
STATUTORY INSTRUMENTS

2023 No. 712

**The Relevant Licensee Nuclear Company
Administration (England and Wales) Rules 2023**

PART 11

Court Procedure and Practice

CHAPTER 3

The Court File

Court file

114.—(1) The court must open and maintain a file (the “court file”) in any case where documents are filed with it under the 1986 Act or these Rules.

(2) Any documents which are filed with the court under the 1986 Act or these Rules must be placed on the court file.

(3) The following persons may inspect the court file, or obtain from the court a copy of the court file, or of any document in the court file—

- (a) the nuclear administrator;
- (b) the Secretary of State;
- (c) the Gas and Electricity Markets Authority;
- (d) a creditor who provides the court with a statement confirming that the person is a creditor of the relevant licensee nuclear company;
- (e) a person who is, or at any time has been, a director or officer of the relevant licensee nuclear company;
- (f) a person who is a member of the relevant licensee nuclear company.

(4) A person’s right to inspect or obtain copies may be exercised on that person’s behalf by someone authorised to do so by that person.

(5) Any person who is not otherwise entitled to inspect the court file or obtain copies may do so if the court gives permission.

(6) The court may direct that the court file, a document (or part of it) or a copy of a document (or part of it) must not be made available under paragraph (3) or (4) without the permission of the court.

(7) An application for a direction under paragraph (6) may be made by—

- (a) the nuclear administrator, or
- (b) any person appearing to the court to have an interest.

(8) Inspection of the court file, with permission if required, may be at any reasonable time.

(9) The right to a copy of a document is subject to payment of the fee chargeable under an order made under section 92 of the Courts Act 2003⁽¹⁾.

(10) The following applications may be made without notice to any other party, but the court may direct that notice must be delivered to any person who would be affected by its decision—

- (a) an application for permission to inspect the court file or obtain a copy of a document under paragraph (5);
- (b) an application for a direction under paragraph (6).

(11) If for the purposes of powers conferred by the 1986 Act or these Rules, the Secretary of State or the nuclear administrator requests the transmission of the court file, the court must comply with the request (unless the file is for the time being in use for the court's own purposes).

Office copies of documents

115.—(1) The court must provide an office copy of a document from the court file to a person who has under these Rules the right to inspect the court file where that person has requested such a copy and paid the fee under rule 114(9).

(2) A person's right under this rule may be exercised on that person's behalf by someone authorised to do so by that person.

(3) An office copy provided by the court under this rule must be in such form as the relevant judge thinks appropriate, and must bear the court's seal.

(4) In this rule, "relevant judge" means the High Court Judge, Insolvency and Companies Court Judge or district judge of the High Court before whom the proceedings are brought.

(1) Section 92 was amended by the Constitutional Reform Act 2005, Schedule 4, paragraph 345 and Schedule 11, paragraph 4 and the Crime and Courts Act 2013, Schedule 9, paragraph 40 and Schedule 10, paragraph 95.