
STATUTORY INSTRUMENTS

2023 No. 712

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

PART 2

Application for an RLNC administration order

Witness statement in support of application

7.—(1) An application for an RLNC administration order must be accompanied by a witness statement which complies with paragraphs (2) and (3).

(2) The witness statement must state—

- (a) the nature of the authority of the person making it, and
- (b) the means of that person's knowledge of the matters to which the witness statement relates.

(3) The witness statement must set out the following—

- (a) the financial position of the relevant licensee nuclear company, specifying, to the best of the applicant's knowledge and belief, the relevant licensee nuclear company's assets and liabilities, including contingent and prospective liabilities;
- (b) details of any security known or believed to be held by creditors of the relevant licensee nuclear company and whether in any case the security is such as to confer power on the holder to appoint an administrative receiver or to appoint an administrator under paragraph 14 of Schedule B1 to the 1986 Act;
- (c) if a monitor under a moratorium under Part A1 of the 1986 Act⁽¹⁾ has been appointed, a statement that this is the case;
- (d) if an administrative receiver has been appointed, a statement that this is the case;
- (e) details of any insolvency proceedings in relation to the relevant licensee nuclear company, including any petition that has been presented for the winding up of the relevant licensee nuclear company, so far as known to the applicant;
- (f) details of any notice served in accordance with section 164 of the 2004 Act by any person intending to enforce any security over the relevant licensee nuclear company's assets, so far as within the immediate knowledge of the applicant;
- (g) details of any step taken to enforce any security over the relevant licensee nuclear company's assets, so far as within the immediate knowledge of the applicant;
- (h) details of any application for permission of the court to pass a resolution for the voluntary winding up of the relevant licensee nuclear company, so far as within the immediate knowledge of the applicant;

⁽¹⁾ 1986 c. 45. Part A1 was inserted by section 1(1) of the Corporate Insolvency and Governance Act 2020 (c. 12).

Status: This is the original version (as it was originally made).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

- (i) where it is intended to appoint a number of persons as nuclear administrators, details of the matters set out in section 158(5) of the 2004 Act regarding the exercise of the powers and duties of the nuclear administrator;
- (j) any other matters which, in the opinion of those intending to make the application for an RLNC administration order, will assist the court in deciding whether to make such an order, so far as within the knowledge or belief of the applicant.