

The Insolvency Act 1986

Administrators' progress report

Name of Company JJB Sports Plc	Company number 01024895
In the High Court of Justice [full name of court]	Court case number 7447 of 2012

(a) Insert full name(s)
and address(es) of
administrator(s)

I/We (a)

Brian Green
KPMG LLP
1 St Peter's Square
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Joint Administrators of the above company attach a progress report for the period

(b) Insert dates from

to

(b) 3 January 2015

(b) 2 July 2015

Signed

Joint Administrator

Dated

22 July 2015

Contact Details:

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

Tom Johnson
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1 The Embankment
Neville Street
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LS1 4DW United Kingdom

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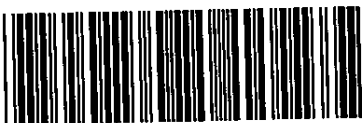
When you have completed and signed this form, please send it to the Registrar of Companies at -

Companies House, Crown Way, Cardiff CF14 3UZ

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COMPANIES HOUSE

**JJB Sports PLC - (in
Administration)**

**Progress report for period
from 3 January 2015 to 2 July
2015**

KPMG LLP

30 July 2015

This report contains 17 pages

BG/PC/EK



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KPMG LLP
30 July 2015

About this Report

This Report has been prepared by Brian Green, David Costley-Wood and Richard Fleming, the Joint Administrators of JJB Sports plc, solely to comply with their statutory duty under the Insolvency Act 1986 and the Insolvency Rules 1986 on the progress of the administration and for no other purpose. It is not suitable to be relied upon by any other person, or for any other purpose, or in any other context.

This Report has not been prepared in contemplation of it being used, and is not suitable to be used, to inform any investment decision in relation to the debt of or any financial interest in the Company.

Any estimated outcomes for creditors included in this progress report are illustrative only and cannot be relied upon as guidance as to the actual outcomes for creditors.

Any person that chooses to rely on this progress report for any purpose or in any context other than under the Insolvency Act and Rules 1986 does so at their own risk. To the fullest extent permitted by law, the Joint Administrators do not assume any responsibility and will not accept any liability in respect of this progress report to any such person.

Brian Green and David Costley-Wood are authorized to act as insolvency practitioners by the Institute of Chartered Accountants of England and Wales.

Richard Fleming is authorized to act as an insolvency practitioner by the Insolvency Practitioners Association.

The Joint Administrators act as agents for the Company and contract without personal liability. The appointments of the Joint Administrators are personal to them and, to the fullest extent permitted by law, KPMG LLP does not assume any responsibility and will not accept any liability to any person in respect of this progress report or the conduct of the administration.

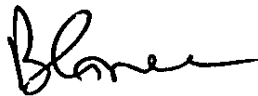


1 Glossary

Act	The Insolvency Act 1986
Adidas	Adidas (U K) Limited
Administration / Administration Order	The Administration Order granted by the High Court of Justice Chancery Division Companies Court, in respect of JJB Sports plc on 1 October 2012. Court Administration Order number 7447 of 2012
The Bank the Company/JJB	Bank of Scotland, part of Lloyds Banking Group JJB Sports plc (in Administration) (Company registration number 01024895)
DSGI	Dicks Sporting Goods Inc
The Directors	David Adams Richard Bernstein Lawrence Christensen Robert Corliss Mike McTighe Sir Matthew Pinsent David Williams
The Group	JJB Sports plc and all of its subsidiaries
Herbert Smith	Herbert Smith Freehills LLP
Joint Administrators	Brian Green, David Costley-Wood and Richard Fleming of KPMG LLP
KPMG	KPMG LLP
The Purchaser	Various subsidiaries of Sports Direct International plc

