

Companies Office Kingdom of Tonga

Form 27A | Notice of vote on compromise

Section 239(4), Companies Act 1997

Place barcode here

Notes

The information on this form must be either typewritten or printed legibly in BLOCK letters.

Company name

Company number

1. Notice of vote on compromise

Section 239 of the Companies Act provides:

(1) A compromise, including any amendment proposed at the meeting, is approved by creditors, or a class of creditors, if, at a meeting of creditors or that class of creditors conducted in accordance with the Fourth Schedule, the compromise, including any amendment, is adopted in accordance with clause 5 of that Schedule.

(2) A compromise, including any amendment, approved by creditors or a class of creditors of a company in accordance with this Part is binding on the company and on -

(a) all creditors; or

(b) if there is more than one class of creditors, on all creditors of that class, -

to whom notice of the proposal was given under section 238.

(3) If a resolution proposing a compromise, including any amendment; is put to the vote of more than one class of creditors, it is to be presumed, unless the contrary is expressly stated in the resolution, that the approval of the compromise, including any amendment, by each class is conditional on the approval of the compromise, including any amendment, by every other class voting on the resolution.

(4) The proponent shall give written notice of the result of the voting to each known creditor, the company, any receiver or liquidator and the Registrar.

2. Signed by director or authorised person

I certify that the information in this form is true and correct

Name:

(Please give first name(s) followed by surname in BLOCK letters)

Signature:

Designation: Director or Authorised person

Date: / /

3. Lodged by

Name:

Address:

Other contact details:

Telephone:

Email:

4. Checklist

The following must accompany this notice –

- All documents necessary to comply with the provisions of Section 239 of the Companies Act set out above.
- The prescribed fee of TOP\$80 plus 15% consumption tax must accompany this form. Please make cheques payable to '*Ministry of Trade & Economic Development*'.

Please deliver documents to: Ministry of Trade & Economic Development, Box 110 Salote Road, Nuku'alofa