
STATUTORY INSTRUMENTS

1981 No. 226

Judgments Enforcement (Northern Ireland) Order 1981

PART V

ENFORCEMENT ORDERS

Appointment of receiver by way of enforcement

Order appointing receiver by way of enforcement

67. The power of a court immediately before 15th February 1971 to appoint a receiver by way of equitable execution against a debtor shall be exercised by the Office by order, and shall—

- (a) extend to operate in relation to all estates in land; and
- (b) include a power to appoint a receiver in respect of any payments (whether ascertained or not) to which the debtor is or may become entitled, other than—
 - (i) earnings attachable by an attachment of earnings order;
 - (ii) future earnings or salary unless assigned or charged;
 - (iii) any payments excepted by section 27(1) of the Crown Proceedings Act 1947 (whether in its application to the Crown in right of Her Majesty's Government in Northern Ireland or in its application to the Crown in right of Her Majesty's Government of the United Kingdom); and
 - (iv) any income payable at the discretion of trustees.

Effect of order appointing receiver

68.—(1) An order appointing a receiver under Article 67 shall operate so as to restrain—

- (a) the debtor from receiving the subject-matter of the order or dealing therewith to the prejudice of the creditor;
- (b) any person who has been served with a copy of the order from dealing with the subject-matter of the order except by payment, transfer or delivery to the receiver appointed by the order.

(2) Subject to rules, where a person claims that he has a right, superior to the rights and obligations conferred or imposed by an order appointing a receiver under Article 67, to the whole or any part of the subject-matter of that order, his claim may be determined by an order made by the Office on his application.

Changes to legislation:

There are currently no known outstanding effects for the Judgments Enforcement (Northern Ireland) Order 1981, Appointment of receiver by way of enforcement.