
STATUTORY INSTRUMENTS

2020 No. 629

**The Smart Meter Communication Licensee
Administration (England and Wales) Rules 2020**

PART 3

Process of SMCL administration

Limited disclosure

18.—(1) If the SMCL administrator thinks that it would prejudice the conduct of the SMCL administration or might reasonably be expected to lead to violence against any person for the whole or part of the statement of affairs or a statement of concurrence to be disclosed, the SMCL administrator may apply to the court for an order in relation to the particular statement, or a specified part of it.

(2) The court may, on such application, order that the whole of, or a specified part of, a statement referred to in paragraph (1) must not be delivered to the registrar of companies.

(3) The SMCL administrator must as soon as reasonably practicable deliver to the registrar of companies—

- (a) a copy of the order; and
- (b) the statement of affairs and any statement of concurrence to the extent provided by the order.

(4) A creditor may apply to the court for an order that the SMCL administrator disclose any statement or a specified part of it in relation to which an order has been made under paragraph (2).

(5) The application under paragraph (4) must be supported by a witness statement.

(6) The applicant must deliver to the SMCL administrator notice of the application under paragraph (4) at least three business days before the hearing.

(7) The court may, on an application under paragraph (4), make any order for disclosure subject to any conditions as to confidentiality, duration, the scope of the order in the event of any change of circumstances, or other matters as it thinks just.

(8) If there is a material change in circumstances rendering an order under paragraph (2) wholly or partially unnecessary, the SMCL administrator must, as soon as reasonably practicable after the change, apply to the court for the order or any part of it to be rescinded or amended.

(9) The SMCL administrator must, as soon as reasonably practicable after the making of an order under paragraph (8), deliver to the registrar of companies a copy of the statement of affairs and any statement of concurrence to the extent provided by the order.

(10) If, after the SMCL administrator has sent a statement of proposals under paragraph 49 of Schedule B1 to the 1986 Act⁽¹⁾, a statement of affairs is delivered to the registrar of companies

⁽¹⁾ Paragraph 49 was amended by [S.I. 2008/948](#). It was also amended by the Small Business, Enterprise and Employment Act 2015 (c.26), Schedule 9, paragraph 10; but those amendments do not apply to proceedings under the Smart Meters Act 2018, as a result of the savings made by [S.I. 2017/540](#).

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in accordance with paragraph (9), the SMCL administrator must deliver to the creditors a copy or summary of the statement of affairs as delivered to the registrar of companies.

(11) The provisions of CPR Part 31 do not apply to any application under this Rule.