**NOTICE OF DECISION(S) BEING SOUGHT BY CORRESPONDENCE   
(A DECISION PROCEDURE)**

Pursuant to S246ZE of the Insolvency Act 1986 and Rules 15.8 and 18.30 of the Insolvency (England and Wales) Rules 2016 (**the Rules**)

**[COMPANY NAME] LIMITED (**the **Company) - In Creditors’ Voluntary Liquidation**

**Registered Number - [Insert registered number]**

**THE PROPOSED DECISION(S)**

The following decisions are proposed by the Liquidator (the **Convener**) as decisions to be made by the Company’s creditors by correspondence:

1. *That the Liquidator’s revised fees estimate provided to creditors totalling £[Amount] be approved.*
2. *Whether a liquidation committee should be established if sufficient creditors are willing to be members of a committee and if so, who the creditors’ wish to nominate for membership of the committee.*

**ENSURING YOUR VOTES ON THE PROPOSED DECISIONS ARE COUNTED**

In order for votes on the Proposed Decisions to be counted, a creditor must have delivered the **Voting Form** accompanying this Notice, together with a proof in respect of their claim to the Convener (unless already submitted), whose contact details are below, on or before [Insert the agreed Decision Date - 14 days clear notice from delivery required under R15.11] (the **Decision Date**), failing which their votes will be disregarded.

**Appeal of Convener’s decision**

Pursuant to Rule 15.35 of the Rules, any creditor may apply to the court to appeal a decision of the Convener. However, an appeal must be made within 21 days of the Decision Date.

**Creditors’ committee - nominations**

Although creditors have not made the decision to establish a liquidation committee to date, I am required under insolvency legislation to invite creditors to decide whether one should be established each time I seek a decision from them.

A decision on this matter is therefore included on the enclosed Voting Form. Any nominations for membership of the committee must be received by the Convener on or before the Decision Date and will only be accepted if the Convener is satisfied as to the nominee’s eligibility to be a member of such committee under Rule 17.4 of the Rules. Please note that nominations for membership can also be made on the Voting Form itself.

Under Rule 17.4, a creditor is eligible to be a member of such a committee if the creditor has proved for a debt, the debt is not fully secured and the proof has not been wholly disallowed for voting purposes or wholly rejected for the purpose of distribution or dividend. Please note that a person cannot be a member as both a creditor and a contributory and whilst a body corporate may be a member of a creditors’ committee, it can only act through a representative appointed under Rule 17.17.

**Creditors with a small debt**

Any creditor whose debt is treated as a small debt (less than £1,000 inclusive of VAT) must still deliver a proof in respect of their claim with their Voting Form if they wish to vote on the Proposed Decisions.

**Creditors who have opted out of receiving notices**

Any creditor who has opted out of receiving notices but still wishes to vote on the Proposed Decisions is entitled to do so. However, they must have delivered a completed Voting Form, together with a proof in respect of their claim (unless one has already been submitted) to the Convener, whose contact details are below, by no later than the Decision Date, failing which their votes will be disregarded.

**Request for a physical meeting**

Insolvency legislation also provides that creditors who meet certain thresholds, namely 10% in value of creditors, 10% in number of creditors or 10 creditors, may require a physical meeting to be held to consider the Proposed Decisions. Such a request must be made in writing to the Convener within five business days from [Insert delivery date of this notice] and should be accompanied by a proof of debt (unless already submitted).

**Contact details**

Documents required to be delivered to the Convener pursuant to this notice can be sent by post to the Liquidator at [IP Firm Name & Address] or alternatively by email to [IP email address]. Any person who requires further information may contact [Name] by telephone on [Telephone] or alternatively by e-mail at [Email address].

Dated:

Signed: …………………………………………..

**Liquidator (**the **Convener)**