

LIQ03

Notice of progress report in voluntary winding up



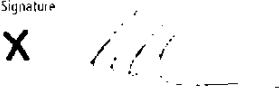
Companies House

For further information, please
refer to our guidance at
www.gov.uk/companieshouse

1	Company details		→ Filling in this form Please complete in typescript or in bold black capitals.
Company number	0 9 5 1 8 8 9 0		
Company name in full	HS SERVICES INTERNATIONAL LIMITED		
2	Liquidator's name		
Full forename(s)	NIGEL HEATH		
Surname	SINCLAIR		
3	Liquidator's address		
Building name/number	CASTLEGATE HOUSE, 36		
Street	CASTLE STREET		
Post town	HERTFORD		
County/Region	HERTFORDSHIRE		
Postcode	S G 1 4 1 H H		
Country	UNITED KINGDOM		
4	Liquidator's name ●		
Full forename(s)	CHRISTINE PATRICIA		● Other liquidator Use this section to tell us about another liquidator.
Surname	BARTLETT		
5	Liquidator's address ●		
Building name/number	CASTLEGATE HOUSE, 36		● Other liquidator Use this section to tell us about another liquidator.
Street	CASTLE STREET		
Post town	HERTFORD		
County/Region	HERTFORDSHIRE		
Postcode	S G 1 4 1 H H		
Country	UNITED KINGDOM		

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6	Period of progress report															
From date	d	1	d	2	m	0	m	9	y	2	y	0	y	2	y	1
To date	d	1	d	1	m	0	m	9	y	2	y	0	y	2	y	2
7	Progress report															
<input checked="" type="checkbox"/> The progress report is attached																
8	Sign and date															
Liquidator's signature	<div>Signature</div> <div>  </div>															
Signature date	d	1	d	1	m	1	m	1	y	2	y	0	y	2	y	2

LIQ03

Notice of progress report in voluntary winding up



Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name	HEATH SINCLAIR
Company name	RICHARD LONG & CO
Address	CASTLEGATE HOUSE 36 CASTLE STREET
Post town	HERTFORD
County/Region	HERTFORDSHIRE
Postcode	S G 1 4 1 H H
Country	UNITED KINGDOM
DX	
Telephone	01992 503372



Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.



Important information

All information on this form will appear on the public record.



Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,
Crown Way, Cardiff, Wales, CF14 3UZ.
DX 33050 Cardiff.



Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

HS SERVICES INTERNATIONAL LIMITED
(In Creditors' Voluntary Liquidation)

Company Registration Number: 09518890

Former Registered Office and Trading Address:

**Unit 1A, Hatfield Regis Grange Estate,
Hatfield Broad Oak, Bishop's Stortford,
Hertfordshire, CM22 7JZ**

Liquidator's Annual Progress Report
For the period 12 September 2021 to 11 September 2022

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TO ALL MEMBERS, CREDITORS AND THE REGISTRAR OF COMPANIES

1. INTRODUCTION

- 1.1 The purpose of this report is to detail my acts and dealing as Joint Liquidator and it should be read in conjunction with previous correspondence to creditors.

2. BACKGROUND

HS Services International Limited (In Creditors' Voluntary Liquidation)	("the Company")
Registered Office:	Castlegate House, 36 Castle Street, Hertford, SG14 1HH
Former Registered Office:	Unit 1A, Hatfield Regis Grange Estate, Hatfield Broad Oak, Bishop's Stortford, Hertfordshire, CM22 7JZ
Former Trading Address:	Unit 1A, Hatfield Regis Grange Estate, Hatfield Broad Oak, Bishop's Stortford, Hertfordshire, CM22 7JZ
Company Registration Number:	9518890
Joint Liquidators:	Nigel Heath Sinclair (IP Number 9030) and Christine Patricia Bartlett (IP Number 24570) Richard Long & Co, Castlegate House, 36 Castle Street, Hertford, SG14 1HH
Date of Appointment of Joint Liquidators	12 September 2016
Former Liquidator	Richard William James Long (IP Number 6059) Richard Long & Co, Castlegate House, 36 Castle Street, Hertford, SG14 1HH
Date of Appointment	12 September 2016
Ceased to Act	20 August 2020

