
STATUTORY INSTRUMENTS

2013 No. 1046

The Energy Supply Company Administration Rules 2013

PART 14

Miscellaneous and general

Provable debts

148.—(1) Subject as follows, in energy supply company administration proceedings all claims by creditors are provable as debts against the energy supply company, whether they are present or future, certain or contingent, ascertained or sounding only in damages.

(2) Any obligation arising under a confiscation order made under Part 2, 3 or 4 of the Proceeds of Crime Act 2002 ^{M1} is not provable.

(3) The following are not provable except at a time when all other claims of creditors in the energy supply company administration proceedings (other than any of a kind mentioned in this paragraph) have been paid in full with interest under Rule 57—

- (a) any claim arising by virtue of section 382(1)(a) of the Financial Services and Markets Act 2000 ^{M2}, not being a claim also arising by virtue of section 382(1)(b) of that Act;
- (b) any claim which by virtue of the 1986 Act or any other enactment is a claim the payment of which is to be postponed.

(4) Nothing in this Rule prejudices any enactment or rule of law under which a particular kind of debt is not provable, whether on grounds of public policy or otherwise.

Marginal Citations

M1 2002 c. 29.

M2 2000 c. 8.

Changes to legislation:

There are currently no known outstanding effects for the The Energy Supply Company Administration Rules 2013, Section 148.