
STATUTORY INSTRUMENTS

2013 No. 3208

The Postal Administration Rules 2013

PART 16

Interpretation and application

“Debt”, “liability”

206.—(1) “Debt”, in relation to the postal administration of a company, means (subject to the next paragraph) any of the following—

- (a) any debt or liability to which the company is subject at the date on which the company entered postal administration;
- (b) any debt or liability to which the company may become subject after that date by reason of any obligation incurred before that date; and
- (c) any interest provable as mentioned in Rule 58.

(2) For the purposes of any provision of the 1986 Act or the Rules about postal administration, any liability in tort is a debt provable in the postal administration, if either—

- (a) the cause of action has accrued at the date on which the company entered postal administration; or
- (b) all the elements necessary to establish the cause of action exist at that date except for actionable damage.

(3) For the purposes of references in any provision of the 1986 Act or the Rules about postal administration to a debt or liability, it is immaterial whether the debt or liability is present or future, whether it is certain or contingent, or whether its amount is fixed or liquidated, or is capable of being ascertained by fixed rules or as a matter of opinion; and references in any such provision to owing a debt are to be read accordingly.

(4) In any provision of the 1986 Act or the Rules about postal administration, except in so far as the context otherwise requires, “liability” means (subject to paragraph (3) of this Rule) a liability to pay money or money’s worth, including any liability under an enactment, any liability for breach of trust, any liability in contract, tort or bailment, and any liability arising out of an obligation to make restitution.