2 **Executive Summary**

- The Joint Administrators were appointed by the Directors on 1 October 2012 pursuant to Paragraph 22 of Schedule B1 of Act
- This progress report covers the period from 3 January 2015 to 2 July 2015 (“the Period”) and has been prepared in accordance with r2 47 and r2 112 of the Rules. It should be read in conjunction with the Joint Administrators’ previous reports
- The trading business and assets of the Company were sold via a pre-packaged sale, the details of which have been set out in the Joint Administrators’ previous reports
- At the end of the Period, distributions totalling £22.6 million had been made to the secured lenders, £300,000 of which was distributed to DSGI in the period (See paragraph 3.7.1)
- The Company paid all outstanding pre-appointment wages, expenses and accrued holiday prior to the appointment of the Joint Administrators. However, since their appointment, the Joint Administrators became aware of potential preferential claims relating to banked holiday. Claims totaling £22,875 have now been settled in full (see paragraph 3.7.2)
- A first and final dividend of £450,012 was paid to unsecured creditors by way of a prescribed part distribution in accordance with r2 98 of the Rules (See paragraph 3.7.3)
- The Joint Administrators propose to assign remaining debtors (rates refunds) to DSGI in the coming weeks which will allow the administration to be concluded
- The administration is due to end on 30 September 2015. The Joint Administrators have therefore begun to take steps to exit the administration, including finalising costs, making further distributions to DSGI and completing statutory compliance matters



Joint Administrator – Brian Green



3 Progress to date

3.1 Strategy

Please see our previous reports which set out the strategy of the Administration

3.2 Communication

The Joint Administrators gave written notice of their appointment to all known creditors on 2 October 2012

The Joint Administrators subsequently circulated the Proposals on 21 November 2012. The Proposals were deemed approved without modification on 5 December 2012.

The Joint Administrators circulated their first progress report, for the period 1 October 2012 to 31 March 2013, to all known creditors on 24 April 2013.

On 5 July 2013 the Joint Administrators issued a further progress report for the period 1 April 2013 to 2 July 2013 in conjunction with their application to Court for an extension of the Administration.

On 29 January 2014, the Joint Administrators issued their second progress report, for the period 3 July 2013 to 2 January 2014.

On 1 August 2014, the Joint Administrators issued their third progress report, for the period 3 January 2014 to 2 July 2014.

The latest progress report for the period 3 July 2014 to 2 January 2015 was circulated to all known creditors on 30 January 2015.

3.3 Asset realisations

Realisations made during the Period are set out in the attached receipts and payments account (Appendix 2) and are also summarised below.

3.3.1 Rates refunds

During the Period, the Joint Administrators received £148,936 in respect of rates refunds.

3.3.2 Book debts

The Joint Administrators received £38 in the Period in respect of book debts made up of a receipt of £29, a reallocation of £69 previously classified as 3rd party funds less a write-off of £60.

3.3.3 Sundry refunds

The Joint Administrators received sundry refunds totalling £2,565 in the Period being a repayment of bank charges incurred by the Company prior to the Administration Order.



3 3 4 Bank interest

The Joint Administrators received interest of £2,584 on funds held during the Period

3.3 5 Cash from stores

After a reconciliation of our accounts a further £345 of cash was accounted for in the Period

3 3 6 Contribution to costs

The Joint Administrators received £2,477 from the Purchaser in the Period as a contribution towards costs incurred by the Company in providing documentation

3.4 Cost of realisations

Payments made in the Period are set out in the attached receipts and payments account (Appendix 2) and are also summarised below

3 4 1 Administrators' fees and expenses

In the Period the Joint Administrators drew,

- Administrators' fees totalling £1,006,488,
- Administrators' fees totalling £149,903 for dealing with the Prescribed Part, and
- Administrators' out of pocket expenses totalling £8,394

Further details of the administrators' remuneration are set out at paragraph 5 3 1 below

3 4 2 Insurance

In the Period, the Joint Administrators paid a total of £3,657 in respect of public liability insurance relating to properties the leases of which have not been formally surrendered

3 4 3 DTZ commission

The Joint Administrators paid DTZ £44,986 in respect of commission on rates refunds collected in the Period

3 4 4 Storage costs

During the Period, the Joint Administrators paid books and records storage costs of £2,062

3.4 5 Bank Charges

The Joint Administrators paid bank charges of £46 in the Period

3.4 6 Floating Charge Creditors

The Joint Administrators distributed £300,000 to the second-ranking floating charge creditor, DSGI, in the Period

3.5 Investigations

As previously reported, the Joint Administrators have a statutory duty to investigate the Directors' conduct. The Joint Administrators have complied with this duty but creditors should note that the report and its contents are confidential.