- 2.1 Richard William James Long was appointed Liquidator of the Company at meetings of members and creditors held on 12 September 2016.
- 2.2 As previously reported, in planning for his retirement, Richard William James Long, made an application to the High Court of Justice for a Block Transfer Order in respect of his appointments as officeholder. As a result of that application, a Block Transfer Order was made by the Court on 20 August 2020, removing Richard William James Long from office in respect of his appointments as officeholder and ordering that Christine Patricia Bartlett and I, his partners, be appointed sole or joint officeholders in his place. Notice of the Block Transfer Order was advertised in the London Gazette on 3 September 2020. Accordingly, with effect from 20 August 2020, Christine Patricia Bartlett and I are the Joint Liquidators of the Company. I am the lead partner and Joint Liquidator.
- 2.3 Christine Patricia Bartlett and I are both licensed in the UK by the Insolvency Practitioners Association. Our IP numbers are: Christine Patricia Bartlett (IP No. 24570), Nigel Heath Sinclair (IP No. 9030). We are both bound by the Insolvency Code of Ethics.
- 2.4 I can confirm that there have been no other changes in officeholders since the date of liquidation.

3. RECEIPTS AND PAYMENTS

- 3.1 A summary of our Receipts and Payments Account from 12 September 2016 to 11 September 2022 is attached at Appendix A.

4. ASSETS

4.1 Assets Specifically Pledged:

The Company had three vehicles with outstanding finance agreements. The director's Statement of Affairs listed these with a net equity value of £237. Agents, Langley King Limited, were instructed to liaise with the finance companies and to arrange for the sales of the vehicles. After settlement of the finance agreements a net sum of £527.14 was realised.

4.2 Assets Not Specifically Pledged:

4.3 Plant, Machinery and Stock

The director's Statement of Affairs listed plant, machinery and stock with an estimated realisable value of £6,900. Agents, Langley King Limited, were instructed to market and sell the plant, machinery and stock. The sale of the plant, machinery and stock, and some scrap items, including a motor vehicle not subject to finance, realised a total of £8,000.

4.4 Motor Vehicle – scrap

The Company owned a non-running motor vehicle. In the director's Statement of Affairs this had been listed with a scrap value of £400. Agents, Langley King Limited, were instructed to sell this vehicle. The vehicle was sold by Langley King Limited along with the plant, machinery and stock and other scrap items that realised a total of £8,000 as detailed at 4.3 above.

4.5 Fixtures and Fittings (Office Furniture and Equipment)

The director's Statement of Affairs listed fixtures and fittings with an estimated realisable value of £400. These comprised office furniture and equipment. Agents, Langley King Limited, were instructed to market and sell the office furniture and equipment. The sum of £500 was realised from the sale of these items.

4.6 Debtors

In his Statement of Affairs the director listed debtors with a book value of £43,098 and an estimated realisable value of £34,478. At the date of liquidation the director indicated that it was probable that this figure had altered but he no longer had access to the Company's bank account to confirm this. Some of the debtors had made payments to the Company's bank account. Book debts totalling £9,543.48 have been realised to date in the liquidation.

As previously reported, Isadore Goldman, solicitors, have been instructed to take action to recover a debt of £22,604.40 that remains outstanding. Isadore Goldman have issued enforcement action against the debtor.

4.7 Cash at Bank

The Statement of Affairs listed cash at bank of £60. This was an estimate by the director who no longer had access to the Company's bank account to confirm the balance. Cash at bank of £2,080.82 has been realised.

4.8 Refunds

A business rate refund of £354.71 and a vehicle licence refund of £75.00 have been received.

There are no other assets of which I am aware.

5. INVESTIGATIONS

- 5.1 Under the provisions of the Company Directors Disqualification Act 1986 it is the duty of the Liquidator to submit a statutory report to the relevant authority on the conduct of all

directors who have held office with the Company within the three year period prior to liquidation. I have complied with my statutory obligations and submitted the report.

6. CREDITORS' CLAIMS

6.1 Secured Creditors:

Barclays Bank PLC had a fixed and floating charge over the assets of the Company. The balance due to the bank on the director's Statement of Affairs was £52,000. No claim has been received from Barclays Bank PLC.

6.2 Preferential Creditors:

The Company had nine employees. Employees' arrears of pay claims up to £800 per employee and claims for holiday pay for holiday accrued but not taken at the date of redundancy are preferential claims in the liquidation. The employees submitted their claims to the Redundancy Payments Service who have made a claim in the liquidation for the preferential element of the employees' claims paid by them in the sum of £6,838.08.

