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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 7**

**Adjournment and suspension of meetings**

**Adjournment by chair**

**15.23.**—(1) The chair may (and must if it is so resolved) adjourn a meeting for not more than 14 days, but subject to any direction of the court and to rule 15.24.

(2) Further adjournment under this rule must not be to a day later than 14 days after the date on which the meeting was originally held (subject to any direction by the court).

(3) But in a case relating to a proposed CVA, the chair may, and must if the meeting so resolves, adjourn a meeting held under paragraph 29(1) of Schedule A1(1) to a day which is not more than 14 days after the date on which the moratorium (including any extension) ends.

**Adjournment of meetings to remove a liquidator or trustee**

**15.24.** If the chair of a meeting to remove the liquidator or trustee in a creditors' voluntary winding up, a winding up by the court or a bankruptcy is the liquidator or trustee or the liquidator's or trustee's nominee and a resolution has been proposed for the liquidator's or trustee's removal, the chair must not adjourn the meeting without the consent of at least one-half (in value) of the creditors attending and entitled to vote.

**Adjournment in absence of chair**

**15.25.**—(1) In an administration, administrative receivership, a creditors' voluntary winding up, a winding up by the court or a bankruptcy, if no one attends to act as chair within 30 minutes of the time fixed for a meeting to start, then the meeting is adjourned to the same time and place the following week or, if that is not a business day, to the business day immediately following.

(2) If no one attends to act as chair within 30 minutes of the time fixed for the meeting after a second adjournment under this rule, then the meeting comes to an end.

**Proofs in adjournment**

**15.26.** Where a meeting in an administration, an administrative receivership, a creditors' voluntary winding-up, a winding up by the court or a bankruptcy is adjourned, proofs may be used

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(1) Paragraph 29(1) and the preceding heading are amended by paragraph 9(6) and (7) of Schedule 9 to the Small Business, Enterprise and Employment Act 2015 (c.26).

if delivered not later than 4pm on the business day immediately before resumption of the adjourned meeting, or later than that time where the chair is content to accept the proof.

**Suspension**

**15.27.** The chair of a meeting may, without an adjournment, declare the meeting suspended for one or more periods not exceeding one hour in total (or, in exceptional circumstances, such longer total period during the same day at the chair’s discretion).