



Judicature (Northern Ireland) Act 1978

1978 CHAPTER 23

PART VIII

RULES OF LAW IN JUDICIAL MATTERS GENERALLY

87 Assignment of debts and choses in action

- (1) Subject to subsections (2) and (3), any absolute assignment by writing under the hand of the assignor, not purporting to be by way of charge only, of any debt or other legal chose in action, of which express notice in writing is given to the debtor, trustee or other person from whom the assignor would have been entitled to receive or claim the debt or chose in action, shall be effectual in law (subject to equities having priority over the right of the assignee) to pass and transfer, as from the date of the notice,—
 - (a) the legal right to, and all legal and other remedies respecting, the debt or chose in action together with,
 - (b) the power to give, without the concurrence of the assignor, a good discharge for the debt or chose in action.
- (2) If the debtor, trustee or other person liable in respect of the debt or chose in action has had notice that the assignment is disputed by the assignor or anyone claiming under him, or of any other opposing or conflicting claims to the debt or chose in action, he shall be entitled, if he thinks fit, to call upon the several persons concerned to pursue their claims by interpleading, or he may, if he thinks fit, make an appropriate payment into court under the relevant provisions of the Trustee Acts (Northern Ireland) 1958 and 1962.
- (3) This section does not affect the provisions of the Policies of Assurance Act 1867.