

WU07

Notice of progress report in a winding-up by the court



Companies House

FRIDAY



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20/03/2020

#4

COMPANIES HOUSE

1 Company details

Company number 0 4 5 5 8 1 2 0

Company name in full Star Telecommunications Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Stephen

Surname Hunt

3 Liquidator's address

Building name/number Griffins

Street Tavistock House South

Post town Tavistock Square

County/Region London

Postcode W C 1 H 9 L G

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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6 Period of progress report

From date	^d 0	^d 4	^m 0	^m 2	^y 2	^y 0	^y 1	^y 9
To date	^d 0	^d 3	^m 0	^m 2	^y 2	^y 0	^y 2	^y 0

7 Progress report

☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d 1	^d 8	^m 0	^m 3	^y 2	^y 0	^y 2	^y 0
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WU07

Notice of progress report in a winding-up by the court

**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 **Andrew Fatherly**

Company name **Griffins**

Address
Tavistock House South
Tavistock Square

Post town **London**

County/Region

Postcode **W C 1 H 9 L G**

Country

DX

Telephone
020 7554 9600

**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

Star Telecommunications Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £	From 04/02/2019 To 03/02/2020 £	From 04/02/2014 To 03/02/2020 £
ASSET REALISATIONS		
Cash at Bank - FCIB	NIL	NIL
	NIL	NIL
COST OF REALISATIONS		
Bank Charges	88.00	528.00
Legal Fees (1)	NIL	3,070.13
Legal fees (2)	1,518.68	1,518.68
O.R. Remuneration	NIL	2,235.00
Petitioners Deposit	NIL	(1,165.00)
Statutory Advertising	NIL	214.27
	(1,606.68)	(6,401.08)
UNSECURED CREDITORS		
(13,928,396.80) HMRC - Corporation Tax	NIL	NIL
(1,827,379.35) HMRC - VAT	NIL	NIL
	NIL	NIL
DISTRIBUTIONS		
(5.00) Ordinary Shareholders	NIL	NIL
	NIL	NIL
(15,755,781.15)	(1,606.68)	(6,401.08)
REPRESENTED BY		
Disbursement account		(669.57)
ISA NIB		(1,583.85)
Office		(4,176.36)
VAT Receivable		28.70
		(6,401.08)

Note:

The Petitioners Deposit is a negative sum as it represents a deposit paid in to the estate rather than an expense incurred.

The negative balance on the Disbursement Account (formerly known as No 2 Account or Client Number 2 Account) represents sums paid by Griffin's which are yet to be recovered from the estate.

The negative balance on the Office Account represents sums paid by Griffin's which are yet to be recovered from the estate.



 Stephen Hunt
 Liquidator

**Star Telecommunications Limited
In Compulsory Liquidation**

**In the High Court of Justice
No. 8000 of 2013**

**Liquidator's Annual Progress Report to Members and Creditors
for the year ending 3 February 2020**



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8. Liquidator's Expenses and Disbursements
9. Quality of Service, Data Privacy and Code of Ethics
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11. Next Report

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- A. Statutory Information
- B. *Receipts and payments account for the period 4 February 2019 to 3 February 2020, together with an account for the entire period of the liquidation*
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- D. Statutory and Creditor Compliance Tasks
- E. Creditors' Rights - Rules 18.9 and 18.34 of the Insolvency (England and Wales) Rules 2016 ("IR 2016")



1 Introduction

In accordance with Rules 18.3 and 18.8 of IR 2016, I now provide creditors with an annual progress report which should be read in conjunction with my previous reports. Additional information in respect of the company and office holder is attached at Appendix A.

2 Receipts and Payments Accounts

An account of my receipts and payments for the period 4 February 2019 to 3 February 2020 is at Appendix B, together with an account for the entire period of the liquidation and a comparison with the Official Receiver's Report.

My specific bond, storage costs and Land Registry searches have been paid by Griffins and are not shown in the receipts and payments account at Appendix B. These costs will be recharged to the estate as and when funds become available.

3 Realisation of Assets

No assets have been recovered in the reporting period. Please see section 4 below for an update on recovery of a significant bank balance.

4 Investigations

My previous reports have set out in some detail the work undertaken in order to recover funds from a bank account held in the name of the company in First Curacao Banking International Bank ('FCIB') in Curacao.

