
STATUTORY INSTRUMENTS

2023 No. 712

**The Relevant Licensee Nuclear Company
Administration (England and Wales) Rules 2023**

PART 3

Process of relevant licensee nuclear company administration

Notification and advertisement of nuclear administrator's appointment

13.—(1) The nuclear administrator must, as soon as reasonably practicable after the date of the RLNC administration order, deliver a notice of the appointment—

- (a) if the application for the RLNC administration order was made by the Secretary of State, to the Gas and Electricity Markets Authority;
- (b) if the application for the RLNC administration order was made by the Gas and Electricity Markets Authority, to the Secretary of State;
- (c) to any holder of a qualifying floating charge who, to the nuclear administrator's knowledge, has served notice in accordance with section 163 of the 2004 Act that the person is seeking to appoint an administrator;
- (d) if a receiver or an administrative receiver has been appointed, to that person;
- (e) to any person who has applied to the court for an administration order under Schedule B1 to the 1986 Act, without the modifications made by Schedule 20 to the 2004 Act, in relation to the relevant licensee nuclear company;
- (f) if there is pending a petition for the winding up of the relevant licensee nuclear company, to the petitioner and also to the provisional liquidator, if any;
- (g) if a monitor under a moratorium under Part A1 of the 1986 Act has been appointed, on that person;
- (h) to any supervisor of a voluntary arrangement under Part 1 of the 1986 Act;
- (i) to any creditor who, to the nuclear administrator's knowledge, has served notice in accordance with section 164 of the 2004 Act of that person's intention to enforce that person's security over the property of the relevant licensee nuclear company;
- (j) to any enforcement agent, enforcement officer or other officer who, to the nuclear administrator's knowledge, is charged with distress or other legal process against the relevant licensee nuclear company or its property;
- (k) to any person who, to the nuclear administrator's knowledge, has distrained against the relevant licensee nuclear company or its property.

(2) The notice of appointment must state the following—

- (a) that a nuclear administrator has been appointed;
- (b) the date of the appointment.

(3) The nuclear administrator—

- (a) must, as soon as reasonably practicable after the date of the RLNC administration order, have gazetted the notice of appointment;
 - (b) may advertise the notice of appointment in such other manner as the nuclear administrator thinks fit.
- (4) Where, under a provision of Schedule B1 to the 1986 Act or these Rules, the nuclear administrator is required to deliver a notice of the appointment to any person, the notice must—
- (a) be headed “Notice of nuclear administrator’s appointment”;
 - (b) include immediately below the heading—
 - (i) the full name, registered address, registered number and any other trading names of the relevant licensee nuclear company;
 - (ii) details of the court where the proceedings are and the relevant court reference number;
 - (c) contain the nuclear administrator’s name, address and IP number;
 - (d) state that the person mentioned in sub-paragraph (c) has been appointed as nuclear administrator of the relevant licensee nuclear company.
- (5) The notice must be authenticated and dated by the nuclear administrator.

Notice requiring statement of affairs

14.—(1) In this Part—

- (a) “nominated person” means any person to whom a notice is delivered in accordance with paragraph (2);
- (b) “relevant person” has the meaning given to it in paragraph 47(3) of Schedule B1 to the 1986 Act.

(2) A requirement under paragraph 47(1) of Schedule B1 to the 1986 Act for one or more relevant persons to provide the nuclear administrator with a statement of the affairs of the relevant licensee nuclear company must be made by a notice delivered to each such person.

(3) The notice must—

- (a) be headed “Notice requiring statement of affairs”;
- (b) include immediately below the heading—
 - (i) the full name, registered address, registered number and any other trading names of the relevant licensee nuclear company;
 - (ii) details of the court where the proceedings are and the relevant court reference number;
- (c) require each nominated person to prepare and submit to the nuclear administrator a statement of affairs of the relevant licensee nuclear company;
- (d) inform each nominated person of—
 - (i) the names and addresses of all others, if any, to whom the same notice has been delivered;
 - (ii) the requirement to deliver the statement of affairs to the nuclear administrator no later than 11 days after receipt of the notice;
 - (iii) the effect of paragraph 48(4) of Schedule B1 to the 1986 Act (offence of non-compliance) and section 235 of the 1986 Act⁽¹⁾ (duty to co-operate with the nuclear administrator).

