

In accordance with Rule 19.2 of the Insolvency (England & Wales) Rules 2016 and Section 178 of the Insolvency Act 1986.

# NDISC

## Notice of disclaimer under section 178 of the Insolvency Act 1986



Companies House

SATURDAY



A10 \*A7E2DWEX\* 08/09/2018 #180  
COMPANIES HOUSE

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### 1 Company details

Company number 0 3 7 8 2 3 7 9

Company name in full CARILLION PLC

→ Filling in this form  
Please complete in typescript or in bold black capitals.

### 2 Liquidator's name

Full forename(s) DAVID

Surname CHAPMAN

### 3 Liquidator's address

Building name/number 4

Street ABBEY ORCHARD STREET

Post town LONDON

County/Region

Postcode S W 1 P 2 H T

Country

### 4 Liquidator's name ①

Full forename(s)

Surname

① Other liquidator  
Use this section to tell us about another liquidator.

### 5 Liquidator's address ②

Building name/number

Street

Post town

County/Region

Postcode

Country

② Other liquidator  
Use this section to tell us about another liquidator.

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## Notice of disclaimer

☒ Notice of disclaimer is attached

7

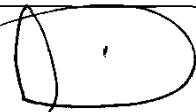
## Sign and date

Liquidator's signature



Signature

X



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Signature date

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## 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	Phil Amatt
Company name	Insolvency Service
Address	4 Abbey Orchard Street
Post town	London
County/Region	
Postcode	S W 1 P 2 H T
Country	
DX	
Telephone	02076376276



## 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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)



Carillion Construction Limited  
(in compulsory liquidation)  
Carillion House  
84 Salop Street  
Wolverhampton WV3 0SR

[www.carillionplc.com](http://www.carillionplc.com)

To:  
Investors in the Community (Leeds Schools) Limited,  
Third Floor Broad Quay House,  
Prince Street,  
Bristol,  
BS1 4DJ  
(you)

16 August 2018

Dear Sir / Madam

**NOTICE OF DISCLAIMER UNDER SECTION 178 OF THE INSOLVENCY ACT 1986**

Re: Carillion PLC activities under contract(s) and agreement(s) at the site commonly referred to as Leeds Schools

Carillion PLC (in liquidation) (company number 03782379) (the *Company*)  
Liquidator: The Official Receiver (the *Liquidator*)  
Special managers: Michael Jarvis and David Kelly (the *Special Managers*)

**Property Disclaimed:** the applicable contracts listed in Schedule 2 between you and the Company in relation to Leeds Schools (the *Contracts*)

By order of the High Court of Justice of England and Wales of 15 January 2018, the Company was placed into compulsory liquidation and the Official Receiver appointed as liquidator (in the Business and Property Courts of England and Wales, Insolvency and Companies List (ChD), case no. CR-2018-000351).

By order of the High Court of Justice of England and Wales of 15 January 2018 (as amended by Mr Registrar Jones on 13 February 2018), the Special Managers were appointed to assist the Liquidator.

The Liquidator hereby gives you notice that it disclaims all the Company's interest in the Contract, including any related Direct Agreements and collateral or other warranties entered into by the Company in relation to the Contracts including those listed in Schedule 2.

Yours faithfully

Signed: 

Dated: 16 August 2018

Notice authenticated and dated by David Chapman, Official Receiver as liquidator of the Company, acting without personal liability

*The Official Receiver has been appointed liquidator of Carillion Plc (and certain subsidiaries). Special Managers have been appointed by the High Court to help the Official Receiver manage the affairs, business and property of the companies in liquidation, in accordance with the powers and duties contained in the order appointing them. Provisional liquidators have also been appointed by the Court of Session, with the powers set out in Schedule 4 to the Insolvency Act 1986. A full list of the appointments and details of the Special Managers and Provisional Liquidators can be found at [www.pwc.co.uk/carillion](http://www.pwc.co.uk/carillion).*

*The Provisional Liquidators are licensed in the United Kingdom to act as Insolvency Practitioners by the Institute of Chartered Accountants in England and Wales, and are bound by the Insolvency Code of Ethics which can be found at: <https://www.gov.uk/government/publications/insolvency-practitioner-code-of-ethics>.*

*The Special Managers and Provisional Liquidators act as agents of the companies to which they are appointed, without personal liability, and they are Data Controllers of personal data as defined by the Data Protection Act 1998. Personal data will be kept secure and processed only for matters relating to the appointment.*



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[www.carillionplc.com](http://www.carillionplc.com)

**Official Receiver contact details:**

4 Abbey Orchard Street

London

SW1P 2HT

[carillion.liquidator@insolvency.gsi.gov.uk](mailto:carillion.liquidator@insolvency.gsi.gov.uk)

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## NOTES

The following provisions continue notwithstanding the intended disclaimer by the Company of its interests in the Contracts and related direct agreements and collateral or other warranties as further and expressly particularised in the enclosed, non-exhaustive Schedule.

The Special Managers, their firm, partners, employees, advisers, representatives or agents nor the Liquidator shall incur any personal liability whatsoever in respect of any of the obligations of the Company or any other person including in connection with the Contracts and the terms of this notice.

No liability (whether based in tort or contract or statute or otherwise) including, without limitation, any liability in connection with non-performance or breach or termination (whether by repudiation, disclaimer or otherwise), or any penalty or liability for liquidated damages, arising from actions or inactions of either the Liquidator or the Special Managers shall give rise to any liquidation expenses unless expressly accepted in writing.

Neither the Liquidator's nor the Special Managers' actions or inactions shall have the legal effect of an adoption of any of the Contracts.

Nothing in this letter is intended to limit or affect in any way the rights or powers of the Liquidator or the Special Managers with respect to their appointments or applicable law.

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## PROJECT – Leeds Schools

### Schedule 1 – List of addressees to whom this Notice of Disclaimer is to be given

No	Addressee details per contract in Schedule 2
1	(1) Investors in the Community (Leeds Schools) Limited, Third Floor Broad Quay House, Prince Street, Bristol, BS1 4DJ (2) NIBC Bank N.V., 11th Floor, 125 Old Broad Street, London, EC2N 1AR (3) Carillion Construction Limited, Carillion House, 84 Salop Street, Wolverhampton, WV3 0SR
2	(1) Investors in the Community (Leeds Schools) Limited, Third Floor Broad Quay House, Prince Street, Bristol, BS1 4DJ (2) Mitie PFI Limited, Level 12 The Shard, 32 London Bridge Street, London, SE1 9SG

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## PROJECT – Leeds Schools

### Schedule 2 – List of disclaimed contracts

No	Title of contract	Parties	Date of contract
1	Building Contractor Direct Agreement	(1) Investors in the Community (Leeds Schools) Limited (2) NIB Capital Bank N.V. (3) Carillion plc (4) Carillion Construction Limited	7 April 2005
2	Parent Company Guarantee	(1) Investors in the Community (Leeds Schools) Limited (2) Mitie PFI Limited (3) Carillion plc	On or around 4 April 2005

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