

SCHEDULE 1

Rule 178

Forms

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Rule 4

Form PA1

Postal administration application

Name of Company	Company number
In the [full name of court]	For court use only Court case number

1. The application of:

- * Delete as applicable *(i) the Secretary of State in reliance on section 70(1)(a) of the Postal Services Act 2011.
- * Delete as applicable *(ii) OFCOM in reliance on section 70(1)(b) of the Postal Services Act 2011, and made with the consent of the Secretary of State.

2. (a)..... ("the company") was incorporated

- (a) Insert full name of company subject to application
- (b) Insert date of incorporation
- (c) Insert registered number

on (b) under the Companies Act, and

the registered number of the company is (c).....

- (d) Insert full address of registered office

3. The registered office of the company is at (d).....

- (e) Insert amount of nominal capital and how it is divided
- (f) Insert amount of capital paid up or credited as paid up

4. The nominal capital of the company is (e)£..... divided into shares of £..... each.

The amount of the capital paid up or credited as paid up is (f)£.....

- * Delete as applicable **5. The application relates to a company which is designated as a universal service provider under section 35 of the Postal Services Act 2011**

- * Delete as applicable **6. *The applicant believes that the company is or is likely to be unable to pay its debts for the reasons stated in the *affidavit/witness statement in support attached to this application.**

- * Delete as applicable **7. *The Secretary of State has certified that it would be appropriate for the Secretary of State to petition for the winding up of the company under section 124A of the Insolvency Act 1986.**

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Form PA1 continued

(g) Insert full name(s) and address(es) of proposed postal administrator(s) 8. The applicant proposes that during the period for which the order is in force, the affairs, business and property of the company be managed by (g)..... whose statement(s) in Form PA2 is/are attached to this application.

9. A witness statement in support of this application is attached.

* Delete as applicable (h) Insert full address for service 10. The *applicant's/applicant's solicitor's address for service is (h).....

(i) Insert full name of company subject to application (j) Insert full name(s) of proposed postal administrator(s) (k) Insert details of any ancillary orders sought 11. The applicant therefore requests as follows: (1) that the court make a postal administration order in relation to (i)..... (2) that (j)..... be appointed to be the postal administrator(s) of the said company (3) (k)..... or (4) that such other order may be made as the court thinks appropriate.

Signed *Applicant/applicant's solicitor (If signing on behalf of the Secretary of State or OFCOM state position or office held)

Dated

(l) Insert full name and address of Court/ District Registry

Endorsement to be completed by the court

This application having been presented to the court on will be heard at (l).....

on (date) at (time) hours (or as soon thereafter as the application can be heard)

The solicitor to the applicant is:

Name

Address

Telephone No.

Reference

[Whose Agents are:

Name

Address

Telephone No.

Reference]

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Rule 5

Form PA2

Statement of proposed postal administrator

Name of Company	Company number
In the [full name of court]	For court use only Court case number

(a) Insert full name and address of proposed postal administrator

1. I (a).....
 hereby certify that I am authorised under the provisions of Part XIII of the Insolvency Act 1986 to act as an insolvency practitioner.

I.P. No.

Name of Regulatory Body

(b) Insert full name of company

2. I consent to act as postal administrator of (b).....
 ("the company") in accordance with the application of

(c) Insert full name of person presenting postal administration application

(c).....

(d) Insert date of application

dated (d).....

* Delete as applicable

3. I *have/have not had any prior professional relationship with the company.

(I attach to this Statement a short summary of any prior professional relationship(s) with the company.)

Signed

Dated

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Rule 12

Form PA3

Postal administration order

Name of Company	Company number
In the [full name of court]	For court use only Court case number

(a) Insert full name and address of applicant
 (b) Insert date
 (c) Insert full name and address of registered office of company
 (d) Insert details of any other parties (including the company) appearing and by whom represented

UPON THE APPLICATION OF (a).....

 presented to the court on (b).....
 in respect of (c).....
 and upon hearing
 and for (d).....
 and upon reading the evidence

IT IS ORDERED that during the period for which this order is in force the affairs, business and property of the company be managed by the postal administrator(s)

(e) Insert full name(s) and address(es) of postal administrator(s)
 (f) Insert particulars of any further order made by the court
 (g) Insert terms of order for costs
 (h) Insert date and time

AND it is ordered that (e).....

 be appointed postal administrator(s) of the company.

AND it is ordered that (f).....

 AND it is ordered that the costs of the said application (g).....

This appointment shall take effect from (h).....

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Rule 14

Form PA4

Notice of postal administrator's appointment

Name of Company	Company number
In the [full name of court]	For court use only Court case number

(a) Insert full name(s) and address(es) I/We (a).....
.....
.....

