



Companies Act 2006

2006 CHAPTER 46

[^{F1}PART 26A

ARRANGEMENTS AND RECONSTRUCTIONS: COMPANIES IN FINANCIAL DIFFICULTY

Meeting of creditors or members

[^{F1}901C Court order for holding of meeting

- (1) The court may, on an application under this subsection, order a meeting of the creditors or class of creditors, or of the members of the company or class of members (as the case may be), to be summoned in such manner as the court directs.
- (2) An application under subsection (1) may be made by—
 - (a) the company,
 - (b) any creditor or member of the company,
 - (c) if the company is being wound up, the liquidator, or
 - (d) if the company is in administration, the administrator.
- (3) Every creditor or member of the company whose rights are affected by the compromise or arrangement must be permitted to participate in a meeting ordered to be summoned under subsection (1).
- (4) But subsection (3) does not apply in relation to a class of creditors or members of the company if, on an application under this subsection, the court is satisfied that none of the members of that class has a genuine economic interest in the company.
- (5) An application under subsection (4) is to be made by the person who made the application under subsection (1) in respect of the compromise or arrangement.
- (6) Section 323 (representation of corporations at meetings) applies to a meeting of creditors under this section as to a meeting of the company (references to a member of the company being read as references to a creditor).
- (7) This section is subject to section 901H (moratorium debts, etc).]

Changes to legislation: There are currently no known outstanding effects for the Companies Act 2006, Section 901C. (See end of Document for details)

Textual Amendments

- F1** Pt. 26A inserted (26.6.2020) by [Corporate Insolvency and Governance Act 2020 \(c. 12\)](#), s. 49(1), [Sch. 9 para. 1](#) (with [ss. 2\(2\)](#), [5\(2\)](#))

Modifications etc. (not altering text)

- C1** Ss. 901A-901J applied (with modifications) by [S.I. 2009/1804](#), [reg. 45A](#) (as inserted (26.6.2020) by [The Limited Liability Partnerships \(Amendment etc.\) Regulations 2020 \(S.I. 2020/643\)](#), reg. 1(1), [Sch. 3 para. 3](#) (which amending S.I. is revoked (16.2.2021) by [S.I. 2021/60](#), reg. 1(1), [2](#)))
- C2** Ss. 901A-901J applied (with modifications) (16.2.2021) by [S.I. 2009/1804](#), [reg. 45A](#) (as inserted by [The Limited Liability Partnerships \(Amendment etc.\) Regulations 2021 \(S.I. 2021/60\)](#), reg. 1(1), [Sch. 3 para. 3](#) (with [reg. 4\(2\)](#)))
- C3** [S. 901C](#) restricted (24.3.2022) by [Commercial Rent \(Coronavirus\) Act 2022 \(c. 12\)](#), [ss. 25\(2\)\(c\)](#), [31\(4\)](#) (with [s. 30](#))

Changes to legislation:

There are currently no known outstanding effects for the Companies Act 2006, Section 901C.