
STATUTORY INSTRUMENTS

2018 No. 1082

The Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018

PART 6

PROXIES AND CORPORATE REPRESENTATION

Specific and continuing proxies

6.2.—(1) A proxy is a document made by a creditor or member which directs or authorises another person (a “proxy-holder”) to act as the representative of the creditor or member at a meeting, or meetings, by speaking, voting, abstaining or proposing resolutions.

(2) A proxy may be either—

- (a) a specific proxy which relates to a specific meeting; or
- (b) a continuing proxy for the insolvency proceedings.

(3) A specific proxy must—

- (a) direct the proxy-holder how to act at the meeting by giving specific instructions; or
- (b) authorise the proxy-holder to act at the meeting without specific instructions; or
- (c) contain both direction and authorisation.

(4) A proxy is to be treated as a specific proxy for the meeting which is identified in the proxy unless it states that it is a continuing proxy for the insolvency proceedings.

(5) A continuing proxy must authorise the proxy-holder to attend, speak, vote or abstain, or to propose resolutions without giving the proxy-holder any specific instructions.

(6) A continuing proxy may be superseded by a proxy for a specific meeting or withdrawn by a written notice to the office-holder.

(7) A creditor or member may appoint more than one person to be proxy-holder but if so—

- (a) their appointment is as alternates; and
- (b) only one of them may act as proxy-holder at the meeting.

(8) The proxy-holder must be an individual.