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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 3

Notices, voting and venues for decisions

**Voting in a decision procedure**

**15.9.**—(1) In order to be counted in a decision procedure other than where votes are cast at a meeting, votes must—

- (a) be received by the convener on or before the decision date; and
- (b) in the case of a vote cast by a creditor, be accompanied by a proof in respect of the creditor's claim unless it has already been given to the convener.

(2) In an administration, an administrative receivership, a creditors' voluntary winding up, a winding up by the court or a bankruptcy a vote must be disregarded if—

- (a) a proof in respect of the claim is not received by the convener on or before the decision date or, in the case of a meeting, 4pm on the business day before the decision date unless under rule 15.26 or 15.28(1)(b)(ii) (as applicable) the chair is content to accept the proof later; or
- (b) the convener decides, in the application of Chapter 8 of this Part, that the creditor is not entitled to cast the vote.

(3) For the decision to be made, the convener must receive at least one valid vote on or before the decision date.