

TO BE RETURNED TO THE PROVISIONAL LIQUIDATOR / LIQUIDATOR

Note:-Before filling up the Proxy Form, please read the instructions on the back hereof carefully.

FORM 80 (Rule 132)
IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
COMPANIES WINDING-UP PROCEEDINGS
NO. OF

IN THE MATTER of the Companies (Winding Up and Miscellaneous Provisions) Ordinance

And

IN THE MATTER of

GENERAL PROXY

I/We (Name)

of (address)

and on telephone no.

a creditor (or contributory), hereby appoint (1)

to be my/our general proxy to vote at the meeting of creditors (or contributories) to be held in the above matter on the day of, , or at any adjournment thereof.

Dated this day of, .

(Signed)(2)
Creditor/Contributory

NOTES

- (1) The person appointed general proxy may be the Official Receiver, the liquidator (Provisional Liquidator for first meetings), or such other person as the creditor (or contributory) may approve, and the proxy form when signed must be lodged by the time and at the address named for that purpose in the notice convening the meeting at which it is to be used.
(2) If a firm, sign the firm's trading title, and add "by A.B., a partner in the said firm". If the appointor is a corporation, then the form of proxy must be under its common seal or under the hand of some officer duly authorized in that behalf, and the fact that the officer is so authorized must be stated thus:-
For the Company
J.S. (duly authorized under the seal of the company).
(3) This proxy form can also be lodged by way of facsimile transmission on line (852) 3105 1814.

INSTRUCTIONS FOR FILLING UP FORM OF GENERAL PROXY

1. If the creditor or contributory proposes attending the meeting personally, or to be represented by a special proxy, it is not necessary for him to fill up this form.
2. A company can only vote:-
 - (a) by means of a proxy under its common seal or signed by a person duly authorized under such seal; or
 - (b) by a person authorized by resolution of its directors to act as its representative at the meeting. A copy of such resolution either under its common seal or certified to be a true copy by the secretary or a director of the company must be produced to the chairman of the meeting.
3. If the creditor or contributory wishes to appoint a general proxy, this form must be filled up by the creditor or contributory personally, or by any manager or clerk or any other person in the regular employment of the creditor or contributory, or by a solicitor employed by the creditor or contributory in connection with the matter.
4. This form must be signed by the creditor or contributory. (Where the creditor or contributory is a firm or a corporation, see Note (2) overleaf).
5. A creditor or contributory may appoint the Official Receiver or any other persons, but not a minor, as his general proxy.

EXTRACT FROM COMPANIES (WINDING-UP) RULES

Rule 138 No person acting either under a general or a special proxy shall vote in favour of any resolution which would directly or indirectly place himself, his partner or employer in a position to receive any remuneration out of the assets of the company otherwise than as creditor rateably with the other creditors of the company:

Provided that where any person holds special proxies to vote for an application to the court in favour of the appointment of himself as liquidator he may use the said proxies and vote accordingly.