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STATUTORY INSTRUMENTS

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**2016 No. 900**

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

**PART 5**

**Claims in Postal Administration**

**Adjudication of claims**

**40.**—(1) At the commencement of every meeting of creditors, the postal administrator shall, for the purposes of Rule 38 so far as it relates to voting at that meeting, accept or reject the claim of each creditor.

(2) Where funds are available for payment of a dividend out of the assets of the company in respect of an accounting period, the postal administrator for the purpose of determining who is entitled to such a dividend shall, not later than 4 weeks before the end of the period, accept or reject every claim submitted or deemed to have been re-submitted to the postal administrator under these Rules; and shall at the same time make a decision on any matter requiring to be specified under subparagraph (a) or (b) of paragraph (4).

(3) Where the postal administrator rejects a claim, the postal administrator shall forthwith notify the creditor giving reasons for the rejection.

(4) Where the postal administrator accepts or rejects a claim, the postal administrator shall record the decision on the claim in the sederunt book specifying—

- (a) the amount of the claim accepted by the postal administrator;
- (b) the category of debt, and the value of any security, as decided by the postal administrator, and
- (c) if the postal administrator is rejecting the claim, the postal administrator's reasons for doing so.

(5) Any member or creditor may, if dissatisfied with the acceptance or rejection of any claim (or, in relation to such acceptance or rejection, with a decision in respect of any matter requiring to be specified under paragraph (4)(a) or (b) above), appeal to the court—

- (a) if the acceptance or rejection is under paragraph (1) above, within 2 weeks of that acceptance or rejection;
- (b) if the acceptance or rejection is under paragraph (2) above, not later than 2 weeks before the end of the accounting period,

and the postal administrator shall record the court's decision in the sederunt book.

(6) Any reference in this Rule to the acceptance or rejection of a claim shall be construed as a reference to the acceptance or rejection of the claim in whole or in part.