In the last year I have instructed lawyers in Curacao to take steps to have an attachment over that FCIB account removed: That attachment had been placed on the account of the company by ZL Attorneys, local lawyers operating in Curacao that believed it had a right to funds after entering into an agreement with the company prior to liquidation. It was subsequently determined in 2017 by the Supervisory Board in Curacao (a judicial body), on my application, that ZL Attorneys should undertake a 'retro-assignment'.

Following successful removal of the attachment in September 2019, my English solicitors reviewed the agreement previously entered into in 2015 between the company and FCIB and advised that with the passage of time there was a clause that gave the company the right to terminate that contract (which only allowed for the recovery of a percentage of the balance) and to seek recovery of the full balance. Having considered the advice I received I instructed my English solicitors to give notice to FCIB of termination of the agreement.



Subsequently my English solicitors have made a number of demands to the lawyers for FCIB for the repayment of the full balance on the account. That remains an on-going exercise and future legal action may be necessary as, to date, there has not been any substantive response.

I reported last year that a claim had been submitted into a third party liquidation estate. There remains no indication of whether or when any distribution might be received albeit that is estate is known to be in funds, however, during the year I have responded to enquiries made by solicitors acting for the liquidator of that estate. To deal with those enquiries further material that had previously been obtained by the Official Receiver was sought, although it was established that the Insolvency Service had failed to retain all of the records and had either lost or destroyed some.

5 Statutory and Professional Compliance

I am required to meet a considerable number of statutory and regulatory obligations. This work does not provide a direct financial benefit to creditors but is a necessary requirement of the liquidation process.

Whilst these tasks do not have a direct benefit in enhancing realisations for the insolvent estate, they assist in the efficient and compliant progression of the liquidation. This ensures that my staff and I carry out our work to high professional standards.

In order that creditors can have an informed understanding of these matters, they are listed at Appendix D.

6 Creditors' Communication, Claims and Distributions

I am required, as Liquidator, to undertake certain tasks in relation to creditors' claims. This work does not provide a direct financial benefit to the liquidation estate but is essential to the administration of the case.

In order that creditors can have an informed understanding of these matters, they are also listed at Appendix D.

The current position as regards creditors' claims is detailed below.

Secured Creditors

An examination of the company's mortgage register held by the Registrar of Companies shows that the company has no outstanding charges over its assets.



Preferential Creditors

No preferential claims have been received in the liquidation and none are expected.

Unsecured Creditors

The Official Receiver's initial report showed two unsecured creditors with a total value of £15,755,776.15.

I have received 4 claims totalling £38,362,319.77 but I have not adjudicated on any of these claims yet.

Distributions

Dividend prospects remain uncertain.

7 Liquidator's Remuneration

As of 6 April 2015, Griffins introduced a new time recording analysis, which provides a more comprehensive breakdown of time my staff and I have recorded in the administration of this case. This has resulted in additional time recording categories being utilised. Should you require any further clarification, please contact me.

The time my staff and I have recorded as incurred for the period 4 February 2019 to 3 February 2020 totals £28,523.71.

The time my staff and I have recorded as incurred for the entire period of my appointment totals £118,298.27.

The time incurred is recorded in my time analysis report, attached at Appendix C, under the following classifications:

- Creditors
- Investigations
- Legal & Litigation
- Realisations of Assets
- Statutory & Compliance

The report also provides details of the activity costs incurred by staff grade to date.



It is Griffins' policy to use the most junior grade of staff compatible with the efficient conduct of a matter, in order to ensure that costs are kept to a minimum. The majority of the Investigation work has been undertaken by a senior investigator and a partner and, due to multiple complexities arising on the matter of FCIB it remains the case that a senior member of staff continues to deal with day-to-day issues in connection with that.

Further information regarding remuneration can be found in "A Creditors' Guide to Liquidators' Fees", which is available for download at <http://www.griffins.net/technical/>. A hard copy can be provided upon request at no cost.

A hard copy of Griffins charge-out rates and disbursements policy may be obtained on request at no cost.

In addition, creditors can find more information on the insolvency process at <http://www.creditorinsolvencyguide.co.uk/>.

8 Liquidator's Expenses and Disbursements

'Expenses' are amounts properly payable by the office holder from the estate. These may include, but are not limited to, legal and agents' fees.

