, a winding up by the court or a bankruptcy—

- (a) a creditor has made a claim in more than one set of other proceedings; and
- (b) more than one member State liquidator seeks to vote in respect of that claim;

the entitlement to vote in respect of that claim is exercisable by the member State liquidator in the main proceedings, whether or not the creditor has made the claim in the main proceedings.

(3) In this rule, "other proceedings" mean main, secondary or territorial proceedings in another member State.