6.3 Non-Preferential Creditors:

Non-preferential claims as per the Statement of Affairs were estimated to be £567,300. To date Proofs of Debt totalling £445,390.06 have been received. A Proof of Debt form is enclosed at Appendix B.

7. SHAREHOLDERS

7.1 The order of priority of payments in a liquidation are that all the costs and expenses of the liquidation must be paid first, then all classes of creditors in order of priority (secured creditors, preferential creditors, floating charge creditors and then non-preferential creditors) must be paid in full together with statutory interest before any surplus funds can be distributed to shareholders.

7.2 There will be insufficient funds available in the liquidation to meet the creditors' claims in full after the costs and expenses of the liquidation have been paid. There will be no surplus funds available and therefore no return can be made to shareholders.

8. DIVIDEND PROSPECTS

8.1 It is anticipated that a dividend will be paid to preferential creditors. The prospect of funds being available to pay a dividend to non-preferential creditors is dependent on the outcome of the action being taken to recover the debt detailed at 4.6 above. If the full amount of that debt is recovered it is anticipated that funds may be available to pay a

nominal dividend to non-preferential creditors, after the costs and expenses of the liquidation have been paid.

9. COSTS AND EXPENSES

9.1 At the creditors' meeting it was resolved that the Liquidator's remuneration and disbursements be fixed in accordance with the Fees Information provided to creditors with the notice of the meeting. A copy of the Fees Information is attached at Appendix C.

9.2 Disbursements incurred by my firm in the year from 12 September 2021 to 11 September 2022 are postage and copying charges of £278.38. When added to disbursements of £1,763.28 incurred from the date of liquidation to 11 September 2021, this brings total disbursements to £2,041.66, a breakdown of which is as follows:

Type of expense	Name of party with who expense incurred	Amount Incurred £	Amount Paid £	Balance £
Statutory Advertising	Courts Advertising Ltd	253.80	253.80	-
Specific Bond	Marsh Limited	316.00	316.00	-
Court Fee contribution	Isadore Goldman LLP	10.37	10.37	-
Legal Fee contribution	Isadore Goldman LLP	197.53	197.53	-
Postage & Copying	Richard Long & Co	1,263.96	340.94	923.02
TOTAL		2,041.66	1,118.64	923.02

9.3 Fees of £11,000 plus VAT and disbursements of £1,118.64 plus VAT have been drawn to date, as shown on the Receipts and Payments account at Appendix A.

10. FURTHER INFORMATION

10.1 Pursuant to the provisions of The Insolvency (England and Wales) Rules 2016, I am required to inform members and creditors of their right to request information under Rule 18.9 and their right to apply to court under Rule 18.34. Details of the provisions of Rule 18.9 and Rule 18.34 are attached at Appendix C.

11. CREDITORS' RIGHT TO ELECT TO OPT OUT FROM RECEIVING FURTHER CORRESPONDENCE

11.1 Pursuant to the provisions of The Insolvency (England and Wales) Rules 2016, creditors may opt out of receiving further correspondence in relation to these insolvency proceedings. Details of how to do this are attached at Appendix E.

12. GDPR

12.1 In accordance with GDPR regulations I advise you that I, Nigel Heath Sinclair, am a registered data controller as is the firm Richard Long & Co. We are holding personal details on you as a creditor/potential creditor in this liquidation. Details are held in order to fulfil my statutory requirements under the Insolvency Act 1986. This may result in your information being shared with barristers, solicitors, agents, regulators, other advisers and parties I am legally required to provide information to.

12.2 Your data will not be used for marketing purposes for the benefit of Richard Long & Co. In certain circumstances, you have the right under data protection laws to receive a copy of the information we hold. You also have the right to complain to the Information Commissioner's Office, the authority for data protection, their web address is www.ico.org.uk.

13. CONCLUSION

13.1 Once the action being taken against the debtor, as detailed at 4.6 above, is concluded, I will be in a position to calculate and pay a dividend to preferential creditors and to confirm whether or not funds will be available for the payment of a nominal dividend to non-preferential creditors, before proceeding to conclude the liquidation.

