
STATUTORY INSTRUMENTS

2018 No. 1135

The Education Administration Rules 2018

PART 5

CLAIMS BY AND DISTRIBUTIONS TO CREDITORS

CHAPTER 3

Distribution to creditors

Sole or final dividend

5.35.—(1) Where it is intended that the distribution is to be a sole or final dividend, after the date specified as the last date for proving in the notice under rule 5.26, the education administrator must—

- (a) pay any outstanding pre-administration expenses;
- (b) pay any items payable in accordance with the provisions of paragraph 99 of Schedule B1(1);
- (c) pay any amount outstanding (including debts or liabilities and the education administrator's own remuneration and expenses) which would, if the education administrator were to cease to be the education administrator of the further education body, be payable out of the property of which the education administrator had custody or control in accordance with the provisions of paragraph 99 of Schedule B1; and
- (d) declare and distribute that dividend without regard to the claim of any person in respect of a debt not already proved.

(2) The reference in paragraph (1)(d) to debts that have not been proved does not include small debts treated as proved by the education administrator.

(3) The court may, on the application of any person, postpone the date specified in the notice delivered under rule 5.26.