(1) Section 235 was amended by the Enterprise Act 2002, Schedule 17, paragraph 24.

(4) The nuclear administrator must inform each nominated person that a document for the preparation of the statement of affairs capable of completion in compliance with rule 15 will be supplied if requested.

(5) The nominated person, or one of them, if more than one, must deliver the statement of affairs to the nuclear administrator with the statement of truth required by paragraph 47(2)(a) of Schedule B1 to the 1986 Act and a copy of each statement.

Statement of affairs: content

15.—(1) The statement of affairs must—

- (a) be headed “Statement of affairs”;
- (b) include immediately below the heading—
 - (i) the full name, registered address, registered number and any other trading names of the relevant licensee nuclear company;
 - (ii) details of the court where the proceedings are and the relevant court reference number;
- (c) state that it is a statement of affairs of the relevant licensee nuclear company on a specified date, being the date on which it entered relevant licensee nuclear company administration.

(2) The statement of affairs must contain, in addition to the matters required by paragraph 47(2) of Schedule B1 to the 1986 Act, the following—

- (a) a summary of the assets of the relevant licensee nuclear company, setting out the book value and estimated realisable value of—
 - (i) any assets subject to a fixed charge;
 - (ii) any assets subject to a floating charge;
 - (iii) any uncharged assets;
 - (iv) the total value of all the assets available for preferential creditors;
- (b) a summary of the liabilities of the relevant licensee nuclear company, setting out—
 - (i) the amount of preferential debts;
 - (ii) an estimate of the deficiency with respect to preferential debts or the surplus available after paying the preferential debts;
 - (iii) if applicable, an estimate of the prescribed part;
 - (iv) the amount of debt secured by floating charges;
 - (v) an estimate of the total assets available to pay debts secured by floating charges;
 - (vi) an estimate of the deficiency with respect to debts secured by floating charges or the surplus available after paying the debts secured by fixed or floating charges;
 - (vii) the amount of unsecured debts, excluding preferential debts;
 - (viii) an estimate of the deficiency with respect to unsecured debts or the surplus available after paying unsecured debts;
 - (ix) any issued and called-up capital;
 - (x) an estimate of the deficiency with respect to, or surplus available to, members of the relevant licensee nuclear company;
- (c) a list of the relevant licensee nuclear company’s creditors, with the further information required by paragraph (3) and indicating—
 - (i) any creditors under hire-purchase, chattel leasing or conditional sale agreements;

- (ii) any creditors claiming retention of title over property in the relevant licensee nuclear company's possession;
 - (d) the name and address of each member of the relevant licensee nuclear company and the number, nominal value and other details of the shares held by each member.
- (3) The list of creditors required by paragraph 47(2) of Schedule B1 to the 1986 Act and paragraph (2)(c) of this rule must contain the following information, unless paragraph (4) applies—
- (a) the name and postal address of the creditor;
 - (b) the amount of the debt owed to the creditor;
 - (c) details of any security held by the creditor;
 - (d) the date on which any such security was given;
 - (e) the value of any such security.
- (4) This paragraph applies in respect of any creditor who is an employee or former employee of the relevant licensee nuclear company (an “employee and former employee creditor”).
- (5) Where paragraph (4) applies, the statement of affairs must—
- (a) state the number of employee and former employee creditors and the total amount of debts owed to them;
 - (b) set out in a separate schedule the information required by paragraph (3)(a) to (e) in respect of each employee and former employee creditor.

Statement of concurrence

16.—(1) The nuclear administrator may require a relevant person to deliver to the nuclear administrator a statement of concurrence.

(2) A statement of concurrence is a statement, verified by a statement of truth, that that person concurs in the statement of affairs submitted by a nominated person.

(3) The nuclear administrator must inform the nominated person that the relevant person mentioned in paragraph (1) has been required to deliver a statement of concurrence.

(4) The nominated person must deliver a copy of the statement of affairs to every relevant person who has been required to submit a statement of concurrence.

(5) The relevant person must deliver the required statement of concurrence together with a copy to the nuclear administrator before the end of the period of five business days, or such other period as the nuclear administrator may agree, beginning with the day on which the relevant person receives the statement of affairs.

