



Administration of Justice Act 1965

1965 CHAPTER 2

PART II

MISCELLANEOUS AMENDMENTS OF LAW RELATING TO ENGLAND AND WALES

20 Increase of amount determining county court jurisdiction to make administration orders, restriction on presentation of bankruptcy petitions and minor amendments about such orders.

^{F1}(1)

^{F2}(2)

^{F3}(3) Before an administration order is made by a court, the registrar of the court shall, in accordance with rules made under [^{F4}section 102] of the ^{M1}County Courts Act 1959, send to every person whose name the debtor has notified to the appropriate county court as being a creditor of his notice that that person's name has been so notified; and so long as the order is in force, a creditor whose name is included in the schedule to the order shall not, without the leave of that court, be entitled to present, or join in, a bankruptcy petition against the debtor unless—

- (a) his name was so notified; and
- (b) the debt by virtue of which he presents, or joins in, the petition exceeds [^{F5}£1,500]; and
- (c) the notice given to the creditor by the registrar in accordance with this subsection was received by the creditor within twenty-eight days immediately preceding the day on which the petition is presented.

^{F6}(4) In section 150 of the ^{M2}County Courts Act 1959 (which, when an administration order is made, bars a creditor from remedies in respect of a debt which has been notified to a county court or is scheduled to the order, and requires a stay of proceedings in a county court or other inferior court in respect of such a debt)—

- (a) the requirement to stay proceedings shall not operate as a requirement that a county court in which proceedings in bankruptcy against the debtor are pending shall stay those proceedings; and

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1965, Section 20. (See end of Document for details)

- (b) the reference to notification to a county court shall be construed as a reference to notification to the appropriate county court.
- (5) In section 149(a) of the ^{M3}County Courts Act 1959, the requirement that notice of an administration order shall be sent to every creditor notified by the debtor shall be construed as a requirement that notice shall be sent to every person whose name a debtor has notified to the appropriate county court as being a creditor of his.
- (6) In this section any reference to notification to the appropriate county court shall, in relation to an administration order, be construed as a reference to the giving, before the making of the order, of notice, in accordance with rules made under the said [^{F4}section 102], to the court which, at the time when the notification is given, has the power to make the order.
- (7) The power conferred by subsection (2) above to make an Order in Council shall include power to vary the Order; ^{F7}. . .]

Textual Amendments

- F1** S. 20(1) repealed by [Administration of Justice Act 1982 \(c. 53, SIF37\)](#), s.75(1), Sch. 9 Pt. I
- F2** Ss. 18, 20(2) repealed by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), **Sch. 9 Pt. I**
- F3** S.20(3) repealed (E.W.) by [County Courts Act 1984 \(c. 28, SIF 34\)](#), s. 148(3), **Sch. 4**
- F4** Words substituted by [Insolvency Act 1976 \(c. 60\)](#), **s. 12(2)**
- F5** S. 20(3)(b): sum substituted by [S.I. 1984/1199](#), **reg. 2(e)**
- F6** Ss. 20(4)–(7), 23 repealed (E.W.) by [County Courts Act 1984 \(c. 28, SIF 34\)](#), s. 148(3), **Sch. 4**
- F7** Words repealed by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), **Sch. 9 Pt. I**

Marginal Citations

- M1** 1959 c. 22.
- M2** 1959 c. 22.
- M3** 1959 c. 22.

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There are currently no known outstanding effects for the Administration of Justice Act 1965, Section 20.