N H Sinclair
JOINT LIQUIDATOR

HS SERVICES INTERNATIONAL LIMITED

(IN CREDITORS' VOLUNTARY LIQUIDATION)

LIQUIDATORS' RECEIPTS AND PAYMENTS ACCOUNT FOR THE PERIOD 12 SEPTEMBER 2016 TO 11 SEPTEMBER 2022

Estimated to Realise													
Per													
Statement of Affairs													
£													
	Year from 12.09.16 to 11.09.17	Year from 12.09.17 to 11.09.18	Year from 12.09.18 to 11.09.19	Year from 12.09.19 to 11.09.20	Year from 12.09.20 to 11.09.21	Year from 12.09.21 to 11.09.22	TOTAL						
							12.09.16 to 11.09.22 £						
Financed motor vehicle surplus	237	527.14	-	-	-	-	527.14						
Goodwill	Nil	-	-	-	-	-	-						
Plant, machinery and stock	6,900	8,000.00	-	-	-	-	8,000.00						
Motor vehicles - scrap (not subject to finance)	400	-	-	-	-	-	-						
Fixtures and fittings (office furniture and equipment)	400	500.00	-	-	-	-	500.00						
Debtors	34,478	7,505.16	-	2,038.32	-	-	9,543.48						
Cash at bank	60	2,080.82	-	-	-	-	2,080.82						
Business Rate Refund	-	354.71	-	-	-	-	354.71						
Vehicle Licence Refund	-	75.00	-	-	-	-	75.00						
VAT	-	1,805.43	-	192.26	-	-	1,997.69						
	42,475	20,848.26	-	2,230.58	-	-	23,078.84						
Payments													
Liquidator's Remuneration	-	-	11,000.00	-	-	-	11,000.00						
Liquidator's Disbursements	-	-	890.74	-	227.90	-	1,118.64						
Agents' Fees (sale of assets)	3,188.47	-	-	-	-	-	3,188.47						
VAT	637.69	-	2,378.15	-	39.51	-	3,055.35						
	3,826.16	-	14,268.89	-	267.41	-	18,362.46						
BALANCE													
							£ 4,716.38						

Proof of Debt – General Form

HS SERVICES INTERNATIONAL LIMITED Company Registration Number : 09518890	
1	Name of creditor (If a company please also give company registration number).
2	Address of creditor for correspondence. (including any email address)
3	Total amount of the creditor's claim (including any value added tax) as at the relevant date, less any payments made after that date in relation to the claim, any deduction under rule 14.20 and any adjustment by way of set-off in accordance with rules 14.24 and 14.25.
4	If amount in 3 above includes outstanding uncapitalised interest please state amount. £
5	Particulars of how and when debt incurred (If you need more space append a continuation sheet to this form). £
6	Particulars of any security held, the value of the security, and the date it was given.
7	Particulars of any reservation of title claimed, in respect of goods supplied to which the claim relates.
8	Details of any documents by reference to which the debt can be substantiated. (Note: There is no need to attach them now but the liquidator may call for any document or evidence to be provided).
9	Signature of creditor or person authorised to act on his behalf _____
Name in BLOCK LETTERS _____ This form can be authenticated for submission by email by entering your name in block capitals and sending the form as an attachment from an email address that clearly identifies you	
Position with or in relation to creditor _____ Address of person signing (if different from 2 above) _____	
Admitted to vote for	Admitted for dividend for
£	£
Date	Date
Office holder (liquidator)	Office holder (liquidator)

HS SERVICES INTERNATIONAL LIMITED ("the Company")

Fees Information in accordance with The Insolvency (Amendment) Rules 2015 and Statement of Insolvency Practice 9

Fees Overview

Prior to an insolvency practitioner agreeing the basis of their remuneration as liquidator, details of the work proposed to be done and the expenses likely or expected to be incurred in dealing with a company's affairs must be provided to creditors

Where a liquidator proposes to take all or any part of their remuneration based on the time they and their staff will spend in dealing with the affairs of the company a fees estimate must be provided. This should outline the anticipated cost of the work, how long it is expected to take and whether further approval will be needed from creditors in due course.

In this particular matter the liquidator is not proposing to agree the basis of remuneration on time spent in dealing with affairs of the Company and therefore such a detailed breakdown is not required. However the liquidator is required to set out the bases of their proposed fees and to detail the work expected to be undertaken. This is detailed below.

Work anticipated and the expected return to creditors

A considerable amount of work undertaken by a liquidator is required either by statute or their professional body and there are also best practice guidelines. Such work includes reporting to the Insolvency Service pursuant to the Company Directors Disqualification Act 1986, filing documentation at Companies House, advertising the liquidator's appointment and subsequent creditors' meetings, reporting to creditors and assisting employees with their claims. Such work does not provide a financial benefit to creditors but must be undertaken.

