
STATUTORY INSTRUMENTS

2021 No. 1178

The Payment and Electronic Money Institution
Insolvency (England and Wales) Rules 2021

PART 12

Provisions of general effect

CHAPTER 5

Further provisions concerning documents

Confidentiality of documents — grounds for refusing inspection

281.—(1) The administrator may refuse inspection of a document which forms part of the records of the special administration by a person who would otherwise be entitled to inspect it where the administrator considers that the document—

- (a) should be treated as confidential, or
- (b) is of such a nature that its disclosure would be prejudicial to the conduct of the special administration or might reasonably be expected to lead to violence against any person.

(2) The persons to whom the administrator may refuse inspection under this rule include members of the creditors' committee.

(3) Where under this rule the administrator determines to refuse inspection of a document, the person wishing to inspect it may apply to the court for that determination to be overruled and the court may either overrule it altogether or sustain it subject to such conditions (if any) as it thinks just.

Commencement Information

II Rule 281 in force at 12.11.2021, see [rule 2](#)

Right to copy documents

282. Where the Regulations or these Rules confer a right for any person to inspect documents, the right includes that of obtaining copies of those documents, on payment—

- (a) in the case of documents on the court's file of proceedings, of the fee chargeable under any order made under section 92 of the Courts Act 2003(1), and
- (b) in any other case, of the appropriate fee.

Commencement Information

I2 Rule 282 in force at 12.11.2021, see [rule 2](#)

Charges for copy documents

283. Except where prohibited by these Rules, the administrator is entitled to require the payment of the appropriate fee for the supply of documents requested by a creditor, customer, member, contributory or member of the creditors' committee.

Commencement Information

I3 Rule 283 in force at 12.11.2021, see [rule 2](#)

Right to have list of creditors

284.—(1) A creditor has the right to require the administrator to provide a list of the creditors and the amounts of their respective debts unless paragraph (5) applies.

- (2) The administrator on being required to furnish the list under paragraph (1)—
- (a) must send it to the person requiring the list to be furnished as soon as is reasonably practicable, and
 - (b) may charge the appropriate fee for doing so.
- (3) Where any of the creditors of the institution are either—
- (a) employees or former employees of the institution, or
 - (b) consumers claiming amounts paid in advance for the supply of goods or services,

the list furnished under paragraph (2) shall state the number of employees or former employees of the institution and the total of the debts owed to them, and the number of consumers claiming amounts paid in advance for the supply of goods or services and the total of the debts owed to them, but shall not include the names and addresses of such creditors.

(4) The name and address of any creditor may be omitted from the list furnished under paragraph (2) where the administrator is of the view that its disclosure would be prejudicial to the conduct of the proceedings or might reasonably be expected to lead to violence against any person provided that—

- (a) the amount of the debt in question is shown in the list, and
- (b) a statement is included in the list that the name and address of the creditor has been omitted in respect of that debt.

(5) Paragraph (1) does not apply where a statement of affairs has been delivered to the registrar of companies.

Commencement Information

I4 Rule 284 in force at 12.11.2021, see [rule 2](#)

Changes to legislation:

There are currently no known outstanding effects for the The Payment and Electronic Money Institution Insolvency (England and Wales) Rules 2021, CHAPTER 5.