
STATUTORY INSTRUMENTS

2023 No. 712

**The Relevant Licensee Nuclear Company
Administration (England and Wales) Rules 2023**

PART 11

Court Procedure and Practice

CHAPTER 2

Enforcement Procedures

Enforcement of court orders

111. In relevant licensee nuclear company administration proceedings, orders of the court may be enforced in the same manner as a judgment to the same effect.

Orders enforcing compliance

112.—(1) The court may, on an application by the nuclear administrator, make such orders as it thinks necessary for the enforcement of obligations falling on any person in accordance with—

- (a) paragraph 47 of Schedule B1 to the 1986 Act (duty to submit statement of affairs), or
- (b) section 235 of the 1986 Act (duty to co-operate with nuclear administrator).

(2) An order of the court under this rule may provide that all costs of and incidental to the application for it are to be borne by the person against whom the order is made.

Warrant under section 236 of the 1986 Act

113.—(1) For the purpose of the issue of a warrant under section 236 of the 1986 Act⁽¹⁾ (inquiry into insolvent company's dealings), the persons referred to in that section as the prescribed officer of the court are the tipstaff and the tipstaff's assistants of the court.

(2) In this rule, references to property include books, papers and other documents and records.

(3) When a person is arrested under a warrant issued under section 236 of the 1986 Act ("the arrested person"), the arresting officer must as soon as reasonably practicable bring the arrested person before the court issuing the warrant in order that the arrested person may be examined.

(4) If the arrested person cannot immediately be brought up for examination, the officer must deliver the arrested person into the custody of the relevant prison governor.

(5) The relevant prison governor must keep the arrested person in custody and produce the arrested person before the court as the court may from time to time direct.

(1) Section 236 was amended by [S.I. 2010/18](#).

(6) After arresting the person named in the warrant, the officer must as soon as reasonably practicable report to the court the arrest or delivery into custody (as the case may be) and apply to the court to fix a venue for the arrested person’s examination.

(7) The court must appoint the earliest practicable time for the examination, and must—

(a) direct the relevant prison governor to produce the arrested person for examination at the time and place appointed;

(b) as soon as reasonably practicable deliver notice of the venue to the nuclear administrator.

(8) Where any property in the arrested person’s possession is seized, the property must, as directed by the warrant, be—

(a) delivered to whoever is specified in the warrant as authorised to receive it, or otherwise dealt with in accordance with the directions in the warrant, or

(b) kept by the officer seizing it pending the receipt of written orders from the court as to its disposal.

(9) In this rule, “the relevant prison governor” means—

(a) the governor of the prison named in the warrant, or

(b) where that prison is not able to accommodate the arrested person, the governor of such other prison, with appropriate facilities, that is able to accommodate the arrested person.