
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 2

COMPANY VOLUNTARY ARRANGEMENTS (CVA)

CHAPTER 5

Consideration of the proposal by the company members and creditors

Proposal for alternative supervisor

2.33.—(1) If in response to a notice inviting—

- (a) members to consider the proposal by correspondence; or
- (b) creditors to consider the proposal other than at a meeting,

a member or creditor proposes that a person other than the nominee be appointed as supervisor, that person's consent to act and confirmation of being qualified to act as an insolvency practitioner in relation to the company must be delivered to the nominee by the deadline in the notice of the decision by correspondence or by the decision date (as the case may be).

(2) If, at either a meeting of the company or the creditors to consider the proposal, a resolution is moved for the appointment of a person other than the nominee to be supervisor, the person moving the resolution must produce to the chair at or before the meeting—

- (a) confirmation that the person proposed as supervisor is qualified to act as an insolvency practitioner in relation to the company; and
- (b) that person's written consent to act (unless that person is present at the meeting and there signifies consent to act).