(6) A statement of concurrence must—

- (a) be headed “Statement of concurrence”;
- (b) include immediately below the heading—
 - (i) the full name, registered address, registered number and any other trading names of the relevant licensee nuclear company;
 - (ii) details of the court where the proceedings are and the relevant court reference number.

(7) A statement of concurrence may be qualified in relation to matters dealt with in the statement of affairs where the person making the statement of concurrence—

- (a) is not in agreement with the statement of affairs,
- (b) considers the statement of affairs to be erroneous or misleading, or
- (c) is without the direct knowledge necessary for concurring with it.

Statement of affairs: filing, etc.

17.—(1) The nuclear administrator must as soon as reasonably practicable deliver to the registrar of companies a copy of the statement of affairs and any statement of concurrence (subject to rule 18).

(2) But the nuclear administrator must not deliver to the registrar of companies any schedule to a statement of affairs required by rule 15(5)(b).

Statement of affairs: limited disclosure

18.—(1) Paragraph (2) applies where the nuclear administrator thinks that the disclosure of the whole or part of a statement of affairs or statement of concurrence (as the case may be)—

- (a) would prejudice the conduct of the relevant licensee nuclear company administration, or
- (b) might reasonably be expected to lead to violence against any person.

(2) The nuclear administrator may apply to court in respect of the statement of affairs or the statement of concurrence or any part of either such statement.

(3) The court may, on an application under paragraph (2), order that the whole of, or a specified part of, a statement referred to in paragraph (1) must not be delivered to the registrar of companies.

(4) On the making of an order under paragraph (3), the nuclear administrator must as soon as reasonably practicable deliver to the registrar of companies—

- (a) a copy of the order;
- (b) the statement of affairs or statement of concurrence or both to the extent provided by the order.

(5) A creditor may apply to the court for an order that the nuclear administrator disclose any statement or specified part of any statement in relation to which an order has been made under paragraph (3).

(6) An application under paragraph (5) must be supported by a witness statement.

(7) An applicant under paragraph (5) must deliver to the nuclear administrator notice of the application at least three business days before the hearing.

(8) The court may, on an application under paragraph (5), make any order for disclosure subject to any conditions as to confidentiality, duration, the scope of the order in the event of any change of circumstances, or other matters as it thinks just.

(9) If there is a material change in circumstances rendering an order under paragraph (3) wholly or partially unnecessary, the nuclear administrator must, as soon as reasonably practicable after the change, apply to the court for the order or any part of it to be rescinded or amended.

(10) The nuclear administrator must, as soon as reasonably practicable after the making of an order under paragraph (9), deliver to the registrar of companies a copy of the statement of affairs and any statement of concurrence to the extent provided by the order.

(11) If, after the nuclear administrator has sent a statement of proposals under paragraph 49 of Schedule B1 to the 1986 Act, a statement of affairs is delivered to the registrar of companies in accordance with paragraph (10), the nuclear administrator must deliver to the creditors a copy or summary of the statement of affairs as delivered to the registrar of companies.

(12) The provisions of CPR Part 31 and practice direction 57AD do not apply to any application under this rule(2).

(2) Part 31 was amended by S.I. 2000/221, 2001/4015, the Constitutional Reform Act 2005, Schedule 11, paragraph 1, S.I. 2010/1953, 2011/88, 2012/2208, 2013/262, 2013/1974, 2019/521 and 2020/747.

Release from duty to submit statement of affairs; extension of time

19.—(1) The power of the nuclear administrator under paragraph 48(2) of Schedule B1 to the 1986 Act to revoke a requirement to provide a statement of affairs, or to extend the period within which it must be submitted, may be exercised by the nuclear administrator—

- (a) at the nuclear administrator’s own discretion, or
- (b) at the request of a nominated person.

(2) The nominated person may apply to the court if the nuclear administrator refuses that person’s request for a revocation or extension.

(3) The court may, if it thinks that no sufficient cause is shown for the application, dismiss it without giving notice to any party other than the applicant.

(4) If the application is not dismissed, the court must fix a venue for it to be heard, and give notice to the applicant accordingly.

(5) The applicant must, at least 14 days before the hearing, deliver to the nuclear administrator a notice stating the venue with a copy of the application and of any evidence on which the applicant intends to rely.

