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STATUTORY INSTRUMENTS

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**2023 No. 712**

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

**PART 11**

**Court Procedure and Practice**

**CHAPTER 2**

**Enforcement Procedures**

**Warrant under section 236 of the 1986 Act**

**113.**—(1) For the purpose of the issue of a warrant under section 236 of the 1986 Act<sup>(1)</sup> (inquiry into insolvent company's dealings), the persons referred to in that section as the prescribed officer of the court are the tipstaff and the tipstaff's assistants of the court.

(2) In this rule, references to property include books, papers and other documents and records.

(3) When a person is arrested under a warrant issued under section 236 of the 1986 Act ("the arrested person"), the arresting officer must as soon as reasonably practicable bring the arrested person before the court issuing the warrant in order that the arrested person may be examined.

(4) If the arrested person cannot immediately be brought up for examination, the officer must deliver the arrested person into the custody of the relevant prison governor.

(5) The relevant prison governor must keep the arrested person in custody and produce the arrested person before the court as the court may from time to time direct.

(6) After arresting the person named in the warrant, the officer must as soon as reasonably practicable report to the court the arrest or delivery into custody (as the case may be) and apply to the court to fix a venue for the arrested person's examination.

(7) The court must appoint the earliest practicable time for the examination, and must—

(a) direct the relevant prison governor to produce the arrested person for examination at the time and place appointed;

(b) as soon as reasonably practicable deliver notice of the venue to the nuclear administrator.

(8) Where any property in the arrested person's possession is seized, the property must, as directed by the warrant, be—

(a) delivered to whoever is specified in the warrant as authorised to receive it, or otherwise dealt with in accordance with the directions in the warrant, or

(b) kept by the officer seizing it pending the receipt of written orders from the court as to its disposal.

(9) In this rule, "the relevant prison governor" means—

(a) the governor of the prison named in the warrant, or

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(1) Section 236 was amended by [S.I. 2010/18](#).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (b) where that prison is not able to accommodate the arrested person, the governor of such other prison, with appropriate facilities, that is able to accommodate the arrested person.