

TO ALL KNOWN CREDITORS

22 March 2021

Ref: R/CAL/SH/RK/HOF/PF16.4

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HFL Realisations Limited (formerly House of Fraser Limited) (in Administration) ('the Company')
Court of Session, Number P793/18
Registered office address: c/o Ernst & Young LLP, Atria One, 144 Morrison Street, Edinburgh, EH3 8EX

Dear Sirs

I write, in accordance with Rule 3.93 of the Insolvency (Scotland) (Company Voluntary Arrangements and Administration Rules 2018, to provide creditors with a report on the progress of the administration. This report covers the period from 10 August 2020 to 9 February 2021 ("the Period" and should be read in conjunction with our previous reports dated 17 September 2020, 19 March 2020, 20 September 2019 and 6 March 2019. Statutory information about the Company, the administration and the office holders is given at Appendix 1.

The Company, registered number SC021928, entered administration on 10 August 2018 ('the Date of Appointment') and A M Hudson, R H Kelly, C P Dempster and I were appointed to act as Joint Administrators ('Joint Administrators'). The appointment was made by The Court of Session under the provisions of paragraph 12 of Schedule B1 to the Insolvency Act 1986. Under the terms of the appointment, any act required or authorised to be done by the Joint Administrators can be done by any one of them.

Summary of progress since last report

Rates refunds

During the Period, further rates refunds of £78,712.77 were received. However, on investigation, this was actually due to another group company, HF Stores Realisations Limited and these funds have subsequently been transferred to it. Rate refunds recovered by the Joint Administrators therefore total £558,187.62.

Leasehold properties

The Company held several head leases, all of which were subject to underleases to HF Stores Realisations Limited (formerly House of Fraser (Stores) Limited) (in Administration) ('Hofs'), which operated and traded from these sites. Following the sale to Sports Direct, a number of these leases have been surrendered for £nil value as part of the wider rationalisation of the leasehold estate. There are a small number of intergroup leases still to be dealt with.

Intercompany debtors

A claim of £155,264.56 has been submitted for the inter-company balance due to the Company from Jam B Realisations Limited (formerly James Beattie Limited) ("JBL"). We expect this to rank as an unsecured creditor in the Creditor's Voluntary Liquidation of JBL, and for the dividend to be recovered in the current accounting period.

This remains the only remaining asset being pursued for the benefit of creditors.

Bank interest

During the period the Company received bank interest of £26.90.

Investigations

As previously reported the Joint Administrators have undertaken an investigation into the Company's affairs following their appointment pursuant to Statement of Insolvency Practice Number 2 (Investigations by Office Holders) and the Company Directors Disqualification Act 1986.

We have submitted our confidential return on the conduct of all persons who have been directors, shadow or de-facto directors of the Company during the three years prior to our appointments, to the Insolvency Service.

No further work was undertaken in relation to this matter during the Period.

VAT

We have submitted the VAT returns on their due dates enabling VAT recoveries of £4,883.10 to date.

Corporation tax

We have instructed EY tax specialists to prepare the corporation tax returns for the Company.

Corporation tax returns for the periods up to 10 August 2019 have been submitted. Tax returns for subsequent post-Administration periods will be required. The next tax return due for the Company is for the period from 11 August 2019 to 10 August 2020.

Tax work is ongoing, and all Corporation tax and other tax related time costs are included within the Joint Administrators' total time costs, set out in detail at Appendix 3.

Creditors

The Joint Administrators have received two claims from unsecured creditors, totalling £103,032,719.

Receipts and payments account

A summary of our receipts and payments for the period from 10 August 2020 to 9 February 2021 is attached at Appendix 2. It does not reflect estimated future realisations or costs.

Joint administrators' remuneration

The statutory provisions relating to remuneration are set out in Rules 3.95 to 3.101 of the Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018.

