
STATUTORY INSTRUMENTS

2023 No. 712

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

PART 3

Process of relevant licensee nuclear company administration

Statement of affairs: limited disclosure

18.—(1) Paragraph (2) applies where the nuclear administrator thinks that the disclosure of the whole or part of a statement of affairs or statement of concurrence (as the case may be)—

- (a) would prejudice the conduct of the relevant licensee nuclear company administration, or
- (b) might reasonably be expected to lead to violence against any person.

(2) The nuclear administrator may apply to court in respect of the statement of affairs or the statement of concurrence or any part of either such statement.

(3) The court may, on an application under paragraph (2), 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.

(4) On the making of an order under paragraph (3), the nuclear administrator must as soon as reasonably practicable deliver to the registrar of companies—

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

(5) A creditor may apply to the court for an order that the nuclear administrator disclose any statement or specified part of any statement in relation to which an order has been made under paragraph (3).

(6) An application under paragraph (5) must be supported by a witness statement.

(7) An applicant under paragraph (5) must deliver to the nuclear administrator notice of the application at least three business days before the hearing.

(8) The court may, on an application under paragraph (5), 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.

(9) If there is a material change in circumstances rendering an order under paragraph (3) wholly or partially unnecessary, the nuclear 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must, as soon as reasonably practicable after the change, apply to the court for the order or any part of it to be rescinded or amended.

(10) The nuclear administrator must, as soon as reasonably practicable after the making of an order under paragraph (9), 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.

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

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accordance with paragraph (10), the nuclear administrator must deliver to the creditors a copy or summary of the statement of affairs as delivered to the registrar of companies.

(12) The provisions of CPR Part 31 and practice direction 57AD do not apply to any application under this rule⁽¹⁾.

(1) Part 31 was amended by S.I. 2000/221, 2001/4015, the Constitutional Reform Act 2005, Schedule 11, paragraph 1, S.I. 2010/1953, 2011/88, 2012/2208, 2013/262, 2013/1974, 2019/521 and 2020/747.