Where work undertaken is likely to provide a financial benefit to creditors this will be stated and third parties may need to be instructed such as agents, solicitors and counsel

The liquidator should provide an indication of the likely return to creditors when seeking the basis of their fee approval. Sometimes due to the complex nature of the work to be undertaken and uncertainties in respect of realisation of a company's assets, this may not be possible at the beginning of a liquidation. However, the liquidator is required to submit periodic reports to creditors which will contain updated information on the likely return to creditors.

Expected work to be undertaken by the liquidator

In support of our proposed fee bases, from the information currently available it is envisaged that the following work will need to be undertaken:-

Statutory compliance and administration

In accordance with legislation and best practice the following work may have to be done which does not provide any financial benefit for creditors:-

- Advising creditors of the appointment of the liquidator
- Filing various statutory notices at Companies House

- Advertising the appointment of the liquidator and seeking creditors' claims
- Regulatory work with the Pension Regulator
- Submitting statutory documentation to HMRC
- Dealing with former employees to assist them where necessary in lodging their claims for any arrears of wages, holiday pay, compensatory notice pay and redundancy pay
- Redirection of the Company's post
- Obtaining liquidator's specific penalty bond
- Submitting a statutory return to the Department of Business, Innovation and Skills under the Company Directors Disqualification Act 1986
- Carrying out an initial assessment pursuant to Statement of Insolvency Practice 2 (A liquidator's investigation into the affairs of an insolvent company) and identifying any further assets that may be realised in the liquidation
- Preparing and issuing periodic reports to members and creditors
- Filing periodic returns with Companies House
- Post liquidation VAT and corporation tax compliance
- Opening liquidation bank account
- Maintaining liquidation cash book, bank reconciliations and preparation of receipts and payments accounts
- If a liquidation committee is appointed, filing the appropriate notice at Companies House, preparing for and holding periodic meetings
- Securing the Company's books and records
- Periodic case reviews

Asset realisation

The liquidator will deal with the realisation of assets which comprise – plant and machinery, motor vehicles, stock, debtors and cash at bank.

Valuations of the assets will be obtained and estimated realisable values will be known at the creditors' meeting.

Creditors

The liquidator will deal with the secured, preferential and unsecured claims by way of correspondence and, where required, by telephone. This will also include the claims of creditors who may have retention of title. The liquidator will establish the validity of any security. Where realisations permit a dividend will be paid to each class of creditors, according to statute, in full where possible or in part. The liquidator will adjudicate on creditors' claims dealing with them in accordance with statute prior to declaring and paying a dividend.

Barclays Bank PLC have a fixed and floating charge and are apparently owed £52,000. The validity of the charge will be verified.

From the limited information available at the time of sending the notices out to creditors convening the first meeting it appears that creditors may receive a nominal dividend under what is known as the "Prescribed Part" pursuant to Section 176A of the Insolvency Act 1986.

Section 176A of the Insolvency Act 1986 provides that where a floating charge was created on or after 15 September 2003, a percentage of the assets available for the floating charge creditor, known as the 'net property', must be made available to non-preferential unsecured creditors.

The net property is the funds available for the floating charge creditor less the costs and expenses of the liquidation (with the exception of the costs and expenses in relation to agreeing creditors' claims and distributing the prescribed part, which are payable from the prescribed part).

The prescribed part is then calculated as to 50% of the first £10,000 of the net property and 20% of the remainder up to a maximum prescribed part of £600,000. Application of the Prescribed Part is subject to the net property having a value of not less than £10,000.

Investigations

Pursuant to the Statement of Insolvency Practice 2 (A liquidator's investigation into the affairs of an insolvent company) and the Company Directors Disqualification Act 1986 the liquidator is required to conduct investigations into the conduct of the directors of a company and transactions entered into prior to the company's insolvency. The report is submitted to the Department of Business, Innovation and Skills and its contents are confidential and cannot be disclosed to creditors.

This work may not lead to any financial benefit to creditors but it is required by statute. However, it may disclose where further assets can be realised or transactions set aside which could result in the realisation of funds for creditors. Where this is the case then the liquidator may refer back to creditors about the additional cost in pursuing this.

