



**Technical Alert
01/2020**

**Guidance for Insolvency Practitioners – Meeting of creditors during Covid-19
pandemic restriction on movement and public gatherings**

This publication has been jointly developed by the member bodies of the Consultative Committee of Accountancy Bodies – Ireland (CCAB-I), being the Institute of Chartered Accountants in Ireland, The Association of Chartered Certified Accountants, The Institute of Certified Public Accountants and Chartered Institute of Management Accountants.

April 2020

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Meeting of creditors during Covid-19 pandemic restriction on movement and public gatherings

In order to comply with current government and health care advice during the Covid-19 pandemic physical meetings of members and creditors cannot take place. In order to allow Section 587 meetings of creditors and other meetings of members and creditors to take place it is proposed that the meetings be held remotely by telephone and/or video conferencing facilities. This allows appointments to proceed and provide creditors and members with the opportunity to participate in meetings and request any additional information.

Until such time as any legislative changes are introduced, this provides a practical and pragmatic solution to be applied by Insolvency Practitioners (IPs). CCAB-I has advised the Department of Business, Enterprise and Innovation (DBEI) that this guidance is being given to members and sought support from DBEI on same.

The manner in how the telephone video conferencing is to be carried out, is dependent on the facilities available to each firm and will also depend on the number of creditors in each case. As we cannot assume that all creditors will have access to the internet, it is recommended that telephone conferencing is also offered. As with physical meetings, it is important to know who is in attendance, therefore it is recommended asking creditors to register in advance of the virtual meeting so they can be sent details, rather than sending any log-in details with the notice. IPs may also consider emailing a copy of the directors statement of the position of the company's affairs, list of creditors with estimated claims and any other information being provided to the meeting on the morning of the virtual meeting to those creditors who have submitted proxy forms and requested attendance.

The following wording has been recommended for insertion in IPs' standard S587 notices:

Section 587 - Additional paragraphs for insertion into IPs' standard notices

In order to comply with current government and health care advice during the Covid-19 pandemic, a physical meeting of members and creditors cannot take place. In order to provide creditors with the opportunity to participate in the meeting and request any additional information, the meeting will be held remotely by telephone and/or video conferencing facilities.

In order to make suitable arrangements to ensure that all those wishing to participate are able to take part, creditors are requested to submit their proxy form in advance of the meeting and indicate that they wish to be sent details by email of how they may participate in the meeting at the required time.

As is normally the case, creditors who do not wish to take part in the meeting may vote for or against any resolutions by completing and submitting proxy forms prior to the meeting.

Following the meeting a copy of the report presented to the meeting and details of outcome of the meeting will be sent to all creditors.

Section 587 - Additional paragraphs for insertion into statutory notices published

In order to comply with current government and health care advice during the Covid-19 pandemic a physical meeting of members and creditors cannot take place. In order to provide creditors with the opportunity to participate in the meeting, the meeting will be held remotely by telephone and/or video conferencing facilities.

In order to make suitable arrangements to ensure that all those wishing to participate are able to take part, creditors are requested to submit their proxy form in advance of the meeting and indicate that they wish to be sent details by email of how they may participate in the meeting at the required time.

Annual Meetings

For annual meetings of members and creditors it is recommended that a similar notice be issued enclosing a copy of the annual report.