
STATUTORY INSTRUMENTS

2023 No. 712

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

PART 4

Creditors' decisions and company meetings

CHAPTER 1

Creditors' decisions

Creditors' decisions for the nomination of an alternative liquidator

29.—(1) This rule applies where the nuclear administrator has proposed that the relevant licensee nuclear company administration will end by the relevant licensee nuclear company entering creditors' voluntary liquidation, in accordance with rule 21(8) or 25(3)(e).

(2) The nuclear administrator must, in the circumstances set out in paragraph (3), seek a decision from the relevant licensee nuclear company's creditors for the purpose of nominating a person other than the person named as the proposed liquidator in the nuclear administrator's proposals or revised proposals.

(3) The circumstances are where such a decision is requested by creditors of the relevant licensee nuclear company whose debts amount to at least 10 per cent of the total debts of the company.

(4) The request for a decision from the relevant licensee nuclear company's creditors for the purpose set out in paragraph (2) must be made—

- (a) in the case of proposals under rule 21(8), within eight business days of the date on which the proposals are delivered, or
- (b) in the case of revised proposals under rule 25(3)(e), within eight business days of the date on which the revised proposals are delivered.

(5) A request under this rule must include—

- (a) a list of creditors concurring with the request, showing the amounts of their respective debts in the relevant licensee nuclear company administration;
- (b) from each creditor concurring, written confirmation of that creditor's concurrence.

(6) But paragraph (5)(a) does not apply if the requesting creditor's debt is alone sufficient without the concurrence of other creditors.

(7) Where a decision has been requested under this rule, rule 15.19 of the Insolvency Rules applies, as modified by rule 30, in relation to the expenses of the decision.

(8) A decision requested under this rule must be reached within 21 days of the receipt by the nuclear administrator of the request for the decision.