
STATUTORY INSTRUMENTS

2016 No. 900

The Postal Administration (Scotland) Rules 2016

PART 2

Appointment of Postal Administrator by Court

Form of Application

5.—(1) Where an application is made by way of petition for a postal administration order to be made in relation to a company, the petition shall state—

- (a) that the company is a universal service provider; and
- (b) one or both of the following—
 - (i) the applicant's belief that the company is, or is likely to be, unable to pay its debts;
 - (ii) the Secretary of State has certified that it would be appropriate to petition for the winding up of the universal service provider under section 124A of the 1986 Act (petition for winding up on grounds of public interest)(1).

(2) Where an application is made by OFCOM, the petition shall also state that it is made with the consent of the Secretary of State.

(1) Section 124A was inserted by the Companies Act 1989 (c.40), section 60(3). It was amended by the Companies (Audit, Investigations and Community Enterprise) Act 2004 (c.27), Schedule 2, paragraph 27 and S.I. 2001/3649, Article 305.