In certain circumstances, creditors are entitled to request further information about our remuneration or outlays, or to apply to court if they consider the costs to be excessive (Rule 3.100, Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018. Further information is given in 'A Creditors' Guide to Administrators' Fees', a copy of which may be accessed from the web site of the Institute of Chartered Accountants of Scotland at <https://www.icas.com/technical-resources/creditor-guides-to-office-holder-remuneration> or is available in hard copy upon written request to the Joint Administrators.

No steps have been taken to agree the basis of remuneration, as it was previously not expected that any asset realisations would be made. Following the receipt of the substantial rates refunds and the anticipated intercompany debtor realisation, it is now appropriate for the Joint Administrators to seek approval from the secured creditors to the basis of our remuneration and the payment of Category 2 disbursements in accordance with Rule 3.97 (6) (a) of the Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018.

During the period 10 August 2020 to 5 February 2021, the Joint Administrators have incurred time costs of £20,820.70. This takes the total time costs to £422,692.24, against which nothing has been drawn. Appendix 3 provides an analysis of the time spent. The work completed includes the following:

- Pursuing recovery and realisation of assets.
- Statutory reporting including progress reports to creditors.
- Correspondence with creditors.
- VAT returns.
- Corporation Tax returns.
- Maintaining the bank account and recording receipts; making payments; bank reconciliations.

To date, the Joint Administrators have incurred disbursements of £185.61 against which nothing has been paid. An analysis of Category 2 disbursements (i.e. charges made by the office holders' firm that include elements of shared or overhead costs) is set out in Appendix 4.

Secured creditors

On entering administration, the House of Fraser Group's secured funding could be analysed into three categories:

- Super senior secured working capital facility ("Super senior facilities").
- Senior secured revolving credit facility, senior overdraft and senior secured term loan lenders ("Senior facilities").
- Holders of senior secured floating rate notes, due 2020 ("Bondholders").

The table below summarises the facilities provided:

	£m
Super senior facilities	10.0
Senior facilities	225.0
Bondholders	165.0
	<hr/> 400.0

Other than the Super senior facility, which has priority ranking, the senior facilities and bondholders indebtedness ranks pari passu with each other.

Please note that the confirmed indebtedness arising from these facilities at the Date of Appointment of the Joint Administrators, in particular the usage of the senior revolving credit facility and any post appointment interest and charges, is still subject to final confirmation.

Preferential creditors

There are no preferential creditors of the Company.

Non-preferential creditors

The Company has received two claims totalling £103,032,719 from unsecured creditors.

The Prescribed Part

The Prescribed Part is a proportion of floating charge assets set aside for unsecured creditors pursuant to section 176A of the Act. The Prescribed Part applies to floating charges created on or after 15 September 2003.

The Joint Administrators currently estimate, to the best of their knowledge and belief, that:

- The current value of the net property is c.£292,500.
- The value of the Prescribed Part is c.£61,500, being the amount available to be set aside, before the costs of dealing with the Prescribed Part.

Note: the above estimate of net property is subject to, amongst other things, confirmation of the final preferential creditor claims in this matter and settlement of the Joint Administrators fees, which have not yet been agreed.

If there are unsecured creditors who wish to submit a claim form but have yet to do so, I would request that they return Form 4.7 (Scot) (enclosed at Appendix 6), together with all back up documentation in support of their claim. Thereafter the Joint Administrators will proceed to adjudicate on creditor claims for a distribution from the Prescribed Part.

Distributions to creditors

No distributions have taken place to date.

Estimated outcome statement

We intend to make a distribution to unsecured creditors and to provide an indication to creditors of the likely future recoveries, we have prepared an estimated outcome statement, which is attached at Appendix 5. Our current estimate would see a recovery of £230,977 for the secured creditors and £61,494 for unsecured creditors, the latter representing a dividend of c.0.06 pence in the pound.

Please note that the estimated outcome statement is subject to revision as further claims are agreed and future amounts are received and paid out.

