
STATUTORY INSTRUMENTS

2013 No. 1047

**The Energy Supply Company
Administration (Scotland) Rules 2013**

Part 4

Meetings and Reports

Quorum at meeting of creditors

20.—(1) Any meeting of creditors in energy supply company administration proceedings is competent to act if a quorum is present.

(2) Subject to paragraph (3), a quorum is at least one creditor entitled to vote.

(3) For the purposes of this Rule, the reference to the creditor necessary to constitute a quorum is not confined to those persons present or represented under section 323 of the Companies Act (representation of corporations at meetings)(¹) but includes those represented by proxy by any person (including the chair).

(4) Where at any meeting of creditors—

(a) the provisions of this Rule as to a quorum being present are satisfied by the attendance of—

(i) the chair alone, or

(ii) one other person in addition to the chair; and

(b) the chair is aware, by virtue of claims and proxies received or otherwise, that one or more additional persons would, if attending, be entitled to vote,

the meeting shall not commence until at least the expiry of 15 minutes after the time appointed for its commencement.

(1) Section 323 was amended by [S.I. 2009/1632](#) reg. 6.