

The following is a guide to assist you in the completion of proxy forms to ensure that:

- ✎ Any amount that you are owed is registered as a claim against the debtor / company; and
- ✎ Where the debtor / company / office holder has requested the creditor's approval to a specific matter you are able to communicate your wishes.

Procedure to Register Your Vote

The debtor / company / office holder has detailed resolution(s) on the notice of meeting and form of proxy. Resolutions are specific matters on which the debtor / company / office holder is seeking creditors' approval. You can vote on resolutions by either:

- ✎ Attending the meeting
- ✎ Asking someone to attend the meeting on your behalf "your proxy holder", or
- ✎ Indicating your wishes on the proxy form, requesting your proxy (who can be the "Chairman of the Meeting") to vote as you instruct

If you are an individual and you want to attend the meeting in person or be represented at the meeting by someone else

If you are owed money as an individual you do not need to submit a proxy. If you wish someone else to attend on your behalf you do need to complete the proxy form, naming that person as your proxy holder. They will then vote either on your instructions or as they see fit.

If you are attending the meeting as a representative of a Limited Company

If you are a director, a manager or responsible person in a company who is owed money by the company, you may complete the proxy form if you wish to attend the meeting and vote on the resolutions. You must have authority from your company.

§434B of Insolvency Act 1986, as amended, explains the position:

- (1) If a corporation is a creditor or debenture-holder, it may by resolution of its directors or other governing body authorise a person or persons to act as its representative or representatives—
- (a) at any meeting of the creditors of a company held in pursuance of this Act or of rules made under it, or
- (b) at any meeting of a company held in pursuance of the provisions contained in a debenture or trust deed.

If you do not wish to attend the meeting and cannot be represented by someone else, but still want to vote

Complete the proxy form nominating the chairman of the meeting to represent you. Please complete the relevant section on the proxy form to ensure that your voting instructions are followed.

Alternatively, if you have no specific instructions, the chairman of the meeting will then use their discretion to cast your vote at the meeting.

Please note the chairman will be either a director of the company or the current officeholder or a member of the office holder's team.

Additional notes on voting

Submit both the lodgement of claim and proxy (as appropriate) to Mitchell Charlesworth no later than 12 noon on the business day prior to the meeting. Although for some insolvency creditor meetings you can even submit the forms during the meeting, for administration purposes it is appreciated if the forms are submitted the day before.

Faxed statements of claims and proxies are acceptable – if they are legible. Proxy forms **MUST** be signed.

All resolutions require a "For" or "Against" vote, do not leave blank, the proxy will be deemed invalid if no vote is cast.

A statement detailing your claim must be available at the meeting

Rule ??

Notes to assist completion of the form

Please insert name of person (who must be 18 or over) or "the Chairman of the Meeting" if you wish the Chairman to vote on your behalf. If you wish to provide for alternative proxy holders in the circumstances that your first choice is unable to attend please state the name(s) of the alternatives as well

Please delete words in brackets if the proxy holder is only to vote as directed i.e. he has no discretion

*Please delete as appropriate

Any other resolutions that the proxy-holder is to propose or vote in favour of or against should be set out in numbered paragraphs in the space provided below Paragraph 1. If more room is required please use the other side of this form

This form must be signed

Only to be completed if the creditor has not signed in person

Insolvency Act 1986

Proxy (Relevant insolvency type)

Name of Insolvent Body

Name of Creditor Name of company / Name of individual

Address Address of company / Address of individual

Name of Proxy Holder

1 Enter the name(s) of the person(s) you want to represent you

2 The Chairman of the Meeting

3 _____

I appoint the above person to be my/the creditor's proxy holder at the meeting of creditors to be held on ??/??/???? or at any adjournment of that meeting. The proxy holder is to propose or vote as instructed below (and in respect of any resolution for which no specific instruction is given, may vote or abstain at his/her discretion).

Voting Instructions for resolutions

1. Resolution 1 for/against*

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15. Resolution 15 for/against*

Depending upon the type of insolvency resolutions may include the nomination of a specific Insolvency Practitioner or the opportunity to request a modification to a proposed voluntary arrangement.

Signature Your Signature Date ??/??/????

Name in CAPITAL LETTERS **YOUR NAME**

Position with creditor or relationship to creditor or other authority for signature

Your Job Title e.g. Credit Manager

Remember: there may be resolutions on the other side of this form