* Delete as applicable give notice that *I was/we were appointed as postal administrator(s) of the above company

(b) Insert date on (b).....

Signed
Joint/Postal administrator(s)
(I.P. No.(s))

Dated

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Rule 15

Form PA5

Notice requiring submission of a statement of affairs

Name of Company	Company number
In the [full name of court]	For court use only Court case number

- (a) Insert full name of each person required to submit statement
The postal administrator(s) require(s) a statement of affairs to be prepared and submitted by (a).....
- (b) Insert full name of company
as to the affairs of (b)..... ("the company").
- (c) Insert full name and address of each person sent this notice
A notice requiring submission of a statement of affairs has been sent to each of the following persons (c).....
- (d) Insert full name of postal administrator(s)
The statement of affairs must be submitted within 11 days of receipt of this notice to (d)..... ("the postal administrator(s)")
- (e) Insert full address
at (e).....

Signed
Joint/Postal administrator(s)

Dated

WARNING

It is an offence under paragraph 48(4) of Schedule B1 to the Insolvency Act 1986, as modified and applied by Schedule 10 to the Postal Services Act 2011, if you fail without reasonable excuse to comply with this requirement.

- (f) Delete words in brackets if not applicable
Section 235 of the Insolvency Act 1986, as modified by Schedule 10 to the Postal Services Act 2011 places a duty on you (f)(as an officer of the company) to provide the postal administrator with information and attend upon the postal administrator if required. I have to warn you that failure to submit the statement of affairs as required by this notice, or to co-operate with the energy administrator under section 235 of the Insolvency Act 1986, may make you liable to a fine and, for continued contravention, to a daily default fine.

Under paragraph 10 of Schedule 1 to the Company Directors Disqualification Act 1986, as modified by Schedule 10 to the Postal Services Act 2011, failure to submit a statement of affairs or to co-operate with the postal administrator under section 235 of the Insolvency Act 1986 are matters which may be taken into account by the court in determining whether a person is unfit to be an officer of or to be involved in the management of a company. Unfit conduct may result in a disqualification under the Company Directors Disqualification Act 1986.

Note: Forms for the preparation of the statement of affairs are enclosed. Under Rule 19 expenses incurred in making the statement of affairs which the postal administrator considers to be reasonable can be claimed out of the company's assets.

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Rule 16

Form PA6

Statement of affairs

Name of Company	Company number
In the [full name of court]	For court use only Court case number

(a) Insert full name and address of registered office of the company
(b) Insert date

Statement as to the affairs of (a).....
.....
on the (b)....., the date that the company entered postal administration.

Statement of Truth

I believe that the facts stated in this statement of affairs are a full, true and complete statement of the affairs of the above named company as at (b)....., the date that the company entered postal administration.

Full name

Signed

Dated

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A – Summary of assets

Assets	Book value £	Estimated to realise £
Assets subject to fixed charge		
Assets subject to floating charge		
Uncharged assets		
Estimated total assets available for preferential creditors		

Signed

Dated

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A1 – Summary of liabilities

	£	Estimated to realise £
Estimated total assets available for preferential creditors (carried from page A)		
Liabilities		
Preferential creditors		
Estimated deficiency/surplus as regards preferential creditors		
Estimated prescribed part of net property where applicable (to carry forward)		
Estimated total assets available for floating charge holders		
Debts secured by floating charges		
Estimated deficiency/surplus of assets after floating charges		
Estimated prescribed part of net property where applicable (brought down)		
Total assets available to unsecured creditors		
Unsecured non-preferential claims (excluding any shortfall to floating charge holders)		
Estimated deficiency/surplus as regards non-preferential creditors (excluding shortfall to floating charge holders)		
Shortfall to floating charge holders (brought down)		
Estimated deficiency/surplus as regards creditors		
Issued and called up capital		
Estimated total deficiency/surplus as regards members		
Signed		
Dated		

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Company creditors

Note: You must include all creditors and identify all creditors under hire-purchase, chattel leasing or conditional sale agreements *and* customers claiming amounts paid in advance of the supply of goods or services *and* creditors claiming retention of title over property in the company's possession.

Name of creditor or claimant	Address (with postcode)	Amount of debt £	Details of any security held by creditor	Date security given	Value of security £

Signed
Dated

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Company shareholders

Name of shareholder	Address (with postcode)	No. of shares held	Nominal value £	Details of shares held
TOTALS				

Signed

Dated

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Rule 16

Form PA7

Statement of concurrence

Name of Company	Company number
In the [full name of court]	For court use only Court case number

(a) Insert full name and address of registered office of company to which statement of affairs relates

With regards the statement of affairs of (a)..... ("the company")

(b) Insert date statement of truth on the statement of affairs was made

made on (b).....