The estimated outcome statement does not represent a formal scheme of division in respect of the accounting period covered by this report.

Remaining work

We will continue to undertake work as set out in the Joint Administrators' Statement of Proposals, which will include:

- Pursuing the intercompany claim against JBL.
- Complying with our statutory reporting obligations.
- Seeking to fix the basis of the administrators' remuneration.
- Conclude residual leasehold property matters, including one property lease.
- Adjudicate unsecured claims and make a subsequent distribution, both under the prescribed part and to the secured creditors.

The end of the administration

It is proposed that if, at the end of the administration, the Company has no property which might permit a distribution to its creditors, the Joint Administrators will send a notice to that effect to the Registrar of Companies. On registration of the notice, the Joint Administrators' appointment in respect of the Company will come to an end. In accordance with the provision of paragraph 84(6) of Schedule B1 to the Act, the Company will be deemed to be dissolved three months after the registration of the notice.

Other matters

If there are any matters concerning the Company's affairs which you consider may require investigation, please forward the details to me in writing as soon as possible.

Next report

We will report to you again at the conclusion of the administration or in six months' time, whichever is the sooner.

Yours faithfully
For the Company



C A Lewis
Joint Administrator

Enc: Appendix 1 – Statutory information about the Company, the administration and the office holders
Appendix 2 - Joint Administrators' Receipts and Payments Account
Appendix 3 - Summary of the Joint Administrators' time costs and category 2 disbursements
Appendix 4 - Breakdown of outlays incurred in this Period and to date
Appendix 5 – Estimated outcome statement
Appendix 6 – Form 4.7 (Scot) – Statement of Claim Form

The affairs, business and property of the Company are being managed by the Joint Administrators, A M Hudson, R H Kelly, C P Dempster and C A Lewis, who act as agents of the Company only and without personal liability.

A M Hudson is licensed in the United Kingdom to act as an insolvency practitioner by the Insolvency Practitioners Association. R H Kelly and C P Dempster are licensed in the United Kingdom to act as insolvency practitioners by the Institute of Chartered Accountants of Scotland. C A Lewis is licensed in the United Kingdom to act as an insolvency practitioner by the Institute of Chartered Accountants in England and Wales.

The Joint Administrators may act as data controllers of personal data as defined by the UK General Data Protection Regulation (as incorporated in the Data Protection Act 2018), depending upon the specific processing activities undertaken. Ernst & Young LLP and/or the Company may act as a data processor on the instructions of the Joint administrators. Personal data will be kept secure and processed only for matters relating to the Joint Administrators appointment. The Office Holder Data Privacy Notice can be found at www.ey.com/uk/officeholderprivacy

Appendix 1

Information about the proceedings, the company and the office holders, as required by Rule 3.94 of the Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018

Name of court: Court of Session, Parliament House, Parliament Square, Edinburgh, EH1 1RQ

Court reference: P793/18

Registered name of the company: HFL Realisations Limited

Registered office address of the company: c/o Ernst & Young LLP, Atria One, 144 Morrison Street, Edinburgh, Scotland, EH3 8EX

Registered number: SC021928

Country of incorporation (for a company incorporated outside the United Kingdom): N/A

Details of any changes of administrator: None

Date of Appointment of Joint Administrators: 10 August 2018

Details of the Joint Administrators

Name	Office Holder Number
Alan Michael Hudson Ernst & Young LLP, 1 More London Place, London, SE1 2AF	9200
Craig Anthony Lewis Ernst & Young LLP, 1 More London Place, London, SE1 2AF	9356
Robert Hunter Kelly Ernst & Young LLP, 1 Bridgewater Place, Water Lane, Leeds, West Yorkshire, LS11 5QR	8582
Colin Peter Dempster Ernst & Young LLP, Atria One, 144 Morrison Street, Edinburgh, EH3 8EX	8908