3.6 Schedule of expenses



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A detailed breakdown of the costs incurred during the Period, whether paid or unpaid, is set out at Appendix 4

3.7 Dividend prospects

3.7.1 Secured creditors

The Group received funding from the Bank comprising working capital facilities of £25 million together with associated ancillary facilities of £13 million

The Bank holds a first ranking debenture dated 24 May 2011 containing fixed and floating charges over the Company's assets

At the end of the Period, the Joint Administrators had distributed a total of £20.5 million to the Bank

The JJB Group operated with additional facilities from DSGI and Adidas totalling approximately £18.5 million and £15 million respectively. These facilities were also secured by a debenture dated 27 April 2012 conferring second ranking status to DSGI. At the end of the Period, the Joint Administrators had distributed a total of £2,100,000 to DSGI including a payment of £300,000 in the Period. The Joint Administrators anticipate that DSGI will suffer a shortfall on their lending.

There will be no funds available to Adidas whose facility was largely undrawn at the date of the Joint Administrators' appointment

The Joint Administrators' solicitors, Herbert Smith, have reviewed the various charges held by Lloyds, DSGI and Adidas and have confirmed their validity

3.7.2 Preferential creditors

The Company paid all pre-appointment wages, expenses and accrued holiday prior to the appointment of the Joint Administrators

However, since their appointment, the Joint Administrators have been made aware of potential preferential claims relating to banked holiday. A total of £22,876 has been paid in settlement of these claims

3.7.3 Unsecured creditors

In accordance with section 176A of the Act, where a floating charge was created post 15 September 2003 and, therefore post Enterprise Act 2002, a prescribed part should be made available to unsecured creditors should floating charge realisations be sufficient

The basis of the prescribed part calculation is a percentage of net floating charge realisations (after payment of preferential creditors) to be distributed exclusively to unsecured creditors. This process ensures that the unsecured creditors participate in a dividend, which would not have been the case under the old insolvency rules

As outlined in our previous report, in accordance with Rule 2.98 of the Insolvency Rules 1986 (as amended), on 19 June 2014 a first and final dividend was declared to the Company's unsecured creditors with claims admitted in the Administration. This distribution related to the Prescribed Part, an amount of £600,000 (the statutory maximum) was set aside for payment of a dividend to unsecured creditors in the Administration

Significant time costs were incurred by the Joint Administrators in relation to identifying and agreeing over 4,000 creditor claims, total agreed claims totaled £134,204,501. The Joint Administrators capped these costs at £149,903, which was drawn in the Period. In



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accordance with Rule 12.2 of the Insolvency Rules 1986, these costs were deducted from the Prescribed Part, resulting in total funds available to distribute from the Prescribed Part in the prior period of £450,012, which equaled to 0.34 pence in the pound.

3.7.4 Shareholders

As previously reported, there will be no funds available to shareholders.



4 Future strategy

4.1 Future conduct of the Administration

We propose to continue to manage the affairs, the business and the property of the Company in order to achieve the purpose of the Administration. This will include, but not be limited to

- Day to day management of the Administration,
- Finalising asset realisations (principally rates refunds). Note that we propose to assign the rights to collect outstanding rates refunds to DSGI whose secured claim against the Company is significantly more than the maximum anticipated future recoveries,
- Dealing with landlords regarding the surrender of leases,
- Finalising the winding up of the Company's subsidiaries,
- Settling of ongoing liabilities such as insurance, professional costs and other outstanding costs, and
- Making further distributions to the secured creditors as appropriate

5 Comments on the Appendices

5.1 Statutory information

Statutory information can be found in Appendix 1

5.2 Receipts & payments account for the Period

The receipts and payments for the Period are set out in Appendix 2

For comments on receipts and payments made in the Period, please refer to paragraphs 3.3 and 3.4 respectively

5.3 Expenses for the period

Expenses for the Period, which are summarised in Appendix 4, total £186,231, including amounts not yet paid of £130,743. These figures include the Joint Administrators' accrued time costs. The Joint Administrators do not anticipate that their outstanding time costs will be fully drawn.

