
STATUTORY INSTRUMENTS

2007 No. 3141

The PPP Administration Order Rules 2007

PROSPECTIVE

PART 5

THE SPECIAL PPP ADMINISTRATOR

Fixing of remuneration

33.—(1) The special PPP administrator is entitled to receive remuneration for his services as such.

(2) The remuneration shall be fixed by reference to the time properly given by the insolvency practitioner (as special PPP administrator) and his staff in attending to matters arising in the PPP administration.

(3) The remuneration of the special PPP administrator shall be fixed by the court and the special PPP administrator shall make an application to court accordingly.

(4) The special PPP administrator shall give at least 14 days' notice of his application to the following, who may appear or be represented—

- (a) the Mayor;
- (b) Transport for London;
- (c) the creditors of the PPP company; and
- (d) the Secretary of State.

(5) In fixing the remuneration, the court shall have regard to the following matters—

- (a) the complexity (or otherwise) of the case;
- (b) any respects in which, in connection with the PPP company's affairs, there falls on the special PPP administrator any responsibility of an exceptional kind or degree;
- (c) the effectiveness with which the special PPP administrator appears to be carrying out, or to have carried out, his duties as such; and
- (d) the value and nature of the property with which he has to deal.

(6) Where there are joint special PPP administrators, it is for them to agree between themselves as to how the remuneration payable should be apportioned. Any dispute arising between them may be referred to the court for settlement by order.

(7) If the special PPP administrator is a solicitor and employs his own firm, or any partner of that firm, to act on behalf of the PPP company, profit costs shall not be paid unless this is authorised by the court.

Status: This version of this part contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The PPP Administration Order Rules 2007, PART 5. (See end of Document for details)

Commencement Information

11 Rule 33 in force at 30.11.2007, see [rule 1](#)

Disposal of charged property, etc

34.—(1) The following applies where the special PPP administrator applies to the court under section 15(2) of the 1986 Act for authority to dispose of property of the PPP company which is subject to a security, or goods in the possession of the PPP company under an agreement, to which that subsection relates.

(2) The court shall fix a venue for the hearing of the application, and the special PPP administrator shall forthwith give notice of the venue to the person who is the holder of the security or, as the case may be, the owner under the agreement.

(3) If an order is made under the said section 15(2), the special PPP administrator shall forthwith give notice of it to that person or owner and to the registrar of companies in Form PPP16.

(4) The court shall send two sealed copies of the order to the special PPP administrator, who shall send one of them to that person or owner.

Commencement Information

12 Rule 34 in force at 30.11.2007, see [rule 1](#)

Abstract of receipts and payments

35.—(1) The special PPP administrator shall—

(a) within 2 months after the end of 6 months from the date of his appointment, and of every subsequent period of 6 months; and

(b) within 2 months after he ceases to act as special PPP administrator,

send the requisite accounts of the receipts and payments of the PPP company to the court, and to the registrar of companies.

(2) The court may, on the application of the special PPP administrator, extend the period of two months mentioned above.

(3) The accounts are to be in the form of an abstract in Form PPP17 showing—

(a) receipts and payments during the relevant period of 6 months; or

(b) where the special PPP administrator has ceased to act, receipts and payments during the period from the end of the last 6 month period to the time when he so ceased (alternatively if there has been no previous abstract, receipts and payments in the period since his appointment as special PPP administrator).

(4) The special PPP administrator is guilty of an offence if he makes default in complying with this rule and is liable on summary conviction to a fine not exceeding one fifth of the statutory maximum and, for continued contravention, to a daily default fine not exceeding one-fiftieth of the statutory maximum.

Commencement Information

13 Rule 35 in force at 30.11.2007, see [rule 1](#)

Resignation

36.—(1) The special PPP administrator may give notice to the court and to the registrar of companies in Form PPP18 of his resignation on grounds of ill health or because—

- (a) he intends ceasing to be in practice as an insolvency practitioner; or
- (b) there is some conflict of interest, or change of personal circumstances, which precludes or makes impracticable the further discharge by him of the duties of special PPP administrator.

(2) The special PPP administrator may, with the permission of the court, give notice to the court and to the registrar of companies in Form PPP19 of his resignation on grounds other than those specified in paragraph (1).

(3) The special PPP administrator must give at least 7 days' notice of his intention to resign, or to apply for the court's permission to do so, to—

- (a) the Mayor;
- (b) any continuing special PPP administrator of the PPP company; and
- (c) if there is no such continuing special PPP administrator, to the PPP company and its creditors.

Commencement Information

I4 Rule 36 in force at 30.11.2007, see [rule 1](#)

Special PPP Administrator deceased

37.—(1) Subject to paragraph (2), where the special PPP administrator has died, it is the duty of his personal representative to give notice of the fact to the court and to the registrar of companies, specifying the date of death.

(2) In the alternative, notice of the death may be given to the court and to the registrar of companies:

- (a) if the deceased special PPP administrator was a partner in a firm, by a partner in the firm who is qualified to act as an insolvency practitioner, or is a member of any body recognised by the Secretary of State for the authorisation of insolvency practitioners; or
- (b) by any person, if he delivers with the notice a copy of the relevant death certificate.

Commencement Information

I5 Rule 37 in force at 30.11.2007, see [rule 1](#)

Order filling vacancy

38. Where the court makes an order filling a vacancy in the office of special PPP administrator, the same provisions apply in respect of giving notice of, and advertising, the order as in the case of the PPP administration order under rule 13(2) and (3) (disregarding all references to forms in those paragraphs).

Status: This version of this part contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The
PPP Administration Order Rules 2007, PART 5. (See end of Document for details)

Commencement Information

I6 Rule 38 in force at 30.11.2007, see [rule 1](#)

Status:

This version of this part contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the The PPP Administration Order Rules 2007, PART 5.