Telephone number: +44 (0)207 951 1856

Name of alternative person to contact with enquiries about the case: Sophie Hyde

Appendix 2

HFL Realisations Limited (formerly House of Fraser Limited) (in Administration) ('the Company')

Joint Administrators' Summary of Receipts and Payments from 10 August 2020 to 9 February 2021

HFL Realisations Limited (formerly House of Fraser Limited) (In Administration)						
Joint Administrators' Abstract of Receipts and Payments - GBP						
	Statement of affairs GBP	10/08/2018 to 09/02/2019	10/02/2019 to 09/08/2019	10/08/2019 to 09/02/2020	10/02/2020 to 09/08/2020	10/08/2020 to 09/02/2021
RECEIPTS						
Property	-	0.24	-	-	-	0.24
Bank Interest	-	-	0.01	718.15	976.53	26.90
Rent and Rates Refund	-	-	24,795.32	533,392.30	-	78,712.77
Other Debtors	-	-	35.41	-	-	-
Legal Refund	-	-	-	3,621.65	-	-
Pre-Appointment Funds	-	-	-	-	1,386.76	-
Supplier Overpayments	-	-	-	-	-	1,386.76
		0.24	24,830.74	537,732.10	2,363.29	78,739.67
						643,666.04
PAYMENTS						
Rating agents fees	-	-	-	-	(24,415.52)	-
Bank Charges	-	(0.99)	0.75	(3.00)	(0.30)	-
		(0.99)	0.75	(3.00)	(24,415.82)	-
						(24,419.06)
Net Receipts/(Payments)	-	(0.75)	24,831.49	537,729.10	(22,052.53)	78,739.67
						619,246.98
MADE UP AS FOLLOWS						
RBS-GBP-Current-29480187	-	-	24,830.74	537,729.10	(26,935.63)	83,622.77
HSBC-GBP-Current-71434012	-	(0.75)	0.75	-	-	-
VAT Control Account	-	-	-	-	4,883.10	(4,883.10)
						-
		(0.75)	24,831.49	537,729.10	(22,052.53)	78,739.67
						619,246.98
Note:						
Interest Bearing						619,246.98
Non Interest Bearing						-
						619,246.98

HFL Realisations Limited (formerly House of Fraser Limited) (In Administration)						
Joint Administrators' Abstract of Receipts and Payments - EUR						
	Statement of affairs GBP	10/08/2018 to 09/02/2019	10/02/2019 to 09/08/2019	10/08/2019 to 09/02/2020	10/02/2020 09/08/2020	10/08/2020 09/02/2021
RECEIPTS						
Property	-	-	-	-	-	-
Bank Interest	-	-	-	-	-	-
Rent and Rates Refund	-	-	-	-	-	-
Other Debtors	-	-	-	-	-	-
Refund of Bank Charges	-	-	21.78	-	-	-
Supplier Overpayments	-	-	-	-	-	-
			21.78	-	-	-
						21.78
PAYMENTS						
Bank Charges	-	21.78	-	-	-	-
		21.78	-	-	-	-
						21.78
Net Receipts/(Payments)	-	(21.78)	21.78	-	-	-
						-
MADE UP AS FOLLOWS						
HSBC-EUR-Current-83948991		(21.78)	21.78	-	-	-

Appendix 2 (cont'd)