5.3.1 Administrators' remuneration

During the period, we have incurred time costs of £130,743, representing 311 at an average rate of £420 per hour. This includes time costs incurred by sustainability, direct and indirect tax KPMG LLP specialists. A detailed breakdown of these costs, including the relevant charge out rates is included in Appendix 3 of this progress report.

Please note that all staff who have worked on this assignment, including cashiers and secretarial staff have charged time directly to the assignment and are included in the analysis of time spent. The cost of staff employed in central administration functions is not charged directly to this assignment but is reflected in the general level of charge out rates.

The statutory provisions relating to remuneration are set out in r2.106 of the Rules.

A creditors' guide to fees can be accessed at

http://www.r3.org.uk/media/documents/technical_library/SIPS/SIP%209%20E&W.pdf

However, if you are unable to access this guide and would like a copy please contact Tom Johnson at KPMG LLP, One St Peter's Square, Manchester, M2 3AE.

The Joint Administrators proposed that their remuneration be fixed on the basis of time properly given by them and their staff in dealing with matters arising in the Administration at their normal hourly rate of charging.

Under r2.106 of the Rules, where the Administrator has made a statement under Paragraph 52(1)(b) of schedule B1 of the Act that, on the basis that there will be no funds available to unsecured creditors, and so no meeting of creditors is convened, then the proposals relating to Administrators' remuneration shall be passed with the approval of each secured creditor of the Company. This is in addition to the approval of preferential creditors where the Administrator intends to make a preferential distribution.

In this case, no distribution of funds to the unsecured creditors was expected or has been made, except that paid under the prescribed part as explained in paragraph 3.7.3. Approval



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to draw fees and disbursements was requested and subsequently received from the Bank (as security trustee for all secured lenders) and preferential creditors as appropriate

In the Period, £1,164,785 £1,156,391 of fees were drawn by the Joint Administrators bringing total fees drawn in the Administration to £2,062,234 against total time costs incurred of £3,664,221

Creditors are reminded that the quantum of Joint Administrator remuneration can be challenged by unsecured creditors representing at least 10% by value of total unsecured claims, including that creditor's claim, by making an application to court in accordance with r2 109 of the Rules. The full text of this rule can also be provided on request

Additional information about the expenses charged for the period is available from the office holder upon request by any secured creditor, and any other creditor or creditors owed 5% or more in value of the unsecured liabilities listed. Full details of the process to obtain more information under r2 48A of the Rules and to challenge the Administrators' remuneration and expenses under r2 109 of the Rules are included in Appendix 5

Appendix 1

Statutory Information

Company name	JJB Sports plc
Company registration number	01024895
Court details	The Administration order was granted by High Court of Justice
Date of incorporation	22 September 1971
Extended closure date	30 September 2015
Previous registered office	Challenge Way Martland Park Wigan Lancashire WN5 0LD
Present registered office	KPMG LLP One St Peter's Square Manchester M2 3AE
Issued share capital	405,812,703 0 01p ordinary shares 65,083,186 0 49p deferred ordinary shares
Directors	Mr D Adams, Mr R Bernstein, Mr L Christensen, Mr R Corliss, Mr M McTighe, Sir M Pinsent and Mr D Williams
Company secretary	Mr D Williams
Employees	2,947
Previous names	J J.B (Sports) Limited until 20 October 1994



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Appendix 2

JJB Sports Plc (In Administration) Administrators' Abstract of Receipts & Payments

