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STATUTORY INSTRUMENTS

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**2013 No. 1046**

**The Energy Supply Company Administration Rules 2013**

**PART 2**

Appointment of energy administrator by court

**The hearing**

**12.**—(1) At the hearing of the energy supply company administration application, any of the following may appear or be represented—

- (a) the Secretary of State;
- (b) GEMA;
- (c) the energy supply company;
- (d) one or more of the directors;
- (e) if an administrative receiver has been appointed, that person;
- (f) any person who has presented a petition for the winding-up of the energy supply company;
- (g) the person proposed for appointment as energy administrator;
- (h) any person that is the holder of a qualifying floating charge;
- (i) any person who has applied to the court for an administration order under Schedule B1 to the 1986 Act, without the modifications made by Schedule 20 to the 2004 Act;
- (j) any creditor who has served notice in accordance with section 164 of the 2004 Act of the creditor's intention to enforce the creditor's security over the energy supply company's property;
- (k) any supervisor of a voluntary arrangement under Part I of the 1986 Act;
- (l) with the permission of the court, any other person who appears to have an interest justifying the person's appearance.

(2) If the court makes an esc administration order, it must be in Form ESCA3.

(3) If the court makes an esc administration order, the costs of the applicant, and of any person whose costs are allowed by the court, are payable as an expense of the energy supply company administration.

**Changes to legislation:**

There are currently no known outstanding effects for the The Energy Supply Company Administration Rules 2013, Section 12.