HFL Realisations Limited (formerly House of Fraser Limited) (In Administration) Joint Administrators' Abstract of Receipts and Payments - USD From 10/08/2020 to 09/02/2021							
Statement of affairs	10/08/2018 to 09/02/2019	10/02/2019 to 09/08/2019	10/08/2019 to 09/02/2020	10/02/2020 09/08/2020	10/08/2020 09/02/2021	Cumulative Total	
	USD	USD	USD	USD	USD	USD	
RECEIPTS							
Property	-	-	-	-	-	-	-
Bank Interest	-	1.49	-	-	-	-	1.49
Rent and Rates Refund	-	-	-	-	-	-	-
Other Debtors	-	-	-	-	-	-	-
Refund of Bank Charges	-	-	27.66	-	-	-	27.66
Supplier Overpayments	-	15,644.33	-	-	-	-	15,644.33
	 	15,645.82	27.66	 	 	 	15,673.48
PAYMENTS							
Bank Charges	-	27.66	-	-	-	-	27.66
Refund of Bank Interest	-	-	1.49	-	-	-	1.49
Supplier Overpayments	-	-	15,644.33	-	-	-	15,644.33
	 	27.66	15,645.82	 	 	 	15,673.48
Net Receipts/(Payments)	-	15,618.16	(15,618.16)	-	-	-	-
MADE UP AS FOLLOWS							
HSBC-USD-Current-83949008	15,618.16	(15,618.16)		-	-	-	-

Notes:

1. Receipts and payments are stated net of VAT.
2. The rates refund during the Period of £78,712.77 has been transferred after the period end to HF Stores Realisations Limited as it relates to one of its properties and not HFL Realisations Limited.



Appendix 3

HFL Realisations Limited (formerly House of Fraser Limited) (in Administration) ('the Company')

Joint Administrators' Time-Costs from 10 August 2020 to 9 February 2021

	Staff Grade							Average	
	Partner	Director	Senior Manager	Manager	Executive	Analyst	Total Hours	Time Cost (£)	Hourly Rate (£)
Accounting and Administration	-	0.5	-	2.1	7.6	1.5	11.7	2,714.40	232.00
Bank & Statutory Reporting	-	3.0	-	-	-	9.1	12.1	2,720.30	224.82
Creditors (Mandatory)	-	-	-	-	-	2.0	2.0	246.00	123.00
Statutory Duties	-	4.5	-	2.2	-	4.0	10.7	3,509.70	328.01
VAT & Taxation	-	9.0	0.4	-	6.5	0.3	16.2	11,630.30	717.92
Total Hours	-	17.0	0.4	4.3	14.1	16.9	52.7		
Time Costs (£)	-	14,445.80	234.80	1,165.30	3,010.60	1,964.20		20,820.70	
Average Hourly Rate (£)	-	849.75	587.00	271.00	213.52	116.22		395.08	
Category 1 Disbursements (£)		179.70							
Category 2 Disbursements (£)		5.91							
		185.61							

Joint Administrators' Time-Costs from 10 August 2018 to 9 February 2021

Appendix 3 (cont'd)

Time charging policy

The Administrators have engaged managers and other staff to work on the Administration. The work required is delegated to the most appropriate level of staff taking account of the nature of the work and the individual's experience. Additional assistance is provided by accounting and treasury executives dealing with the company's bank accounts and statutory compliance diaries. Work carried out by all staff is subject to the overall supervision of the Administrators.

All time spent by staff working directly on case-related matters is charged to a time code established for the case. Time is recorded in units of six minutes. Each member of staff has a specific hourly rate, which is subject to change over time. The average hourly rate for each category of staff over the period is shown below, as are the current hourly rates used.

Grade description	Restructuring hourly rates (£/hour)			Tax / VAT hourly rates (£/hour)		
	03/11/18 to 30/06/19	01/07/19 to 09/02/20	01/07/20 to 09/02/21	03/11/18 to 30/06/19	01/07/19 to 09/02/20	01/07/20 to 09/02/21
Partner	1,140	1,195	1,255	1,570	1,650	N/A
Executive Director	1,090	1,145	1,200	1,570	1,650	1,355-1,650
Director	930	975	1,025	1,295	1,360	1,360
Assistant Director	775	815	855	1,145	1,200 – 1,335	1,200
Senior Executive	590	620	650	945	990	990
Executive	435	455	480	695	615 - 730	N/A
Assistant Executive	395	415	435	N/A	N/A	N/A
Analyst	280-395	295-415	310-435	220-430	230 – 450	235-375
Business Trainee	240	250	265	N/A	N/A	N/A

Payments to other professionals

The Administrators have engaged the following professionals to provide assistance:

Name of firm	Nature of services	How contracted to be paid
Montagu Evans	Professional Services - Securing rates refunds for the Company	Paid on a percentage basis, with a "no win no fee"

Fees have been reviewed in line with rates refunds secured.

