



Administration of Estates Act 1971

1971 CHAPTER 25

Rights and duties of personal representatives in England and Wales

10 Retainer, preference and the payment of debts by personal representatives.

- (1) The right of retainer of a personal representative and his right to prefer creditors are hereby abolished.
- (2) Nevertheless a personal representative—
 - (a) other than one mentioned in paragraph (b) below, who, in good faith and at a time when he has no reason to believe that the deceased's estate is insolvent, pays the debt of any person (including himself) who is a creditor of the estate; or
 - (b) to whom letters of administration had been granted solely by reason of his being a creditor and who, in good faith and at such a time pays the debt of another person who is a creditor of the estate;

shall not, if it subsequently appears that the estate is insolvent, be liable to account to a creditor of the same degree as the paid creditor for the sum so paid.

Changes to legislation:

There are currently no known outstanding effects for the Administration of Estates Act 1971, Section 10.