



# Postal Services Act 2011

## 2011 CHAPTER 5

### PART 4

#### SPECIAL ADMINISTRATION REGIME

##### *Restrictions on other insolvency procedures*

#### **77 Administrator appointments by creditors etc**

- (1) Subsections (2) to (4) make provision about appointments under paragraph 14 or 22 of Schedule B1 to the 1986 Act (powers to appoint administrators) in relation to a company which is a universal service provider.
- (2) If in any case—
  - (a) a postal administration order is in force in relation to the company,
  - (b) a postal administration order has been made in relation to the company but is not yet in force, or
  - (c) an application for a postal administration order in relation to the company is outstanding,a person may not take any step to make an appointment.
- (3) In any other case, an appointment takes effect only if each of the following conditions are met.
- (4) The conditions are—
  - (a) that a copy of every document in relation to the appointment that is filed or lodged with the court in accordance with paragraph 18 or 29 of Schedule B1 to the 1986 Act has been served on the Secretary of State and OFCOM,
  - (b) that a period of 14 days has elapsed since the service of the last of those copies to be served,
  - (c) that there is no outstanding application to the court for a postal administration order in relation to the company, and

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*Changes to legislation: There are currently no known outstanding effects for the Postal Services Act 2011, Section 77. (See end of Document for details)*

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- (d) that the making of an application for a postal administration order in relation to the company has not resulted in the making of a postal administration order which is in force or is still to come into force.
- (5) Paragraph 44 of Schedule B1 to the 1986 Act (interim moratorium) does not prevent, or require the permission of the court for, the making of an application for a postal administration order at any time before the appointment takes effect.

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**Commencement Information**

**II** [S. 77](#) in force at 1.10.2011 by [S.I. 2011/2329](#), [art. 3](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Postal Services Act 2011, Section 77.