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STATUTORY INSTRUMENTS

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**2006 No. 772**

**The Energy Administration (Scotland) Rules 2006**

**PART 5**

**Claims in Energy Administration**

**Amount which may be claimed generally**

**34.**—(1) Subject to Rules 29 and 35, the amount in respect of which a creditor shall be entitled to claim shall be the accumulated sum of principal and any interest which is due on the debt as at the date upon which the protected energy company entered energy administration.

(2) If a debt does not depend on a contingency but would not be payable but for the energy administration until after the date upon which the protected energy company entered energy administration, the amount of the claim shall be calculated as if the debt were payable on the date when the protected energy company entered energy administration but subject to the deduction of interest at the rate specified in section 17 of the Judgments Act 1838<sup>(1)</sup> on the date when the protected energy company entered energy administration from the said date until the date for payment of the debt.

(3) In calculating the amount of his claim, a creditor shall deduct any discount (other than any discount for payment in cash) which is allowable by contract or course of dealing between the creditor and the protected energy company or by the usage of trade.

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<sup>(1)</sup> 1838 c. 110, as amended by S.I. 1998/2940.