

---

STATUTORY INSTRUMENTS

---

**2016 No. 1024**

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

PART 15

DECISION MAKING

CHAPTER 12

Company meetings

**Company meetings**

**15.41.**—(1) Unless the Act or these Rules provide otherwise, a company meeting must be called and conducted, and records of the meeting must be kept—

- (a) in accordance with the law of England and Wales, including any applicable provision in or made under the Companies Act, in the case of a company incorporated—
  - (i) in England and Wales, or
  - (ii) outside the United Kingdom other than in an EEA state;
- (b) in accordance with the law of that state applicable to meetings of the company in the case of a company incorporated in an EEA state other than the United Kingdom.

(2) For the purpose of this rule, reference to a company meeting called and conducted to resolve, decide or determine a particular matter includes a reference to that matter being resolved, decided or determined by written resolution of a private company passed in accordance with section 288 of the Companies Act<sup>(1)</sup>.

(3) In an administration—

- (a) in summoning any company meeting the administrator must have regard to the convenience of the members when fixing the venue; and
- (b) the chair of the meeting must be either the administrator or an appointed person.