(6) The nuclear administrator may appear and be heard on the application.

(7) Whether or not the nuclear administrator appears, the nuclear administrator may file a report of any matters which the nuclear administrator considers ought to be drawn to the court’s attention.

(8) If such a report is filed, the nuclear administrator must deliver a copy of it to the applicant not less than five business days before the date fixed for the hearing.

(9) Sealed copies of any order made on the application must be delivered by the court to the applicant and the nuclear administrator.

(10) On an application under this rule, the applicant’s costs must be paid by the applicant in any event, but the court may order that an allowance of all or part of them may be payable as an expense of the relevant licensee nuclear company administration.

Expenses of statement of affairs and statement of concurrence

20.—(1) The following expenses must be paid by the nuclear administrator as an expense of the relevant licensee nuclear company administration—

- (a) the expenses of a nominated person which the nuclear administrator considers to have been reasonably incurred in making a statement of affairs;
- (b) the expenses of a relevant person which the nuclear administrator considers to have been reasonably incurred in making a statement of concurrence.

(2) A decision by the nuclear administrator that expenses were not reasonably incurred for the purposes of paragraph (1) may be appealed by way of an application to the court.

(3) Nothing in this rule relieves a nominated person or relevant person of any obligation with respect to the making and delivery of a statement of affairs or statement of concurrence.

Nuclear administrator’s proposals

21.—(1) This rule applies to the statement the nuclear administrator is required to make under paragraph 49 of Schedule B1 to the 1986 Act (“the statement of proposals”).

(2) The statement of proposals must include (in addition to those matters set out in paragraph 49 of Schedule B1 to the 1986 Act) the following—

- (a) the full name, registered address, registered number and any other trading names of the relevant licensee nuclear company;

- (b) details of the court where the proceedings are and the relevant court reference number;
- (c) details relating to the nuclear administrator's appointment, including—
 - (i) the date of appointment;
 - (ii) whether the application was made by the Secretary of State or the Gas and Electricity Markets Authority;
 - (iii) where there are joint nuclear administrators, details of the matters set out in section 158(5) of the 2004 Act;
- (d) the names of the directors and secretary of the relevant licensee nuclear company and details of any shareholdings in the relevant licensee nuclear company they may have;
- (e) an account of the circumstances giving rise to the appointment of the nuclear administrator;
- (f) if a statement of affairs has been submitted—
 - (i) a copy or summary of it, except so far as an order under rule 18 limits disclosure of it, and excluding any schedule referred to in rule 15(5)(b), or the particulars relating to individual creditors contained in any such schedule;
 - (ii) details of who provided the statement of affairs;
 - (iii) any comments which the nuclear administrator may have upon the statement of affairs;
- (g) if an order under rule 18 (limited disclosure) has been made—
 - (i) a statement of that fact;
 - (ii) the date of the order;
- (h) if no statement of affairs has been submitted—
 - (i) details of the financial position of the relevant licensee nuclear company at the latest practicable date (which must, unless the court orders otherwise, be a date not earlier than that on which the relevant licensee nuclear company entered relevant licensee nuclear company administration);
 - (ii) an explanation as to why there is no statement of affairs;
- (i) a full list of the company's creditors in accordance with paragraph (3), if either—
 - (i) no statement of affairs has been submitted, or
 - (ii) a statement of affairs has been submitted but it does not include such a list, or the nuclear administrator believes the list included is less than full;
- (j) except where the nuclear administrator proposes a voluntary arrangement in relation to the relevant licensee nuclear company and subject to paragraph (7)—
 - (i) to the best of the nuclear administrator's knowledge and belief—
 - (aa) an estimate of the value of the prescribed part (whether or not the nuclear administrator proposes to make an application to court under section 176A(5) of the 1986 Act or section 176A(3) of the 1986 Act applies);
 - (bb) an estimate of the value of the relevant licensee nuclear company's net property;
 - (ii) a statement whether the nuclear administrator proposes to make an application to the court under section 176A(5) of the 1986 Act and if so the reason for the application;
- (k) a statement of any pre-relevant-licensee-nuclear-company-administration costs charged or incurred by the nuclear administrator or, to the nuclear administrator's knowledge, by any other person qualified to act as an insolvency practitioner (see rule 22);

