

SCHEDULE 1

Rule 1.4

Punishment of offences under these Rules

<i>Rule creating offence</i>	<i>General nature of offence</i>	<i>Mode of prosecution</i>	<i>of Punishment</i>	<i>Daily default fine (if applicable)</i>
3.13(5)	Education administrator failing to deliver progress reports in accordance with rule 3.13	Summary	Level 3 on the standard scale.	One tenth of level 3 on the standard scale.
6.9(2)	Failing to comply with education administrator’s duties on vacating office	Summary	Level 3 on the standard scale.	One tenth of level 3 on the standard scale.
7.35(3)	Falsely claiming to be a person entitled to inspect a document with the intention of gaining sight of it.	1. On indictment 2. Summary	2 years, or a fine, or both. 6 months, or a fine, or both.	Not applicable.

SCHEDULE 2

Rule 2.7(2)

Service of documents

1.—(1) This Schedule sets out the requirements for service where a document is required to be served.

(2) Service is to be carried out in accordance with Part 6 of the CPR as that Part applies to either a “claim form” or a “document other than a claim form” except where this Schedule provides otherwise or the court otherwise approves or directs.

(3) However where a document is required or permitted to be served at a company’s registered office service may be effected at a previous registered office in accordance with section 87(2) of the Companies Act.

(4) In the case of an overseas company service may be effected in any manner provided for by section 1139(2) of the Companies Act.

(5) If, for any reason, it is impracticable to effect service as provided for in paragraphs (2) to (4) then service may be effected in such other manner as the court may approve or direct.

(6) The following documents are treated as “claim forms” for the purposes of applying Part 6 of the CPR—

- (a) an application for education administration;
- (b) any other application to the court; and
- (c) an application for costs

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

and must be served by the applicant.

(7) Any other documents required to be served by these Rules are to be treated as “documents other than the claim form” for the purposes of Part 6 of the CPR.

(8) Part 6 of the CPR applies to the service of documents outside the jurisdiction with such modifications as the court may approve or direct.

Service of application for education administration

2.—(1) An application to the court for an education administration order must be served by delivering the documents as follows—

- (a) to the further education body at its registered office or if its registered office is not practicable or it has no registered office at its last known principal place of business in England and Wales;
- (b) to any other person at that person’s proper address.

(2) A person’s proper address is any which that person has previously notified as the address for service, but if that person has not notified such an address then the documents may be served at their usual or last known address.

(3) Paragraph (4) sets out the proper address for service for an authorised deposit-taker who—

- (a) has appointed, or is or may be entitled to appoint, an administrative receiver of the further education body; and
- (b) has not notified an address for service.

(4) The proper address for service is—

- (a) that of an office of the authorised deposit-taker where the applicant knows the further education body maintains a bank account; or
- (b) where the applicant does not know of any such office, the registered office; or
- (c) if there is no such registered office, the usual or last known address.

Service on joint education administrators

3. Service of a document on one of joint education administrators is to be treated as service on all of them.

Certificate of service

4.—(1) The service of an application must be verified by a certificate of service.

(2) The certificate of service must—

- (a) identify the application;
- (b) identify the further education body;
- (c) identify the applicant;
- (d) specify—
 - (i) the court in which the application was made, and the court reference number,
 - (ii) the date of the application,
 - (iii) whether the copy served was a sealed copy,
 - (iv) all persons served, and
 - (v) the manner of service and the date of service; and
- (e) be verified by a statement of truth.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(3) Where substituted service has been ordered, the certificate must be accompanied by a sealed copy of the order for substituted service.