

CR-2017-007261

IN THE HIGH COURT OF JUSTICE  
BUSINESS AND PROPERTY COURTS  
INSOLVENCY AND COMPANIES LIST

BEFORE <sup>Deputy</sup> INSOLVENCY AND COMPANIES COURT JUDGE BARON MAR 2018



DATED THE 20<sup>TH</sup> DAY OF MARCH 2018

IN THE MATTER OF MONARCH AIRLINES LIMITED (IN ADMINISTRATION)

AND IN THE MATTER OF THE INSOLVENCY ACT 1986

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ORDER

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UPON THE APPLICATION of the joint administrators of the above-named company;

AND UPON HEARING Daniel Bayfield QC, leading counsel for the joint administrators of the above-named company;

AND UPON reading the witness statement of Mr James Robert Tucker dated 16 February 2018,

**IT IS ORDERED THAT:**

1. Section 176A(2) of the Insolvency Act 1986 shall not apply and accordingly the joint administrators shall be under no obligation to set aside a prescribed part for the unsecured creditors of Monarch Airlines Limited (in administration) pursuant to section 176A(5) of the Insolvency Act 1986.
2. In respect of creditors who have not objected to the joint administrators' intention to apply to court for the court to disapply the prescribed part, the requirement in Rule 12.16(2) of the Insolvency (England and Wales) Rules 2016 that an administrator must, as soon as reasonably practicable, deliver notice of an order made under Section 176A(5) of the Insolvency Act to each creditor is complied with by gazetting notice of the order and advertising it on [www.kpmg.co.uk/monarch](http://www.kpmg.co.uk/monarch), pursuant to Rule 12.16(3) of the Insolvency (England and Wales) Rules 2016.



NSB  
20/3/18

3. The costs of and occasioned by this application be paid as an administration expense of Monarch Airlines Limited (in administration).



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**BEFORE INSOLVENCY AND COMPANIES  
COURT JUDGE BARNETT**

**IN THE MATTER OF MONARCH AIRLINES  
LIMITED (IN ADMINISTRATION)**

**AND IN THE MATTER OF THE INSOLVENCY  
ACT 1986**

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**ORDER**

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 **Freshfields Bruckhaus Deringer**

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**Ref: CXM/AS/LF**

**Solicitors for the Joint Administrators**