Appendix 4

HFL Realisations Limited (formerly House of Fraser Limited) (in Administration) ('the Company')

Summary of joint administrators' outlays incurred

Type of Outlay	Paid as at 09/08/2020	Paid in Period 10/08/2020 to 09/02/2021	Outstanding	Total (£)
Category 1 disbursements (see Note 1)				
Specific penalty bond	-	-	£40.00	£40.00
Statutory advertising	-	-	£84.60	£84.60
Filing fees	-	-	£15.00	£15.00
Travel	-	-	£10.10	£10.10
Land title searches	-	-	£30.00	£30.00
Category 2 disbursements (see Note 2)				
Printing & Postage			£5.91	£5.91
Totals	-	-	£185.61	£185.61

Notes:

1. SIP 9 defines disbursements as a type of expense which is met by, and reimbursed to, an office holder in connection with an insolvency appointment. Disbursements fall into two categories: Category 1 and Category 2.
 - Category 1 disbursements are payments to independent third parties where there is specific expenditure directly referable to the appointment
 - Category 2 disbursements are expenses which are directly referable to the appointment but not a payment to an independent third party. They may include shared and allocated costs.

It is our policy, in accordance with SIP 9, to disclose Category 1 and Category 2 disbursements but only to seek approval for Category 2 disbursements before they are drawn.

Appendix 5

HFL Realisations Limited (formerly House of Fraser Limited) (in Administration) ('the Company')

Joint Administrators' Estimated Outcome Statement

HFL Realisations Limited (formerly House of Fraser Limited) (In Administration) Joint Administrators' Estimated Outcome Statement As at 9 February 2021	
Funds in hand as at 9 February 2021	£ 619,246.98
Add: future anticipated realisations:	
Dividend from the liquidation of Jam B Realisations Limited	2,123.02
Less: transfer to the administrator of HF Stores Realisations Limited	(78,712.77)
Less: provision for further costs of the administration:	
Joint Administrators' Fees	(250,000.00)
Joint Administrators' Disbursements	(185.61)
	<hr/>
Available to creditors	(250,185.61)
	<hr/>
Future Distributions:	
Fixed Charge Holder	0.24
Floating Charge Holder	230,977.10
Unsecured Creditors by virtue of the prescribed part	61,494.28
	<hr/>
	292,471.62
Creditors claims agreed:	
Preferential creditors	N/A
Unsecured non-preferential creditors	103,032,718.89
The sum of £61,494.28 represents an estimated final dividend of c0.06 pence in the £ on claims totalling £103,032,718.89 admitted to rank for dividend per the schedule attached.	

The Insolvency Act 1986 and the Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018

Administration Notice of Claim for Voting Purposes

Convocatoria para la presentación de créditos. Plazos aplicables.

Výzva k přihlášení pohledávky. Závazné lhůty

Opfordring til anmeldelse af fordringer. Vær opmærksom på fristerne
Aufforderung zur Anmeldung einer Forderung. Etwaige Fristen beachten!

Nõude esitamise kutse. Järgitavad tähtajad

Προσκληση για αναγγελία απαιτήσεως. Προσοχή στις προθεσμίες

Invitation to lodge a claim. Time limits to be observed

Invitation à produire une créance. Délais à respecter

Invito all'insinuazione di un credito. Termine da osservare

Uzaicinājums iesniegt prasījumu. Termiņi, kas jāievēro

Kvietimas pateikti reikalavimā. Privalomieji terminai

Felhívás követelés bejelentésére. Betartandó határidők

Stedina għal prezentazzjoni ta' talba. Limiti taż-żmien li għandhom jiġu osservati

Oproep tot indiening van schuldvorderingen. In acht te nemen termijnen

Wezwanie do zgłoszenia wierzytelności. Przestrzegać terminów

Aviso de reclamação de créditos. Prazos legais a observar

Výzva na prihlásenie pohľadávky. Je potrebné dodržať stanovené termíny

Poziv k prijavi terjatve. Roki, ki jih je treba upoštevati!