Proposed Fee Basis

It is proposed that the liquidators remuneration be based on 10 % of assets realised and a fixed amount of £5,250 for statutory compliance, investigation and reporting to creditors, £5,750 for dealing with creditors and their claims (this equates to approximately £75 per creditor and £100 per employee). Should a distribution be made to creditors under the aforementioned Prescribed Part additional remuneration of £2,250 will be charged (this equates to approximately £30 per creditor).

Should matters come to light that require a detailed investigation to establish any possible further unknown assets to be realised, we reserve the right to refer back to creditors with a fee estimate to establish how such additional work should be remunerated.

Liquidator's Expenses

The liquidator is required to provide creditors with details of expenses that will or may be incurred in the liquidation. Such expenses will include agents' costs for realising the Company's assets and other expenses such as advertising and the specific penalty bond. There may also be the need to instruct solicitors to take action to realise assets but at the initial stage of liquidation such expense is usually unknown and will be disclosed in due course. These are known as Category 1 expenses,

In addition to actual disbursements incurred there are Category 2 expenses that require approval from creditors. These are costs that are incurred and are not paid to a third party, but to Richard Long & Co. Such costs will include room hire, storage, photocopying.

Below is a summary of the expenses that at the beginning of this liquidation are known or are expected to be incurred. This table will be amended in supplementary reports as appropriate.

Expense	Basis	Estimated cost £
<u>Category 1 expenses</u>		
Agents fees and expenses	% and time	3,000
Specific penalty bond		420
Statutory advertising		339
Storage and destruction of company's records		500
Postage		250
TOTAL CATEGORY 1 EXPENSES		<hr/> £4,509
<u>Category 2 expenses</u>		
Internal meeting room	£50 per meeting	50
Photocopying	10p per sheet	220
Storage and destruction of liquidators records	£12 pa per box for 10 years	120
TOTAL CATEGORY 2 EXPENSES		<hr/> £390

RULE 18.9, THE INSOLVENCY (ENGLAND AND WALES) RULES 2016

18.9 Creditors' and members' requests for further information in administration, winding up and bankruptcy

- (1) *The following may make a written request to the office-holder for further information about remuneration or expenses (other than pre-administration costs in an administration) set out in a progress report under rule 18.4(1)(b), (c) or (d) or a final report under rule 18.14—*

 - (a) a secured creditor;*
 - (b) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);*
 - (c) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company;*
 - (d) any unsecured creditor with the permission of the court; or*
 - (e) any member of the company in a members' voluntary winding up with the permission of the court.*
- (2) *A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one member or creditor.*
- (3) *The office-holder must, within 14 days of receipt of such a request respond to the person or persons who requested the information by—*

 - (a) providing all of the information requested;*
 - (b) providing some of the information requested; or*
 - (c) declining to provide the information requested.*
- (4) *The office-holder may respond by providing only some of the information requested or decline to provide the information if—*

 - (a) the time or cost of preparation of the information would be excessive; or*
 - (b) disclosure of the information would be prejudicial to the conduct of the proceedings;*
 - (c) disclosure of the information might reasonably be expected to lead to violence against any person; or*
 - (d) the office-holder is subject to an obligation of confidentiality in relation to the information.*
- (5) *An office-holder who does not provide all the information or declines to provide the information must inform the person or persons who requested the information of the reasons for so doing.*
- (6) *A creditor, and a member of the company in a members' voluntary winding up, who need not be the same as the creditor or members who requested the information, may apply to the court within 21 days of—*

 - (a) the office-holder giving reasons for not providing all of the information requested; or*
 - (b) the expiry of the 14 days within which an office-holder must respond to a request.*
- (7) *The court may make such order as it thinks just on an application under paragraph (6).*

RULE 18.34, THE INSOLVENCY (ENGLAND AND WALES) RULES 2016

18.34 Remuneration and expenses: application to court by a creditor or member on grounds that remuneration or expenses are excessive

- (1) *This rule applies to an application in an administration, a winding-up or a bankruptcy made by a person mentioned in paragraph (2) on the grounds that—*
- (a) *the remuneration charged by the office-holder is in all the circumstances excessive;*
 - (b) *the basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or*
 - (c) *the expenses incurred by the office-holder are in all the circumstances excessive.*
- (2) *The following may make such an application for one or more of the orders set out in rule 18.36 or 18.37 as applicable—*
- (a) *a secured creditor,*
 - (b) *an unsecured creditor with either—*
 - (i) *the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or*
 - (ii) *the permission of the court, or*
 - (c) *in a members' voluntary winding up—*
 - (i) *members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or*
 - (ii) *a member of the company with the permission of the court.*
- (3) *The application by a creditor or member must be made no later than eight weeks after receipt by the applicant of the progress report under rule 18.3, or final report or account under rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report").*

Creditors' right to elect to opt out from receiving further correspondence in relation to insolvency proceedings in England and Wales only

During the course of an insolvency process the appointed insolvency practitioner(s) have to provide various documents to the creditors of the company or individual whose affairs they are dealing with. A creditor has the right, at any time during the insolvency proceedings, to elect to opt out of receiving further documents about the insolvency proceedings of which they are a creditor.