(c) Insert full name of person who made the statement of truth on the statement of affairs being concurred with

by (c).....

Statement of Truth

(d) Insert full name and address of person making statement

I (d).....

* Delete as applicable

*concur with the statement of affairs of the above company and I believe that the facts stated in the statement of affairs are a full, true and complete statement of the affairs of the company on the date that it entered postal administration.

(e) List matters in the statement of affairs which you are not in agreement with, or which you consider to be erroneous or misleading, or matters to which you have no direct knowledge and indicate reason for listing them

*concur with the statement of affairs of the above company, subject to the following qualifications (e).....

and believe that, subject to these qualifications, the facts stated in the statement of affairs are a full, true and complete statement of the affairs of the company on the date that it entered postal administration.

Full name

Signed

Dated

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Rule 20

Form PA8

Notice of extension of time period

Name of Company	Company number
In the [full name of court]	For court use only Court case number

(a) Insert full name(s) and address(es) of the postal administrator(s) Notice is hereby given by (a).....
 (b) Insert full name and address of registered office of company that in respect of (b).....
 (c) Insert date the time period set out in

*paragraph 49(5)(b) of Schedule B1 to the Insolvency Act 1986 as modified and applied by Schedule 10 to the Postal Services Act 2011 has been extended to (c).....
 *paragraph 50(1)(b) of Schedule B1 to the Insolvency Act 1986 as modified and applied by Schedule 10 to the Postal Services Act 2011 has been extended to (c).....

Signed
 Joint/Postal administrator(s)

Dated

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Rule 22

Form PA9

Notice of a meeting of creditors

Name of Company	Company number
In the [full name of court]	For court use only Court case number

(a) Insert full name(s) and address(es) of the postal administrator(s) Notice is hereby given by (a).....
 (b) Insert full name and address of registered office of the company that a meeting of the creditors of (b).....
 (c) Insert details of place of meeting is to be held at (c).....
 (d) Insert date and time of meeting on (d)..... at hours.

The meeting is a creditors' meeting under paragraph 62 of Schedule B1 to the Insolvency Act 1986 as applied and modified by Schedule 10 to the Postal Services Act 2011

I invite you to attend the above meeting.

A proxy form is enclosed which should be completed and returned to me by the date of the meeting if you cannot attend and wish to be represented.

In order to be entitled to vote under rule 24 at the meeting you must give to me, not later than 12.00 hours on the business day before the day fixed for the meeting, details in writing of your claim.

Signed
Joint/Postal administrator(s)

Dated

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Rule 24

Form PA10

Creditor's request for a meeting

Name of Company	Company number
In the [full name of court]	For court use only Court case number

- (a) Insert full name and address of the creditor making the request
- I (a).....
- (b) Insert full name and address of registered office of the company
- request a meeting of the creditors of (b).....
- (c) Insert amount of claim
- My claim in the postal administration is (c).....
- (d) Insert full name(s) and address(es) of creditors concurring with the request (if any) and their claims in the postal administration if the requesting creditor's claim is below the required 10%
- (d).....
- concur with the above request, and I attach copies of their written confirmation of concurrence.

Signed

Dated

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Rule 85

Form PA11

Notice of intention to resign as postal administrator

Name of Company	Company number
In the <div style="text-align: right; font-size: small;">[full name of court]</div>	For court use only Court case number

(a) Insert full name and address of postal administrator
 * Delete as applicable
 (b) Insert date

I (a).....

 *the postal administrator/one of the postal administrators of the above company give notice that
 *I intend to resign from the said office of postal administrator with effect from (b).....
 *I intend to apply to the court for leave to resign from the said office of postal administrator on (b).....

Signed

(c) The date must be at least 5 business days before the postal administrator intends to resign or application is to be made to the court for leave to resign

Dated (c).....

SCHEDULE 2

Rule 154

Punishment of offences under these rules

<i>Rule creating offence</i>	<i>General nature of offence</i>	<i>Mode of prosecution</i>	<i>Punishment</i>	<i>Daily default fine (where applicable)</i>
Rule 34(7)	Postal administrator failing to send notification as to progress of energy administration	Summary	One-fifth of the statutory maximum	One-fiftieth of the statutory maximum
Rule 94(2)	Postal administrator's	Summary	One-fifth of the statutory maximum	One-fiftieth of the statutory maximum

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<i>Rule creating offence</i>	<i>General nature of offence</i>	<i>Mode of prosecution</i>	<i>Punishment</i>	<i>Daily default fine (where applicable)</i>
	duties on vacating office			
Rule 153(1)	False representation of status for purpose of inspecting documents	1. On indictment 2. Summary	Two years or a fine or both Six months or the statutory maximum, or both	