Statement of Affairs	From 03/01/2015 To 02/07/2015	From 01/10/2012 To 02/07/2015
FIXED CHARGE ASSETS		
8 000 000 00	NIL	8 000 000 00
1 400 000 00	NIL	1 535 000 00
	NIL	39 049 32
	NIL	99 998 00
420 953 00	NIL	NIL
1 000 000 00	NIL	960 000 00
	NIL	75 000 00
	NIL	4 381 99
	36 843 88	36 843 88
	462 15	13 168 36
	(36 843 88)	1 073 087 32
	NIL	45 05
	462 14	11 836 573 92
FIXED CHARGE COSTS		
	314 157 00	566 861 00
	NIL	182 722 83
	NIL	6 026 01
	NIL	49 770 00
	NIL	3 814 63
	3 657 00	25 385 50
	NIL	34 351 30
	NIL	122 00
	NIL	882 492 16
	NIL	180 038 22
	NIL	10 556 94
	(317 814 00)	(1 942 140 39)
FIXED CHARGE CREDITORS		
(10 820 953 00)	NIL	9 836 938 44
	NIL	(9 836 938 44)
ASSET REALISATIONS		
	(68 59)	NIL
371 076 00	NIL	750 000 00
	NIL	58,957 00
9 196 357 00	NIL	9 545 708 47
	NIL	100 490 43
1 344 716 00	38 18	195 792 09
51 753 00	NIL	NIL
	345 33	365 535 82
3 307 673 00	NIL	2 862 460 25
	314 92	13 888 944 06
OTHER REALISATIONS		
	2 121 66	24 840 69
	2 565 34	180 229 00
	148,935 86	1 866 390 37
	NIL	922 17
	NIL	723 24
	NIL	206 889 60
	2 477 11	92 545 67
	156 099 97	2 372 540 74



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JJB Sports Plc
(In Administration)
Administrators' Abstract of Receipts & Payments

Statement of Affairs	From 03/01/2015 To 02/07/2015	From 01/10/2012 To 02/07/2015
COST OF REALISATIONS		
Collection of Books and Records	NIL	9 430 00
VPS Floating costs	NIL	42 886 38
DTZ Commission	44 985 98	273 141 21
Irrecoverable VAT	NIL	19 97
(80 000 00) Sundry Costs	NIL	512 05
Payments on behalf of SDI	NIL	6 252 98
Professional Fees	NIL	10 032 50
Subcontractors	NIL	400 00
Sundry expenses	NIL	412 60
Administrators' fees	692 330 80	1 345 469 99
Administrators' expenses	8 394 31	26 290 62
Administrators' fees (prescribed part)	149 903 16	149 903 16
Voucher Commission	NIL	10 435 55
Legal fees	NIL	310 697 61
Legal disbursements	NIL	6 406 28
Heat & light	NIL	46 228 54
Storage costs	2 062 43	19 260 09
Re-direction of mail	NIL	555 00
Statutory advertising	NIL	1 221 30
Other property expenses	NIL	623 00
Insurance of assets	NIL	3,125 50
Wages & salaries	NIL	292 493 61
Bank charges	46 00	188 00
Return of third party funds	NIL	10 00
Equipment rental	NIL	23 260 07
	<u>(897 722 68)</u>	<u>(2 579 256 01)</u>
PREFERENTIAL CREDITORS		
Subrogated EP(C)A claim	NIL	551 54
Employees' wage arrears	NIL	22 323 92
	NIL	<u>(22 875 46)</u>
FLOATING CHARGE CREDITORS		
(32 922 198 00) Lloyds TSB Bank Plc	NIL	10 701 450 13
Dicks sporting goods inc	300 000 00	2 100 000 00
	<u>(300 000 00)</u>	<u>(12 801 450 13)</u>
UNSECURED CREDITORS		
(212 218 772 00) Trade & expense	NIL	438 561 28
Employees	NIL	1 824 97
EP(C)A bal & redundancy	NIL	9 626 06
(35 948 888 00) Issued and Called Up Share Capital	NIL	NIL
	NIL	<u>(450 012 31)</u>
(266,898,283 00)	<u>(1,358,659 64)</u>	<u>465,385 78</u>
REPRESENTED BY		
Floating ch VAT rec'able		3,017 01
Fixed charge current		44 085 75
Floating charge current		418 797 66
Floating ch VAT payable		(514 64)
		<u><u>465,385 78</u></u>