- (l) a statement of how it is envisaged the objective of the relevant licensee nuclear company administration will be achieved and how it is proposed that the relevant licensee nuclear company administration will end;
 - (m) the manner in which the affairs and business of the relevant licensee nuclear company—
 - (i) have, since the date of the nuclear administrator’s appointment, been managed and financed, including where any assets have been disposed of, the reasons for such disposals and the terms upon which such disposals were made;
 - (ii) will continue to be managed and financed;
 - (n) such other information (if any) as the nuclear administrator thinks necessary.
- (3) Subject to paragraphs (4) and (5), the list of creditors required by paragraph (2)(i) must contain the following particulars—
- (a) the name and postal address of the creditor;
 - (b) the amount of the debt owed to the creditor;
 - (c) details of any security held by the creditor;
 - (d) the date on which any such security was given;
 - (e) the value of any such security.
- (4) This paragraph applies in respect of any creditor who is an employee or former employee of the relevant licensee nuclear company (an “employee and former employee creditor”).
- (5) Where paragraph (4) applies, the list of creditors required by paragraph (2)(i) must—
- (a) state the number of employee and former employee creditors and the total amount of debts owed to them;
 - (b) set out in a separate schedule the information required by paragraph (3)(a) to (e) in respect of each employee and former employee creditor.
- (6) Where paragraph (4) applies, the nuclear administrator must not deliver the schedule referred to in paragraph (5)(b) to the registrar of companies with the statement of proposals.
- (7) The nuclear administrator may exclude from an estimate under paragraph (2)(j) information the disclosure of which could seriously prejudice the commercial interests of the company, and, if such information is so excluded, the estimate must be accompanied by a statement to that effect.
- (8) Paragraph (9) applies where it is proposed that the relevant licensee nuclear company administration will end by the relevant licensee nuclear company moving to a creditors’ voluntary liquidation.
- (9) Where this paragraph applies the statement required by paragraph (2)(l) must include the following—
- (a) details of the proposed liquidator;
 - (b) where applicable, the declaration required by section 231 of the 1986 Act⁽³⁾;
 - (c) a statement that the creditors may nominate a different person as liquidator in accordance with paragraph 83(7)(a) of Schedule B1 to the 1986 Act⁽⁴⁾ and rule 89(4).

Statement of pre-relevant-licensee-nuclear-company-administration costs

22. A statement of pre-relevant-licensee-nuclear-company-administration costs (the “costs”) under rule 21(2)(k) must include the following—

⁽³⁾ Section 231 was amended by the Enterprise Act 2002, Schedule 26.

⁽⁴⁾ Paragraph 83 was amended by the Small Business, Enterprise and Employment Act 2015, section 128 and Schedule 9, paragraph 10.

- (a) details of any agreement under which the fees were charged and expenses incurred, including the parties to the agreement and the date on which the agreement was made;
- (b) details of the work done for which the fees were charged and expenses incurred;
- (c) an explanation of why the work was done before the relevant licensee nuclear company entered relevant licensee nuclear company administration and how it had been intended to further the achievement of the objective of the relevant licensee nuclear company administration;
- (d) a statement of the amount of the costs, setting out separately—
 - (i) the fees charged by the nuclear administrator;
 - (ii) the expenses incurred by the nuclear administrator;
 - (iii) the fees charged, to the nuclear administrator’s knowledge, by any other person qualified to act as an insolvency practitioner (and, if more than one, by each separately);
 - (iv) the expenses incurred, to the nuclear administrator’s knowledge, by any other person qualified to act as an insolvency practitioner (and, if more than one, by each separately);
- (e) a statement of the costs which have already been paid, set out separately as under paragraph (d)(i) to (iv);
- (f) the identity of the person who made the payment or, if more than one person made the payment, the identity of each such person and of the amounts paid by each such person, set out separately as under paragraph (d)(i) to (iv);
- (g) a statement of the amounts of the costs which have not been paid, set out separately as under paragraph (d)(i) to (iv);
- (h) a statement that the payment of unpaid costs as an expense of the relevant licensee nuclear company administration is subject to approval under rule 43.

