

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

FORM 50 [S.86B(1)(c)]

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
IN BANKRUPTCY PROCEEDINGS
NO. OF

Re: _____

GENERAL PROXY

(Name) (a), of
(address)....., a creditor,
hereby appoint (b)
.....to be (c)
general proxy in the above matter excepting as to the receipt of dividend (d).

Dated this day of,

(Signed)(e).....
Creditor

NOTES

1. When the creditor desires that his general proxy should receive dividends he should strike out the words, “excepting as to the receipt of dividend”, putting his initials thereto (f).
2. The authorized agent of a corporation may fill up blanks, and sign for the corporation thus —
For theCompany, Limited.
J.S. (duly authorized under the seal of the Company).
3. A proxy given by a creditor may be filled up and signed by any person in the employ of the creditor having a general authority in writing to sign for such creditor. Such person shall sign:-

J.S. (duly authorized by a general authority in writing to sign on behalf [name of creditor]) (g).

DIRECTIONS

- (a) If a firm write “we” instead of “I” and set out the full name of the firm.
- (b) Here insert either “Mr of (address), a clerk, manager, etc., in my regular employ,” or “Mr of (address), my solicitor,” or “the trustee”. The standing of the person appointed must be clearly set out.
- (c) “my” or “our”.
- (d) see footnote 1.
- (e) If a firm, sign the firm’s trading title, and add “by A.B., a partner in the said firm”. As to signature by agent see footnotes 2 and 3.
- (f) It is not intended that the trustee shall in any case receive dividends on behalf of a creditor.
- (g) The trustee may require the authority to sign to be produced for his inspection.

CERTIFICATE TO BE SIGNED BY PERSON OTHER THAN CREDITOR
FILLING UP THE PROXY OVERLEAF

I (Name), of (address).....
....., being a *.....
hereby certify that all insertions in the proxy overleaf are in my own handwriting, and have been made by me at the
request of the above-named
and in his presence, before he attached his signature (or mark) thereto.

Dated this day of,

(Signature)
Clerk/Manager/Solicitor/Commissioner for Oaths

* here state whether clerk or manager in the regular employment of the creditor or his solicitor or a commissioner to administer oaths in the Court of First Instance.

INSTRUCTIONS

1. If the Creditor 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 the Company's Seal or signed by a person duly authorized under such Seal, or
 - (b) by one of its officers authorized in that behalf under the Seal of the Company. The authority must be produced to the Chairman of the meeting.
3. A creditor may give a general proxy to his manager or clerk or any other person in his regular employment or to his solicitor and, in such case, the instrument of proxy shall state the relation in which the person to act thereunder stands to the creditor. A creditor may appoint the trustee to act in the manner prescribed as his general proxy. — Bankruptcy Rules 99P and 99T
4. A proxy shall be signed by the person giving the proxy, or by any manager, or clerk or other person in his regular employment, or by his solicitor or solicitors. — Bankruptcy Rule 99N
5. “No person acting under either a general or a special proxy shall vote in favour of any resolution which would directly or indirectly place himself or his partner or employer in a position to receive any remuneration out of the estate of the bankrupt otherwise than as a creditor rateably with the other creditors of the bankrupt : Provided that where any person holds special proxies to vote for the appointment of himself as trustee he may use the said proxies and vote accordingly.”— Bankruptcy Rule 99Y
6. A proxy may not be used unless it is deposited with the provisional trustee / trustee 24 hours before the meeting at which it is to be used. A proxy can also be lodged by way of facsimile transmission or electronic means with the provisional trustee / trustee. If the Official Receiver is the provisional trustee / trustee, the proxy may be faxed to (852) 3105 1814, or submitted by email to oroadmin@oro.gov.hk provided that the proxy form submitted is signed with a valid digital signature supported by a recognized digital certificate and in accordance with the relevant requirements under the Electronic Transactions Ordinance (Cap. 553). — Bankruptcy Rule 99R