'Disbursements' are expenses met by the office holder and reimbursed to the office holder in connection with an insolvency appointment and will fall into two categories, category 1 and category 2.

In accordance with our current policy, no category 2 disbursements have been drawn since my appointment.

The table below details the expenses and category 1 disbursements to date and these total £1,606.68

Payee Name	Nature of Expense Incurred	Amount Incurred this period £	Amount paid during this period £	Amount Outstanding £
ISA Banking Fee	Bank Charges	88.00	88.00	0.00
Blake Morgan	Legal Fees	1,518.68	1,518.68	0.00
	TOTAL	1,606.68	1,606.68	0.00

9 Quality of Service, Data Privacy and Code of Ethics

My staff and I endeavour to provide the best possible standards at all times.



Griffins' updated Privacy Policy explains the measures I take to protect your data and the legal basis for doing so. Please review this updated Privacy Policy on Griffins website: <http://www.griffins.net/data-privacy-notice/>

I am bound by Code of Ethics for Insolvency Practitioners when carrying out all professional work relating to insolvency appointments. Please refer to Institute of Chartered Accountants in England and Wales website for further details: <https://www.icaew.com/-/media/corporate/files/members/regulations-standards-and-guidance/ethics/code-of-ethics-part-d-insolvency-practitioners-1-jan-2011.ashx>

If you would like to make any comments, suggestions, raise a query or make a complaint about the service you have received, please contact my team manager, Andrew Fatherly in the first instance at andrew.fatherly@griffins.net who will provide a response within 28 days.

10 Creditors' Rights

Creditors are advised that Rule 18.9 of the IR 2016 provides the right to make a request to the Liquidator for further information about remuneration or expenses which have been itemised in this report. Further, Rule 18.34 of the IR 2016, provides creditors with a right to challenge the Liquidator's remuneration and expenses.

Copies of these Rules are attached at Appendix E, for your information.

11 Next Report

I will report again following the next anniversary of the liquidation, or sooner if the administration of the liquidation is complete.


Stephen Hunt
Liquidator

Date: 16/03/2020



**Star Telecommunications Limited
In Compulsory Liquidation**

Statutory Information



Company information

Company name: Star Telecommunications Limited
Trading name: As above
Company registration number: 04558120
Nature of business: Wholesale of other electronic part & Equipment
Registered office: Griffins, Tavistock House South, Tavistock Square,
London WC1H 9LG
Previous registered office: Meadowhall, Riverside Unit 1, Suite 4, Meadowhall
Road, Sheffield, South Yorkshire, S9 1BW
Trading address: 8 Southey Hill, Sheffield, South Yorkshire, S5 8BD
Court name: High Court of Justice
Court reference: No. 8000 of 2013
Petitioning creditor: HM Revenue and Customs
Winding-up order date: 20 January 2014

Liquidator's details

Name: Stephen Hunt
IP number: 9183
Name of firm: Griffins
Firm's address: Tavistock House South, Tavistock Square, London
WC1H 9LG
Date of Appointment: 4 February 2014



**Star Telecommunications Limited
In Compulsory Liquidation**

Receipts and payments account for the period 4 February 2019 to 3 February 2020,
together with an account for the entire period of the liquidation.



Star Telecommunications Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £	From 04/02/2019 To 03/02/2020 £	From 04/02/2014 To 03/02/2020 £
ASSET REALISATIONS		
Cash at Bank - FCIB	NIL	NIL
	NIL	NIL
COST OF REALISATIONS		
Bank Charges	88.00	528.00
Legal Fees (1)	NIL	3,070.13
Legal fees (2)	1,518.68	1,518.68
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Petitioners Deposit	NIL	(1,165.00)
Statutory Advertising	NIL	214.27
	(1,606.68)	(6,401.08)
UNSECURED CREDITORS		
(13,928,396.80) HMRC - Corporation Tax	NIL	NIL
(1,827,379.35) HMRC - VAT	NIL	NIL
	NIL	NIL
DISTRIBUTIONS		
(5.00) Ordinary Shareholders	NIL	NIL
	NIL	NIL
(15,755,781.15)	(1,606.68)	(6,401.08)
REPRESENTED BY		
Disbursement account		(669.57)
ISA NIB		(1,583.85)
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Note:

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Stephen Hunt
 Liquidator

**Star Telecommunications Limited
In Compulsory Liquidation**

Griffins' time analysis for the period 4 February 2019 to 3 February 2020, and for the entire period of the appointment