In accordance with the Insolvency Rules, an opted out creditor would not receive routine documentation relating to the proceedings such as progress reports, however they would receive documents where:

1. the Insolvency Act requires a document to be delivered to all creditors without expressly excluding opted out creditors; or
2. it is a notice relating to a change in the insolvency practitioner or the insolvency practitioner's contact details; or
3. it is a notice of a dividend or proposed dividend or a notice which the court orders to be sent to all creditors or all creditors of a particular category to which the creditor belongs.

Opting out does not affect a creditor's entitlement to receive dividends should any be paid to creditors.

Unless the Insolvency Rules provide to the contrary, opting out does not affect any right a creditor may have to vote in a decision procedure or participate in a deemed consent procedure in the insolvency proceedings, although an opted out creditor will not receive notice of it.

How to opt out

A creditor who wishes to opt out must do so in writing by delivering to the appointed insolvency practitioner(s) a notice which must be authenticated and dated by the creditor. A creditor becomes an opted out creditor when the notice is delivered to the appointed insolvency practitioner(s). **A Creditor's Election to Opt Out is attached at Appendix A.**

A creditor who opts out will be treated as having opted out in respect of any consecutive insolvency proceedings of a different kind in respect of the debtor company or individual.

Ceasing to opt out

A creditor may revoke the election to opt out, at any time, by a further notice in writing, authenticated and dated by the creditor and delivered to the appointed insolvency practitioner(s). The creditor ceases to be an opted out creditor from the date the notice is received by the appointed insolvency practitioner(s). **A Revocation of Creditor's Election to Opt Out is attached at Appendix B.**

Further information

Should creditors have any queries regarding their right to opt out from receiving further documentation they should contact the appointed insolvency practitioner(s).

Rule 1.38**Creditor's Election to Opt Out**Insert court or
proceeding detailsInsert full name of
company or
bankrupt**Re****HS SERVICES INTERNATIONAL LIMITED**

Company only

Company registration number**09518890**a) Insert full name
and address of
creditor making the
request, whether an
individual, firm or
company**I, (a)**

a creditor, elect to opt out of receiving documents

I acknowledge that I shall remain an opted-out creditor for the duration of these and any following proceedings unless I elect to revoke my opt out.

I acknowledge I shall continue to receive:-

- all documents the Insolvency Act 1986 or the court requires to be delivered to all creditors,
- notice of any change in the office-holder or their contact details, and
- notice of any distribution applicable to me.

(b) insert name and
address of the
office-holder to
whom you will
deliver this notice.**(b)**

Nigel Heath Sinclair (Joint Liquidator)
Richard Long & Co
Castlegate House
36 Castle Street
Hertford
SG14 1HH

E-mail: heath.sinclair@richardlong.co.uk

*This form can be authenticated for submission by email by entering your name and email address and sending the form as an attachment from an email address which clearly identifies you or has been previously notified to the official receiver. If completing on behalf of a company, please state your relationship to the company.

Signed / Authenticated***Date****Name in BLOCK LETTERS****Relationship to company**

(If applicable)

Rule 1.38

Creditor's Election to Opt Out – Revocation

Insert Court or proceedings details

Insert full name of company or bankrupt

RE

HS SERVICES INTERNATIONAL LIMITED

Company only

Company registration number

09518890

a) Insert full name and address of creditor making the request, whether an individual, firm or company

I, (a)

a creditor, **REVOKE** my election to opt out

(b) Insert name and address of the office-holder to whom you will deliver this notice

(b)

Nigel Heath Sinclair (Joint Liquidator)
Richard Long & Co
Castlegate House
36 Castle Street
Hertford
SG14 1HH

E-mail: heath.sinclair@richardlong.co.uk

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Signed / Authenticated*

Date

Name in BLOCK LETTERS

Relationship to company

(If applicable)