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STATUTORY INSTRUMENTS

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**2001 No. 3352**

**The Railway Administration Order Rules 2001**

**PART 10**

**INTERPRETATION AND APPLICATION**

**Introductory**

**10.1** This Part of the Rules has effect for their interpretation and application; and any definition given in this Part applies except, and in so far as, the context otherwise requires.

**“The court”; “the registrar”**

**10.2.**—(1) Anything to be done in railway administration proceedings by, to or before the court may be done by, to or before a judge or the registrar.

(2) The registrar may authorise any act of a formal or administrative character which is not by statute his responsibility to be carried out by the chief clerk or any other officer of the court acting on his behalf, in accordance with directions given by the Lord Chancellor.

(3) In railway administration proceedings, “the registrar” means—

- (a) subject to the following paragraph, a Registrar in Bankruptcy of the High Court;
- (b) where the proceedings are in the District Registry of Birmingham, Bristol, Cardiff, Leeds, Liverpool, Manchester, Newcastle-upon-Tyne or Preston, the District Registrar.

**“Give notice” etc.**

**10.3.**—(1) A reference in the Rules to giving notice, or to delivering, sending or serving any document, means that the notice or document may be sent by post, unless under a particular Rule personal service is expressly required.

(2) Any form of post may be used, unless under a particular Rule a specified form is expressly required.

(3) Personal service of a document is permissible in all cases.

(4) Notice of the venue fixed for an application may be given by service of the sealed copy of the application under Rule 6.4(3).

**Notice, etc. to solicitors**

**10.4** Where in railway administration proceedings a notice or other document is required or authorised to be given to a person, it may, if he has indicated that his solicitor is authorised to accept service on his behalf, be given instead to the solicitor.

### **Notice to joint special railway administrators**

**10.5** Where two or more persons are acting jointly as the special railway administrator in any proceedings, delivery of a document to one of them is to be treated as delivery to them all.

### **“Petition”**

**10.6** References to “petition” means petition for a railway administration order to be made in relation to a protected railway company.

### **“Venue”**

**10.7** References to the “venue” for any proceedings or attendance before the court, or for a meeting, are to the time, date and place for the proceedings, attendance or meeting.

### **“Railway administration proceedings”**

**10.8** “Railway administration proceedings” means any proceedings under sections 59 to 62 of, and Schedule 6 to, the 1993 Act.

### **“The appropriate fee”**

**10.9** “The appropriate fee” means 15 pence per A4 or A5 page and 30 pence per A3 page.

### **Expressions used generally**

**10.10.**—(1) “File in court” means deliver to the court for filing.

(2) “The Gazette” means The London Gazette.

(3) “Business day” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday in any part of Great Britain under or by virtue of the Banking and Financial Dealings Act 1971<sup>(1)</sup>.

### **Application**

**10.11** The Rules apply to railway administration proceedings commenced on or after the date on which the Rules come into force. Nothing contained in the Insolvency Rules 1986<sup>(2)</sup> shall apply to such proceedings commenced on or after that date.

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(1) 1971 c. 80.

(2) S.I. 1986/1925.