Time Entry - Detailed SLP9 Time & Cost Summary

START04 - Star Telecommunications Limited

From 04/02/2019 To: 03/02/2020

Project Code POST

[illegible]

Time Entry - Detailed SIP9 Time & Cost Summary

START04 - Star Telecommunications Limited
From: 04/02/2014 To: 03/02/2020
Project Code: POST

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Administrators	Total Hours	Time Cost (£)	Average Hourly Rate (£)
CLMS : Creditor Claims	0.00	0.00	0.33	0.00	0.00	0.33	110.00	330.00
CMETG : Creditors Meetings	0.00	0.00	0.00	0.00	0.00	0.00	22.62	275.04
CRED : Creditor Related Work	0.00	0.67	0.00	0.00	0.00	0.67	265.00	397.50
CREDITOR : Creditor Related Work	0.08	4.50	10.83	0.00	6.92	22.33	7,596.25	340.13
CREDITORS : Creditors	0.00	0.00	0.00	0.00	2.50	2.50	850.00	260.00
PROREPORT : Progress Report	0.17	1.42	0.00	0.00	7.75	9.33	2,821.27	302.28
Creditors	0.25	6.58	11.17	0.00	17.25	35.25	11,465.44	325.26
PROTOCOL : MTIC Protocols	0.00	0.33	38.17	0.00	0.00	38.50	13,890.00	360.78
SIP2 : Investigation Into Affairs	0.00	0.08	50.67	0.00	0.00	50.75	17,935.63	353.42
SIP4 : CDDA Investigation	0.00	0.00	0.33	0.00	0.33	0.66	115.00	345.00
FCIB : FCIB Investigations	0.00	0.00	0.25	0.00	0.00	0.25	108.25	428.00
INV : Investigation	0.08	0.92	2.75	0.00	0.00	3.75	1,422.08	378.22
INV-FURTH : Further Investigations	0.08	7.50	4.67	0.00	0.58	12.83	5,566.67	433.77
INV-INIT : Initial Investigations	0.17	1.42	11.33	0.00	0.08	13.00	4,834.58	371.89
Investigations	0.33	10.25	108.17	0.00	0.67	119.42	43,870.41	367.37
INVLEGAL : Legal	0.00	0.00	1.83	0.00	0.00	1.83	630.00	343.94
LEGL : Legal Issues	1.17	1.08	0.00	0.00	0.08	2.33	1,144.56	490.53
LIT-POST : Post-action litigation	10.33	13.92	2.08	0.00	0.00	26.33	13,329.32	506.18
LIT-PRE : Pre-action litigation	1.25	10.75	3.50	0.00	0.00	15.50	7,102.50	458.23
Legal & Litigation	12.75	25.75	7.42	0.00	0.68	46.00	22,206.38	482.75
ASS-BOOK : Book Debts	0.00	5.92	25.17	0.00	0.00	31.08	12,852.90	413.50
ASS-OTHER : Other Assets	0.08	1.67	0.08	0.00	0.50	2.33	1,054.58	451.96
ASST : Asset Realisation	0.00	0.50	0.00	0.00	0.00	0.50	195.00	390.00
Realisations of Assets	0.08	8.08	25.25	0.00	0.50	33.92	14,102.48	415.80
CASG : Cashiering Functions	0.00	0.08	0.08	0.33	0.83	1.33	280.41	210.31
CASHIER : Cashiering Functions	0.00	0.08	0.00	0.08	0.17	0.33	57.91	173.73
DIARY : Case Diary	0.00	0.00	0.00	0.00	1.67	1.67	458.31	274.99
EMAIL : Emailing	0.00	0.00	0.25	0.00	0.00	0.25	87.50	350.00
MTGS : Meetings	0.42	0.00	0.00	0.00	0.00	0.42	235.42	565.01
SPEC : Special Work	0.00	0.00	0.00	0.00	0.17	0.17	50.00	300.00
SPECBOND : Specific Bond	0.00	0.25	0.00	0.00	1.25	1.50	438.75	292.50
STAT : Statutory	0.25	0.00	0.08	0.00	1.17	1.50	462.06	308.04
STATUTORY : Statutory Duties	1.75	15.42	11.50	4.25	31.42	61.25	17,779.91	290.28
TAX : Tax	0.08	0.08	0.00	0.00	1.08	1.25	360.00	288.00
TELS : Telephone calls	0.00	0.25	0.00	0.00	0.00	0.25	102.50	410.00
VAT : Vat Returns	0.33	0.00	0.00	0.00	1.42	1.75	575.98	331.42
REVIEWS : Case Reviews	0.17	1.25	1.58	0.00	1.83	4.83	1,618.33	334.83
ADMIN : Administration Work	0.00	3.58	1.82	0.58	7.25	13.17	4,050.81	307.66
ADVERT : Advertising	0.00	0.00	0.00	0.00	0.33	0.33	91.87	275.01
Statutory & Compliance	3.00	21.00	15.42	5.25	48.58	90.00	26,653.56	296.15

