
STATUTORY INSTRUMENTS

2013 No. 1046

The Energy Supply Company Administration Rules 2013

PART 3

Process of energy supply company administration

Release from duty to submit statement of affairs; extension of time

18.—(1) The power of the energy administrator under paragraph 48(2) of Schedule B1 to the 1986 Act to give a release from the obligation imposed by paragraph 47(1) of Schedule B1 to the 1986 Act, or to grant an extension of time, may be exercised at the energy administrator's own discretion, or at the request of any relevant person.

(2) A relevant person may, if that person requests a release or extension of time and it is refused by the energy administrator, apply to the court for it.

(3) The court may, if it thinks that no sufficient cause is shown for the application, dismiss it without a hearing but it must not do so without giving the relevant person at least 5 business days' notice, upon receipt of which the relevant person may request the court to list the application for a without notice hearing. If the application is not dismissed, the court must fix a venue for it to be heard, and give notice to the relevant person accordingly.

(4) The relevant person must, at least 14 days before the hearing, send to the energy administrator a notice stating the venue and accompanied by a copy of the application and of any evidence which the relevant person intends to adduce in support of it.

(5) The energy administrator may appear and be heard on the application and, whether or not the energy administrator appears, the energy administrator may file a written report of any matters which the energy administrator considers ought to be drawn to the court's attention. If such a report is filed, a copy of it must be sent by the energy administrator to the relevant person, not later than 5 business days before the hearing.

(6) Sealed copies of any order made on the application must be sent by the court to the relevant person and the energy administrator.

(7) On any application under this Rule the relevant person's costs must be paid in any event by the relevant person and, unless the court otherwise orders, no allowance towards them shall be made 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 18.