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Appendix 3

Analysis of Joint Administrators' time costs for the Period

	Partner / Director	Manager	Administrator	Support	Total hours	Time cost	Average hourly rate
Administration & planning							
Cashiering							
General (Cashiering)	0 50		18 80		19 30	£5,700 50	£295 36
Reconciliations (& IPS accounting reviews)		8 70	1 20		9 90	£5,776 50	£583 48
General							
Books and records		1 80	23 65		25 45	£7,492 50	£294 40
Fees and WIP	0 10	7 10	0 50	0 50	8 20	£4,648 50	£566 89
Statutory and compliance							
Checklist & reviews	2 00	0 30	4 75		7 05	£3,057 00	£433 62
Closure and related formalities	1 50	2 90	1 00		5 40	£3,246 00	£601 11
Reports to debenture holders		1 60			1 60	£984 00	£615 00
Statutory advertising			1 25		1 25	£337 50	£270 00
Statutory receipts and payments accounts			0 40		0 40	£142 00	£355 00
Strategy documents	3 50	0 70			4 20	£3 213 00	£765 00
Tax							
Post appointment corporation tax	1 20	10 00	17 00		28 20	£13,096 50	£464 41
Post appointment VAT		7 50			7 50	£4 575 00	£610 00
Creditors							
Creditors and claims							
Agreement of unsecured claims	1 00		0 30		1 30	£901 50	£693 46
General correspondence	1 00	16 90	56 75		74 65	£26 596 00	£356 28
Payment of dividends	0 50	3 00			3 50	£2,242 50	£640 71
Secured creditors	1 00	1 50			2 50	£1 717 50	£687 00
Statutory reports	4 00	1 50	7 50		13 00	£6 127 50	£471 35
Employees							
Correspondence		0 20	24 15		24 35	£8 267 50	£339 53
Investigation							
Investigations							
Mail redirection			2 00		2 00	£540 00	£270 00
Review of pre-appt transactions		1 10			1 10	£676 50	£615 00
Realisation of assets							
Asset Realisation							
Cash and investments		1 00			1 00	£615 00	£615 00
Debtors		16 90	2 10		19 00	£10,960 50	£576 87
Freehold property		0 75			0 75	£367 50	£490 00
Leasehold property	0 50	22 20	20 55		43 25	£17,814 50	£411 90
Open cover insurance			4 10		4 10	£1 107 00	£270 00
Other assets			2 00		2 00	£540 00	£270 00
Total in period					310 95	£130,742 50	£420 46
Pre-Administration							
					0 90	£182 00	
Brought forward time (appointment date to SIP9 period start date)					10,224 41	£3 493 478 40	
SIP9 period time (SIP9 period start date to SIP9 period end date)					310 95	£130 742 50	
Carry forward time (appointment date to SIP9 period end date)					10,535 36	£3 624 220 90	
To date time (SIP9 period end date to 10/07/2015 07 22 00)					3 10	£1 565 50	
Future time (but not included on the report and should be removed from SAP)					0 00	£0 00	
Total time (total of pre appointment, brought forward, period, to date and future)					10,539 36	£3,625 968 40	



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Appendix 3 (continued)

Joint Administrators' charge out rates for the Period

Chargeable rates from 1 October 2014

Grade	Rate per hour £
Partner	795
Associate Partner	705
Director	615
Senior Manager	490
Manager	355
Assistant Manager	270
Assistant	135

