

---

STATUTORY INSTRUMENTS

---

**2016 No. 900**

**INSOLVENCY, SCOTLAND**

**The Postal Administration (Scotland) Rules 2016**

*Made - - - - 8th September 2016*

*Laid before Parliament 9th September 2016*

*Coming into force 1st October 2016*

**THE POSTAL ADMINISTRATION (SCOTLAND) RULES 2016**

PART 1

1. Citation and commencement
2. Construction and interpretation
3. Application
4. Review

PART 2

5. Form of Application
6. Statement of proposed postal administrator
7. Service of petition
8. Expenses
9. Notice of dismissal of application for a postal administration order

PART 3

10. Notification and advertisement of postal administrator's appointment
11. Notice requiring statement of affairs
12. Statements of affairs and statements of concurrence
13. Limited disclosure
14. Release from duty to submit statement of affairs; extension of time
15. Expenses of statement of affairs
16. Postal administrator's proposals
17. Limited disclosure of paragraph 49 of Schedule B1 to the 1986 Act statement
18. Notices to creditors

*Status: This is the original version (as it was originally made).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

#### PART 4

19. Meetings generally and notice
20. The chair at meetings
21. Quorum at meeting of creditors
22. Chair of meeting as proxy holder
23. Suspension and Adjournment
24. Correspondence instead of creditors' meetings
25. Remote attendance at meetings
26. Action where person excluded
27. Indication to excluded person
28. Complaint
29. Meeting following nomination of alternative liquidator
30. Entitlement to vote (creditors and members)
31. Hire-purchase, conditional sale and hiring agreements
32. Resolutions
33. Report of Meeting
34. Revision of the postal administrator's proposals
35. Progress Reports
36. Disposal of secured property

#### PART 5

37. Submission of claims
38. Secured debts
39. Entitlement to vote and draw dividend
40. Adjudication of claims
41. Evidence in relation to claims
42. Criminal offences in relation to false claims or evidence
43. Amount which may be claimed generally
44. Debts depending on contingency
45. Liabilities and rights of co-obligants
46. Claims in foreign currency

#### PART 6

47. Order of priority in distribution
48. Expenses of the postal administration
49. Pre-postal administration costs
50. Assets to be distributed
51. Determination of outlays and remuneration
52. Payment of dividends
53. Unclaimed Dividends
54. New postal administrator appointed

#### PART 7

55. Final progress reports
56. Application to court
57. Notification by postal administrator of court order
58. Moving from postal administration to creditors' voluntary liquidation
59. Moving from postal administration to dissolution

60. Provision of information to the Secretary of State

PART 8

61. Grounds for resignation
62. Notice of intention to resign
63. Notice of resignation
64. Application to court to remove postal administrator from office
65. Incapacity to act, through death or otherwise
66. Application to replace
67. Notification and advertisement of appointment of replacement postal administrator
68. Joint or concurrent appointments
69. Hand-over of assets to successor postal administrator

PART 9

70. Application under section 176A(5) of the 1986 Act to disapply section 176A of the 1986 Act
71. Notice of order under section 176A(5) of the 1986 Act

PART 10

72. Definition of “proxy”
73. Form of proxy
74. Use of proxy at meeting
75. Retention of proxies
76. Right of inspection
77. Proxy-holder with financial interest
78. Representation of corporations

PART 11

79. Application
80. Personal delivery of documents
81. Sending by post
82. Notice by and to representatives
83. Notice to joint postal administrators
84. The form of notices and other documents
85. Certificate of giving notice etc
86. Electronic delivery in postal administration proceedings – general
87. Use of websites by postal administrator
88. Special provision on account of expense as to website use

PART 12

89. Validity of proceedings
90. Evidence of proceedings at meetings
91. Right to list of creditors and copy documents
92. Confidentiality of documents
93. Postal administrator’s caution
94. Punishment of offences
95. Forms for use in postal administration proceedings

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

96. Electronic submission of information instead of submission of forms to the Secretary of State, postal administrators and of copies to the registrar of companies
97. Electronic submission of information instead of submission of forms in all other cases
98. Contents of notices to be published in the Edinburgh Gazette under the 1986 Act or these Rules
99. Notices otherwise advertised under the 1986 Act or these Rules
100. Notices otherwise advertised – other additional provisions
101. Omission of unobtainable information
102. Fees, expenses, etc.
103. Power of court to cure defects in procedure
104. Sederunt book
105. Disposal of company's books, papers and other records
106. Information about time spent on a case  
Signature

---

SCHEDULE — Forms

Explanatory Note