

**IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS OF
ENGLAND & WALES
INSOLVENCY AND COMPANIES LIST
(CHANCERY DIVISION)**

Claim No. CR-2023-006040



CR-2023-006040

Deputy Insolvency and Companies Court Judge Kyriakides

12 December 2023

**IN THE MATTER OF BELLEVUE HEALTHCARE TRUST PLC
AND IN THE MATTER OF THE COMPANIES ACT 2006**



UPON THE CLAIM of **BELLEVUE HEALTHCARE TRUST PLC** (registered number 10415235) (the "**Company**") whose registered office is situated at 6th Floor, 125 London Wall, London, England, EC2Y 5AS issued on 24 November 2023.

AND UPON HEARING (by remote video hearing) Hermann Boeddinghaus KC, Counsel for the Company

AND UPON READING the Claim Form and the evidence

AND UPON the Company by its Counsel **UNDERTAKING THAT UPON** the cancellation of the Company's share premium account effected by the Special Resolution set out in paragraph 4.1 of the Claim Form herein taking effect upon registration of this order and the Statement of Capital approved by this order (the "**Effective Date**") and for so long as and to the extent that there shall remain outstanding any debt or claim against the Company which would be admissible in proof against the Company in a winding up commencing on the Effective Date (and to the extent that the persons entitled thereto shall not have agreed otherwise) (the "**Relevant Liabilities**"), the Company shall credit to a special reserve in the books of the Company (the "**Special Reserve**") a sum equal to the Relevant Liabilities as at the Effective Date, and so long and to the extent that it shall not be capitalised, the Special Reserve (1) shall not be treated as representing realised profits of the Company and (2) for so long as the Company remains a public company shall be treated as an undistributable reserve of the Company for the purposes of Section 831 of the Companies Act 2006.

THIS COURT ORDERS that the cancellation of the share premium account of the Company (that is to say, of an amount of £617,709,517) resolved on and effected by the Special Resolution of the Company passed at a general meeting of the Company held on 20 November 2023 be and the same is hereby confirmed in accordance with the provisions of the above-mentioned Act.

AND THIS COURT HEREBY APPROVES the terms of the Statement of Capital annexed hereto.

AND IT IS ORDERED that this Order be produced to the Registrar of Companies and that an Office Copy hereof be delivered to him together with a copy of the Statement of Capital.

AND IT IS ORDERED that notice of the registration by the Registrar of Companies of this Order and of the Statement of Capital be published once in either "*The Times*" or "*The Daily Telegraph*" newspaper within 21 days after such registration.

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ORDER

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Solicitors for the Claimant**