Ancillary provisions about delivery of nuclear administrator’s proposals

23.—(1) Paragraph (2) applies where the court orders, on an application by the nuclear administrator under paragraph 107 of Schedule B1 to the 1986 Act, an extension of the period in paragraph 49(5) of Schedule B1 to the 1986 Act for delivering copies of the statement of proposals.

(2) As soon as reasonably practicable after the making of the order, the nuclear administrator must—

- (a) deliver a notice of the extension to every creditor of the relevant licensee nuclear company and every member of the relevant licensee nuclear company of whose address (in either case) the nuclear administrator is aware, and
 - (b) deliver a copy of the notice of the extension to the registrar of companies.
- (3) The notice mentioned in paragraph (2) must—
- (a) be headed “Notice of extension of time period”;
 - (b) include immediately below the heading—
 - (i) the full name, registered address, registered number and any other trading names of the relevant licensee nuclear company;
 - (ii) details of the court where the proceedings are and the relevant court reference number;
 - (c) state the date to which the court has ordered an extension.

(4) Where the nuclear administrator wishes to publish a notice under paragraph 49(6) of Schedule B1 to the 1986 Act, the notice must—

- (a) be advertised in such manner as the nuclear administrator thinks fit;
- (b) be published as soon as reasonably practicable after the nuclear administrator has delivered the statement of proposals to the relevant licensee nuclear company's creditors but no later than 8 weeks, or such other period as may be agreed by the creditors or as the court may order, from the date on which the relevant licensee nuclear company entered relevant licensee nuclear company administration.

Limited disclosure: nuclear administrator's proposals

24.—(1) If the nuclear administrator thinks that it would prejudice the conduct of the relevant licensee nuclear company administration or might reasonably be expected to lead to violence against any person for any of the matters specified in rule 21(2)(h) and (i) to be disclosed, the nuclear administrator may apply to the court for an order in relation to any specified part of the statement of proposals.

(2) The court may, on an application under paragraph (1), order that some or all of the specified part of the statement must not be delivered to—

- (a) the registrar of companies, or
- (b) creditors or members of the relevant licensee nuclear company.

(3) On the making of an order under paragraph (2), the nuclear administrator must as soon as reasonably practicable deliver to the persons specified in paragraph 49(4) of Schedule B1 to the 1986 Act—

- (a) the statement of proposals (to the extent provided by the order);
- (b) an indication of the nature of the matter in relation to which the order was made.

(4) The nuclear administrator must also deliver a copy of the order to the registrar of companies.

(5) A creditor may apply to the court for an order that the nuclear administrator disclose any part of a statement of proposals in relation to which an order has been made under paragraph (2).

(6) The application under paragraph (5) must be supported by a witness statement.

(7) The applicant must deliver to the nuclear administrator notice of the application under paragraph (5) at least three business days before the hearing.

(8) The court may, on an application under paragraph (5), make any order for disclosure subject to any conditions as to confidentiality, duration, the scope of the order in the event of any change of circumstances, or other matters as it thinks just.

(9) If there is a material change in circumstances rendering an order under paragraph (2) wholly or partially unnecessary, the nuclear administrator must, as soon as reasonably practicable after the change, apply to the court for the order or any part of it to be rescinded or amended.

(10) The nuclear administrator must, as soon as reasonably practicable after the making of an order under paragraph (9), deliver to the persons specified in paragraph 49(4) of Schedule B1 to the 1986 Act—

- (a) a copy of the statement of proposals to the extent provided by the order;
- (b) an indication of the nature of the matter in relation to which the order was made.

(11) The provisions of CPR Part 31 and practice direction 57AD do not apply to any application under this rule.

Revision of the nuclear administrator’s proposals

25.—(1) Where paragraph 54(2) of Schedule B1 to the 1986 Act⁽⁵⁾ applies, the nuclear administrator must, as soon as reasonably practicable—

