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STATUTORY INSTRUMENTS

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**2016 No. 900**

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

**PART 7**

**Ending Postal Administration**

**Application to court**

**56.**—(1) An application under paragraph 79 of Schedule B1 to the 1986 Act for an order providing for the appointment of a postal administrator of the company to cease to have effect shall be accompanied by a progress report for the period since the last such report (if any) and a statement indicating what the applicant thinks should be the next steps for the company (if applicable).

(2) Subject to paragraph (3), where the postal administrator applies to the court the postal administrator shall give to—

- (a) the applicant for the postal administration order (unless the applicant in both cases is the same) under which the postal administrator was appointed; and
- (b) the creditors of the company,

at least 5 business days' written notice of the applicant's intention so to apply.

(3) Where an applicant other than the postal administrator applies to the court—

- (a) the applicant shall give to the postal administrator at least 5 business days' written notice of the applicant's intention so to apply; and
- (b) upon receipt of such written notice the postal administrator shall, before the end of the 5 business day notice period, provide the applicant with a progress report for the period since the last progress report (if any) or the date the company entered postal administration.

(4) Where the application is made other than by the Secretary of State, it shall also state that it is made with the consent of the Secretary of State.

(5) Where the postal administrator applies to court under paragraph 79 of Schedule B1 to the 1986 Act in conjunction with a petition under section 124 of the 1986 Act (application for winding-up) for an order to wind up the company, the postal administrator shall, in addition to the requirements of paragraphs (2) and (4), notify the creditors of whether the postal administrator intends to seek appointment as liquidator.