
STATUTORY INSTRUMENTS

2018 No. 1135

The Education Administration Rules 2018

PART 7

TIME, RULES ABOUT DOCUMENTS AND INTERPRETATION

CHAPTER 10

Delivery of documents and opting out

Education administrator to provide information to creditors on opting-out

7.50.—(1) The education administrator must, in the first communication with a creditor, inform the creditor in writing that the creditor may elect to opt out of receiving further documents relating to the proceedings.

(2) The communication must contain—

- (a) identification and contact details for the education administrator;
- (b) a statement that the creditor has the right to elect to opt out of receiving further documents about the proceedings unless—
 - (i) the Act requires a document to be delivered to all creditors without expressly excluding opted-out creditors,
 - (ii) it is a notice relating to a change in the education administrator or the education administrator's contact details, or
 - (iii) it is a notice of a dividend or proposed dividend or a notice which the court orders to be sent to all creditors or all creditors of a particular category to which the creditor belongs;
- (c) a statement that opting-out will not affect the creditor's entitlement to receive dividends should any be paid to creditors;
- (d) a statement that unless these Rules provide to the contrary opting-out will not affect any right the creditor may have to vote in a decision procedure or a participate in a deemed consent procedure in the proceedings although the creditor will not receive notice of it;
- (e) a statement that a creditor who opts out will be treated as having opted out in respect of any consecutive insolvency proceedings of a different kind in respect of the same further education body; and
- (f) information about how the creditor may elect to be or cease to be an opted-out creditor.