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STATUTORY INSTRUMENTS

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**2013 No. 3208**

**The Postal Administration Rules 2013**

**PART 7**

**DISTRIBUTION TO CREDITORS**

**CHAPTER 1**

*Application of Part and General*

**Distribution to creditors generally**

**39.**—(1) This Part applies where the postal administrator makes, or proposes to make, a distribution to any class of creditors other than secured creditors. Where the distribution is to a particular class of creditors, references in this Part to creditors shall, in so far as the context requires, be a reference to that class of creditors only.

(2) The postal administrator shall give notice to the creditors of the postal administrator's intention to declare and distribute a dividend in accordance with Rule 65.

(3) Where it is intended that the distribution is to be a sole or final dividend, the postal administrator shall, after the date specified in the notice referred to in paragraph (2) of this Rule—

- (a) defray any items payable in accordance with the provisions of paragraph 99;
  - (b) defray any amounts (including any debts or liabilities and the postal administrator's own remuneration and expenses) which would, if the postal administrator were to cease to be the postal administrator of the company, be payable out of the property of which the postal administrator had custody or control in accordance with the provisions of paragraph 99; and
  - (c) declare and distribute that dividend without regard to the claim of any person in respect of a debt not already proved.
- (4) The court may, on the application of any person, postpone the date specified in the notice.