



The Insolvency Service

Delivering economic confidence

The Official Receiver's Office
Companies House
Crown Way
Cardiff
CF14 3UZ

Correspondence Address:

The Insolvency Service, Cardiff, PO Box
16655, Birmingham, B2 2EP

Tel: 02920 368 750

www.gov.uk/insolvency-service



Your ref:
Our ref:
Direct line:
e-mail:
Date:



Dear Madam

In the County Court [redacted]



RE: Your Affairs – Formerly in Bankruptcy

I am writing further to your application under the Post Office Historical Shortfall Scheme (HSS). I am very sorry to hear you were affected by the Horizon errors.

As a result of the bankruptcy order made against you on [redacted] I have to inform you that your right to make a claim for compensation under the scheme is something which forms part of your bankruptcy estate because the errors happened prior to the bankruptcy order being made. Where a claim is an asset in a bankruptcy your trustee, the Official Receiver has to consider how best to take the action forward. The Official Receiver has confirmed to the Post Office that he wishes to continue with the claim and asked for details of the compensation being offered under the scheme.

Some of the compensation award will be paid to you where an award is made. You will receive all payments in respect of the time you have spent dealing with the Horizon shortfall issues and any compensation for health issues, damage to your reputation or distress but the parts of the claim that relate to financial losses will be paid into the bankruptcy estate and this may represent the majority of your claim.

The Post Office will contact you, at the Official Receiver's request, to provide any information they require in support of the claim. Please provide this information as the claim cannot proceed if you refuse to co-operate and no compensation will be paid unless you fully and truthfully answer all the questions the Post Office ask of you.

A BEIS SERVICE

The money paid to the Official Receiver will be used to pay your bankruptcy debts (other than any claim by the Post Office which was based on the Horizon shortfall errors). It may be possible for your bankruptcy to be annulled (cancelled) so I have enclosed information on the steps you would need to take if you wanted to apply for an annulment.

If you have any queries about the content of this letter please do not hesitate to contact me.

Yours faithfully

A solid black rectangular redaction box covering the signature of the Official Receiver.A solid black rectangular redaction box covering the name of the Official Receiver.

Examiner

On behalf of the Official Receiver

How to apply for annulment

Only the Court can annul your bankruptcy.

You do not have to employ a solicitor or get independent advice (for example from the Citizens Advice Bureau) to apply for an annulment, but you might find it helpful to do so. You must ensure all relevant information is given to the Court and the proper procedure is followed.

The Official Receiver cannot offer you any advice regarding your annulment but, if you have any questions or concerns about what is explained below, please contact the person dealing with your case.

To apply, you need to:

1. Download and fill in an application form which is available via the following link; <http://formfinder.hmctsformfinder.justice.gov.uk/iaa-eng.doc>
2. Take the completed application form to the Court which made the bankruptcy order or your nearest Court if your bankruptcy order was made by the Adjudicator (<http://www.gov.uk/find-Court-tribunal>)

The Court can annul your bankruptcy order if:

- The Post Office made the application to Court to make you bankrupt the Court might consider the bankruptcy order should not have been made. Your application would be made under section 282(1)(a) of the Insolvency Act 1986. If you think this applies to you please speak to the person dealing with your case.
- All your debts and bankruptcy costs have been fully paid or secured (guaranteed) by a third party. Your application would be made under section 282(1)(b) of the Insolvency Act 1986.

Once you have completed your application and any supporting statement of truth, you will need to attend the Court with at least 3 copies of the completed application and the fee payable to the Court. The fee is **£95**. The Court will then set a date for your annulment hearing. Once you have a hearing date, you must send a copy of your completed application form to the Official Receiver.

If you are asking for the annulment because you believe the order ought not to have been made, you must also send a copy of the application to Historicalshortfallscheme@postoffice.co.uk and Post Office at PO Box 76882, London, E1W 9RR.

Paying your debts in full

The Official Receiver will use the money they receive from the Post Office to make a payment to your creditors. This may not be enough to pay all the debts, and the costs of your bankruptcy, in full. If your application is made because you intend to pay your

debts in full you will need to make the additional payments yourself, you must allow time before the hearing for payment to be confirmed. You need to allow at least 3 working days before the hearing.

You will also need confirmation from the creditors that they do not intend to claim interest on the debts between the date of your bankruptcy order and the date they are paid in full.

If your debts are not paid before the hearing but you have made arrangements to have money available to pay them (e.g. via a guarantee from a third party or solicitor), they must attend the hearing with you to explain how the debts will be paid.

If the bankruptcy order is annulled before the compensation claim under the Historical Shortfall Scheme is settled, the claim, in full, will be transferred back to you.