
STATUTORY INSTRUMENTS

2023 No. 712

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

PART 7

Claims by and Distributions to Creditors

CHAPTER 1

Machinery of Proving a Debt

Provable debts

45.—(1) In relevant licensee nuclear company administration proceedings all claims by creditors are provable as debts against the relevant licensee nuclear company, whether they are present or future, certain or contingent, ascertained or sounding only in damages, subject to the following.

(2) Any obligation arising under a confiscation order made under Part 2, 3 or 4 of the Proceeds of Crime Act 2002⁽¹⁾ is not provable.

(3) The following are not provable except at a time when all other claims of creditors in the relevant licensee nuclear company administration proceedings (other than any of a kind mentioned in this paragraph) have been paid in full, with interest under rule 58—

- (a) any claim arising by virtue of section 382(1)(a) of the Financial Services and Markets Act 2000⁽²⁾, not being a claim also arising by virtue of section 382(1)(b) of that Act;
- (b) any claim which by virtue of the 1986 Act or any other enactment is a claim the payment of which is to be postponed.

(4) Nothing in this rule prejudices any enactment or rule of law under which a particular kind of debt is not provable, whether on grounds of public policy or otherwise.

⁽¹⁾ 2002 c. 29.

⁽²⁾ 2000 c. 8. Section 382(1) was amended by the Financial Services Act 2012, Schedule 9, paragraph 21.