
STATUTORY INSTRUMENTS

2021 No. 1178

The Payment and Electronic Money Institution
Insolvency (England and Wales) Rules 2021

PART 2

Application for special administration order

Service of application

10.—(1) The application must be served on—

- (a) the institution (if neither the institution nor its directors are the applicant),
- (b) the person (or each of the persons) nominated for appointment as administrator,
- (c) any person who has given notice to the FCA in respect of the institution under regulation 11(6), and
- (d) if there is in force for the institution a voluntary arrangement under Part 1 of the IA 1986, the supervisor of that arrangement.

(2) Service under paragraph (1) must be service of a sealed and endorsed copy of the application and its accompanying documents issued under rule 9.

(3) Service of the application must be effected by the applicant, or their solicitor, or by a person instructed by the applicant or the solicitor, as soon as is reasonably practicable before the hearing.

(4) Service must be effected as follows—

- (a) on the institution (subject to paragraph (5)), by delivering the documents to its registered office, and
- (b) on any other person (subject to paragraph (6)) by delivering the documents to that person's proper address.

(5) If delivery to the institution's registered office is not practicable, service may be effected by delivery to its last known principal place of business in England and Wales.

(6) For the purposes of paragraph (4)(b), a person's proper address is any which that person has previously notified to the applicant as their address for service, but if no address has been notified, service may be effected by delivery to that person's usual or last known address.

(7) Delivery or service of documents to any place or address under paragraph (4) or paragraph (5) may be made by leaving them there or by electronic delivery in accordance with rule 257, and where the document is sent electronically, it must be sent with a read receipt and the message shall be deemed to be delivered when the message is read.