Kehotus saatavan ilmoittamiseen. Noudatettavat määräajat

Anmodan att anmäla fordran. Tidsfrister att iakta

HF Stores Realisations Limited (formerly House of Fraser (Stores) Limited) (in Administration) ('the Company')

Date of Administration: 10 August 2018

PLEASE NOTE: Once completed, this form will be used by the Joint Administrators ONLY for the purposes of voting in a creditors' decision procedure or a requisitioned meeting of creditors. The form will not constitute admission of the claim to rank for dividend in this or any subsequent procedure. For further information see Rules 5.26 to 15.32 of the Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018.

Name of creditor

Amount claimed, after deductions for payments made post-administration or adjustments for set off (see notes overleaf)

Is the claim preferential or secured?

If secured, value of security

If you have made a retention of title claim against the company please attach details (see over)

Signature on behalf of creditor

Date

Notes to Administration Notice of Claim for Voting Purposes:

1. Please attach a detailed statement of your account as at the date on which the company entered administration.
2. If you have claimed retention of title please provide details, including the value of any payments made, or goods returned, to you in respect of your claim.
3. If your claim is preferential (e.g. for wages, holiday pay or certain pension arrears) or secured please give details and attach supporting documentation.
4. VAT bad debt relief may usually be claimed six months after the date of supply.

Extracts from the Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018:

5.28 Calculation of voting rights

- (1) Votes are calculated according to the amount of each creditor's claim -
 - (a) in an administration, as at the date on which the company entered administration, less -
 - (i) any payments that have been made to the creditor after that date in respect of the claim, and
 - (ii) any adjustment by way of set-off which has been made in accordance with that principle or would have been made if that principle were applied on the date on which the votes are counted; ...
- (2) A creditor may vote in respect of a debt of an unliquidated or unascertained amount if the convenor or chair decides to put upon it an estimated minimum value for the purpose of entitlement to vote and admits the claim for that purpose.
- (4) Where a debt is wholly secured its value for voting purposes is nil.
- (5) Where a debt is partly secured its value for voting purposes is the value of the unsecured part.
- (6) However, the value of the debt for voting purposes is its full value without deduction of the value of the security in the following cases -
 - (a) where the administrator has made a statement under paragraph 52(1)(b) of Schedule B1 and the administrator has been requested to seek a decision under paragraph 52(2); ...
- (7) No vote may be cast in respect of a claim more than once on any resolution put to the meeting; and for this purpose (where relevant), the claim of a creditor and of any member State liquidator in relation to the same debt are a single claim.
- (8) A vote cast in a decision procedure which is not a meeting may not be changed.
- (9) Paragraph (7) does not prevent a creditor or member State liquidator from -
 - (a) voting in respect of less than the full value of an entitlement to vote; or
 - (b) casting a vote one way in respect of part of the value of an entitlement and another way in respect of some or all of the balance of that value.

5.29 Calculation of voting rights: hire-purchase agreements

- (1) In an administration, a creditor under a hire-purchase agreement is entitled to vote in respect of the amount of the debt due and payable by the company on the date on which the company entered administration.
- (2) In calculating the amount of any debt for the purpose of paragraph (1), no account is to be taken of any amount attributable to the exercise of any right under the relevant agreement so far as the right has become exercisable solely by virtue of -
 - (a) the making of an administration application;
 - (b) a notice of intention to appoint an administrator or any matter arising as a consequence of the notice; or
 - (c) the company entering administration.