Joint Administrators' disbursements in the Period

No disbursements have been incurred in the Period



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Appendix 4

Schedule of Administration expenses for the Period

	Paid per R&P	Less accrued expenses b/f	Accrued unpaid in period	Total expenses incurred in period
Fixed charge costs				
Administrators' fees	314,157 00	-	-	314,157 00
Legal fees	-	1,000 00	2,000 00	2,000 00
Licence fees	-	89,837 43	-	-
Insurance	3,657 00	10,889 83	-	-
Total	317,814 00	101,727 26	2,000 00	316,157 00
Floating charge costs				
Administrators' fees	842,233 96	1,824,920 21	130,742 50	130,742 50
Administrators' expenses	8,394 31	-	-	8,394 31
Commission on rates refunds	44,985 98	-	-	44,985 98
Legal fees	-	210,408 00	-	-
Legal disbursements	-	10,662 17	-	-
Storage costs	2,062 43	-	-	2,062 43
Insurance	-	3,125 50	-	-
Bank charges	46 00	-	-	46 00
Heat & light	-	7,000 00	-	-
Total	897,722 68	2,056,115 88	130,742 50	186,231 22

Appendix 5

Extract from the Insolvency Rules 1986

2 48A Creditors' request for further information

(1) If- (a) within 21 days of receipt of a progress report under Rule 2 47-

(i) a secured creditor, or

(ii) an unsecured creditor with the concurrence of **at least 5% in value** of the unsecured creditors (including the creditor in question), or

with the permission of the court upon an application made within that period of 21 days, any unsecured creditor, makes a request in writing to the administrator for further information about remuneration or expenses (other than pre-administration costs) set out in a statement required by Rule 2 47(1) (db) or (dc), the administrator must, within 14 days of receipt of the request, comply with paragraph (2)

The administrator complies with this paragraph by either—

(a) providing all of the information asked for, or

(b) so far as the administrator considers that—

(i) the time or cost of preparation of the information would be excessive, or

(ii) disclosure of the information would be prejudicial to the conduct of the administration or might reasonably be expected to lead to violence against any person, or

(iii) the administrator is subject to an obligation of confidentiality in respect of the information,

giving reasons for not providing all of the information

(3) Any creditor, who need not be the same as the creditor who requested further information under paragraph (1), may apply to the court within 21 days of—

(a) the giving by the administrator of reasons for not providing all of the information asked for, or

(b) the expiry of the 14 days provided for in paragraph (1),

and the court may make such order as it thinks just

(4) Without prejudice to the generality of paragraph (3), the order of the court under that paragraph may extend the period of 8 weeks provided for in Rule 2 109(1B) by such further period as the court thinks just

R2 109 Creditors' claim that remuneration is or other expenses are excessive

(1) Any secured creditor, or any unsecured creditor with either the concurrence of **at least 10% in value of the unsecured creditors** (including that creditor) or the permission of the court, may apply to the court for one or more of the orders in paragraph (4)

(1A) An application may be made on the grounds that—

(a) the remuneration charged by the administrator,

(b) the basis fixed for the administrator's remuneration under Rule 2 106,

(c) expenses incurred by the administrator,

is or are in all the circumstances, excessive, or in the case of an application under subparagraph (b), inappropriate

(1B) The application must, subject to any order of the court under Rule 2 48A(4), be made no later than 8 weeks after receipt by the applicant of the progress report which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report")

(2) The court may, if it thinks that no sufficient cause is shown for a reduction, dismiss it without a hearing but it shall not do so without giving the applicant at least 5 business days' notice, upon receipt of which the applicant may require the court to list the application for a without notice hearing. If the application is not dismissed, the court shall fix a venue for it to be heard, and give notice to the applicant accordingly

(3) The applicant shall, at least 14 days before the hearing, send to the administrator a notice stating the venue and accompanied by a copy of the application, and of any evidence which the applicant intends to adduce in support of it

(4) If the court considers the application to be well-founded, it must make one or more of the following orders—

(a) an order reducing the amount of remuneration which the administrator was entitled to charge,

(b) an order fixing the basis of remuneration at a reduced rate or amount,

(c) an order changing the basis of remuneration,

(d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the administration,

(e) an order that the administrator or the administrator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify,

and may make any other order that it thinks just, but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report

(5) Unless the court orders otherwise, the costs of the application shall be paid by the applicant, and are not payable as an expense of the administration