



2011 CHAPTER 6

PART 2

SPECIAL ADMINISTRATION REGIME
FOR PROTECTED ENERGY COMPANIES

Restrictions on other insolvency procedures

Restrictions on winding-up orders

23.—(1) This section applies where a petition for the winding up of a protected energy company is presented by a person other than the Department.

(2) The High Court is not to exercise its powers on a winding-up petition unless—

- (a) notice of the petition has been served both on the Department and on the Authority; and
- (b) a period of at least 14 days has elapsed since the service of the last of those notices to be served.

(3) If an application for an energy administration order in relation to the company is made to the High Court in accordance with section 19(1) before a winding-up order is made on the petition, the Court may exercise its powers under section 20, instead of exercising its powers on a winding-up petition.

(4) References in this section to the High Court's powers on a winding-up petition are references to—

- (a) its powers under Article 105 of the Insolvency Order (other than its power of adjournment); and
- (b) its powers under Article 115 of that Order.