
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 17

CREDITORS' AND LIQUIDATION COMMITTEES

CHAPTER 4

Meetings of Committee

Committee-members' representatives

17.17.—(1) A member of the committee may, in relation to the business of the committee, be represented by another person duly authorised by the member for that purpose.

(2) A person acting as a committee-member's representative must hold a letter of authority entitling that person to act (either generally or specifically) and authenticated by or on behalf of the committee-member.

(3) A proxy or an instrument conferring authority (in respect of a person authorised to represent a corporation) is to be treated as a letter of authority to act generally (unless the proxy or instrument conferring authority contains a statement to the contrary).

(4) The chair at a meeting of the committee may call on a person claiming to act as a committee-member's representative to produce a letter of authority, and may exclude that person if no letter of authority is produced at or by the time of the meeting or if it appears to the chair that the authority is deficient.

(5) A committee member may not be represented by—

- (a) another member of the committee;
- (b) a person who is at the same time representing another committee-member;
- (c) a body corporate;
- (d) an undischarged bankrupt;
- (e) a person whose estate has been sequestrated and who has not been discharged;
- (f) a person to whom a moratorium period under a debt relief order applies;
- (g) a person who is subject to a company directors disqualification order or a company directors disqualification undertaking; or
- (h) a person who is subject to a bankruptcy restrictions order (including an interim order), a bankruptcy restrictions undertaking, a debt relief restrictions order (including an interim order) or a debt relief restrictions undertaking.

(6) Where a representative authenticates any document on behalf of a committee-member the fact that the representative authenticates as a representative must be stated below the authentication.