Time Entry - Detailed SIP9 Time & Cost Summary

START04 - Star Telecommunications Limited
From 04/02/2014 To 03/02/2020
Project Code: POST

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Administrators	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Total Hours	16.42	71.67	167.42	5.25	67.08	324.58	118,296.27	364.46
Total Fees Claimed							0.00	

**Star Telecommunications Limited
In Compulsory Liquidation**

Statutory and Creditor Compliance Task

Post-Appointment Statutory and Professional Compliance

I am required, as Liquidator, to undertake the following tasks:

- On appointment, set the case up on our insolvency database and maintain and separately record all financial records on the case, including the recording of creditors and employees;
- Notify creditors of my appointment;
- Return to the Official Receiver a signed undertaking to pay out of the first realisations of assets, both the balance currently appearing in their account and those monies, including fees, guarantees and advances paid by the Official Receiver, becoming due in future and payable under Insolvency Act 1986 and the IR 2016;
- Obtain a Specific Penalty bond for a sum equal to the company's assets subject to the statutory provisions. This bond covers any losses to the estate for any possible fraud or dishonesty of the Liquidator whether acting alone or in collusion with one or more persons and/or the fraud and dishonesty of any person committed with the connivance of the Liquidator;
- Convene and hold a meeting of creditors to provide creditors with the opportunity to establish a Liquidation Committee;
- Undertake a one month case review to ensure that all initial statutory matters have been completed, asset realisation and initial investigations commenced;
- Establish whether the company has an occupational pension scheme.

Annual Statutory and Professional Compliance

In addition to the tasks identified above, each year I am required to undertake the following statutory tasks:

- Prepare and issue an Annual Report to creditors;
- Undertake bi-annual case reviews to ensure that the case is being progressed efficiently and in a timely manner; statutory duties have been undertaken; consider any ethical, money laundering and Bribery Act 2010 issues pertaining to the case and ensure that any identified matters are addressed;
- Submit VAT returns to HM Revenue and Customs, to ensure that any VAT refunds or payments are received or paid;
- Submit annual Tax returns to HM Revenue and Customs;
- Maintain the case cash book, by undertaking quarterly ISA reconciliations and ensure that funds received are paid into the ISA account within 14 days of receipt or forthwith if £5,000 or more is received.

Closing Statutory and Professional Compliance

After concluding all case related matters, I am required to:

- Prepare and submit a letter to HM Revenue and Customs requesting clearance to close the case;
- Reconcile the cash book ready for closure;
- Prepare and issue the Final Account to creditors;
- Send the final receipts and payments account to the Court, the Official Receiver and the Insolvency Service and confirmation that I have received my release;
- If the creditors have so resolved, obtain my release from the Secretary of State;
- Obtain authorisation from the Official Receiver to destroy the books, papers and other records of the company;
- Retain and store the liquidation records for a minimum of 6 years after the vacation of office.

Tasks in relation to creditors' claims

- Ensure that all creditors' claims are listed with the correct addresses and references and that the amount claimed correlates to the Statement of Affairs;
- Enter proof of debt forms/claims as and when they are received;
- Before paying a dividend, review the level of funds available and ensure that all costs and expenses have been paid in accordance with the rules of priority;
- Deal with enquires from creditors;
- Adjudicate on claims;

Declare and pay a dividend, if sufficient funds are available.

**Star Telecommunications Limited
In Compulsory Liquidation**

Creditors' Rights - Rules 18.9 and 18.34 of the Insolvency (England and Wales) Rules 2016

Insolvency (England and Wales) Rules 2016

Rule 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

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").