

122Q. Voting rights

- (1) Subject as follows, every creditor who was given notice of the creditors' meeting is entitled to vote at the meeting or any adjournment of it.
- (2) In Case 1, votes are calculated according to the amount of the creditor's debt as at the date of the bankruptcy order unless the debts are incurred after the making of the bankruptcy order, in which case, the votes of those creditors will be calculated according to the amount of the debt as at the date of the meeting and in Case 2, votes are calculated according to the amount of the debt as at the date of the meeting.
- (3) A creditor shall not vote in respect of a debt for an unliquidated amount, or any debt whose value is not ascertained, except where the chairman agrees to put upon the debt an estimated minimum value for the purpose of entitlement to vote.
- (4) The chairman has power to admit or reject a creditor's claim for the purpose of his entitlement to vote, and the power is exercisable with respect to the whole or any part of the claim.
- (5) The chairman's decision on entitlement to vote is subject to appeal to the court by any creditor, or by the debtor.
- (6) If the chairman is in doubt whether a creditor's claim should be admitted or rejected for the purpose of his entitlement to vote, he shall make a note of it and allow the creditor to vote, subject to his vote being subsequently declared invalid if the objection to the claim is sustained.
- (7) If on an appeal the chairman's decision is reversed or varied, or a creditor's vote is declared invalid, the court may order another meeting to be summoned, or make such other order as it thinks just, but the court's power to make an order under this subrule is exercisable only if it considers that the matter is such as to give rise to unfair prejudice or a material irregularity. *(L.N. 150 of 2014)*
- (8) An application to the court by way of appeal under this rule against the chairman's decision shall not be made after the end of the period of 28 days beginning with the day on which the nominee's report to the court is made under section 20G of the Ordinance.
- (9) The chairman is not personally liable for any costs incurred by any person in respect of an appeal under this rule.

(L.N. 77 of 1998)