

**Changes to legislation:** There are currently no known outstanding effects for the Postal Services Act 2011, Cross Heading: Modifications of 1986 Act. (See end of Document for details)

## SCHEDULES

### SCHEDULE 10

#### CONDUCT OF POSTAL ADMINISTRATION

#### PART 3

#### OTHER MODIFICATIONS

##### *Modifications of 1986 Act*

- 42 The following provisions of the 1986 Act are to have effect in the case of any postal administration with the following modifications.

##### **Commencement Information**

- II** [Sch. 10 para. 42](#) in force at 1.10.2011 by [S.I. 2011/2329](#), **art. 3**

- 43 Section 5 (effect of approval of voluntary arrangements) is to have effect as if after subsection (4) there were inserted—

“(4A) Where the company is in postal administration, the court must not make an order or give a direction under subsection (3) unless—

- (a) the court has given the Secretary of State or the Office of Communications a reasonable opportunity of making representations to it about the proposed order or direction, and
- (b) the order or direction is consistent with the objective of the postal administration.

(4B) In subsection (4A) “in postal administration” and “objective of the postal administration” are to be read in accordance with Schedule B1 to this Act, as applied by Part 1 of Schedule 10 to the Postal Services Act 2011.”

##### **Commencement Information**

- I2** [Sch. 10 para. 43](#) in force at 1.10.2011 by [S.I. 2011/2329](#), **art. 3**

- 44 Section 6 (challenge of decisions in relation to voluntary arrangements) is to have effect as if—

- (a) in subsection (2), for “this section” there were substituted “subsection (1)”,
- (b) after that subsection there were inserted—

“(2AA) Subject to this section, where a voluntary arrangement in relation to a company in postal administration is approved at the meetings

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summoned under section 3, an application to the court may be made—

- (a) by the Secretary of State, or
- (b) with the consent of the Secretary of State, by the Office of Communications,

on the ground that the voluntary arrangement is not consistent with the achievement of the objective of the postal administration.”,

- (c) in subsection (4), after “subsection (1)” there were inserted “or, in the case of an application under subsection (2AA), as to the ground mentioned in that subsection”, and
- (d) after subsection (7) there were inserted—

“(7A) In this section “in postal administration” and “objective of the postal administration” are to be read in accordance with Schedule B1 to this Act, as applied by Part 1 of Schedule 10 to the Postal Services Act 2011.”

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**Commencement Information**

**I3**    [Sch. 10 para. 44](#) in force at 1.10.2011 by [S.I. 2011/2329](#), **art. 3**

- 45            In section 129(1A) (commencement of winding up), the reference to paragraph 13(1)(e) of Schedule B1 is to include section 71(1)(e) of this Act.

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**Commencement Information**

**I4**    [Sch. 10 para. 45](#) in force at 1.10.2011 by [S.I. 2011/2329](#), **art. 3**

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