- (a) make a statement setting out the revisions to the nuclear administrator’s proposals;
 - (b) send the statement to all those to whom the nuclear administrator is required to send a copy of the revised proposals (see paragraph 54(2)(b) and (c)).
- (2) The statement of revised proposals must—
- (a) be headed “Statement of nuclear administrator’s revised proposals”;
 - (b) include immediately below the heading—
 - (i) the full name, registered address, registered number and any other trading names of the relevant licensee nuclear company;
 - (ii) details of the court where the proceedings are and the relevant court reference number.
- (3) The statement of revised proposals must include the following—
- (a) details relating to the nuclear administrator’s appointment, including the date of appointment and whether the relevant licensee nuclear company administration application was made by the Secretary of State or the Gas and Electricity Markets Authority;
 - (b) the names of the directors and secretary of the relevant licensee nuclear company and details of any shareholdings in the relevant licensee nuclear company they may have;
 - (c) a summary of the original proposals and the reasons for the revision;
 - (d) details of the revision including details of the nuclear administrator’s assessment of the likely impact of the revision upon creditors generally or upon each class of creditors;
 - (e) where the revision relates to the ending of the relevant licensee nuclear company administration by a creditors’ voluntary liquidation and the nomination of a person to be the proposed liquidator of the relevant licensee nuclear company—
 - (i) details of the proposed liquidator;
 - (ii) where applicable, the declaration required by section 231 of the 1986 Act;
 - (iii) a statement that the creditors may nominate a different person as liquidator in accordance with paragraph 83(7)(a) of Schedule B1 to the 1986 Act and rule 89(4);
 - (f) any other information that the nuclear administrator thinks necessary.
- (4) The period within which, subject to paragraph 54(3) of Schedule B1 to the 1986 Act, the administrator must send a copy of the statement to every member of the company of whose address the administrator is aware is five business days after sending the statement of the proposed revision to the creditors.
- (5) A notice under paragraph 54(4) of Schedule B1 to the 1986 Act must—
- (a) be advertised in such manner as the nuclear administrator thinks fit as soon as reasonably practicable after the nuclear administrator has sent the statement to the creditors;
 - (b) state—
 - (i) that members may request in writing a copy of the statement of revised proposals;
 - (ii) the address to which to write.

(5) Schedule B1 was inserted by the Enterprise Act 2002 (c. 40), Schedule 16 and paragraph 54 was amended by the Small Business, Enterprise and Employment Act 2015, Schedule 9, paragraph 10.

Reports

- 26.—(1) The nuclear administrator must prepare a report (the “progress report”).
- (2) The progress report must—
- (a) be headed “Nuclear administrator’s progress report”;
 - (b) include immediately below the heading—
 - (i) the full name, registered address, registered number and any other trading names of the relevant licensee nuclear company;
 - (ii) details of the court where the proceedings are and the relevant court reference number.
- (3) The progress report must include the following—
- (a) full details of the nuclear administrator’s name and address, IP number, date of appointment and any changes in nuclear administrator;
 - (b) the name and address of the applicant for the relevant licensee nuclear company administration application;
 - (c) in the case of joint nuclear administrators, details of the matters set out in section 158(5) of the 2004 Act;
 - (d) details of progress during the period of the report, including a receipts and payments account (see paragraph (4));
 - (e) details of any assets that remain to be realised;
 - (f) any other relevant information for the creditors.
- (4) A receipts and payments account must—
- (a) state what assets of the relevant licensee nuclear company have been realised, for what value, and what payments have been made to creditors or others;
 - (b) be in the form of an abstract showing receipts and payments during the period of the report;
 - (c) where the nuclear administrator has ceased to act, include a statement as to the amount paid to unsecured creditors by virtue of the application of section 176A of the 1986 Act (prescribed part).
- (5) A progress report must cover the periods of—
- (a) six months starting on the date on which the relevant licensee nuclear company entered relevant licensee nuclear company administration, and
 - (b) each subsequent period of six months.
- (6) The periods for which progress reports are required under paragraph (5) are unaffected by any change in the nuclear administrator.
- (7) The nuclear administrator must send a copy of the progress report within one month of the end of the period covered by the report, to the following (subject to paragraph (8))—
- (a) the registrar of companies;
 - (b) the Secretary of State;
 - (c) the Gas and Electricity Markets Authority;
 - (d) the creditors;
 - (e) the court.
- (8) The requirement in paragraph (7) does not apply when the report is a final progress report within the meaning of Part 9.
- (9) The court may, on the nuclear administrator’s application—

- (a) extend the period of one month mentioned in paragraph (7) by such period as it thinks fit, or
 - (b) make such other order in respect of the content of the report as it thinks fit.
- (10) It is an offence for the nuclear administrator to fail to comply with this rule.