



# Senior Courts Act 1981

## 1981 CHAPTER 54

### PART II

#### JURISDICTION

#### THE HIGH COURT

##### *Powers*

### **37 Powers of High Court with respect to injunctions and receivers.**

- (1) The High Court may by order (whether interlocutory or final) grant an injunction or appoint a receiver in all cases in which it appears to the court to be just and convenient to do so.
- (2) Any such order may be made either unconditionally or on such terms and conditions as the court thinks just.
- (3) The power of the High Court under subsection (1) to grant an interlocutory injunction restraining a party to any proceedings from removing from the jurisdiction of the High Court, or otherwise dealing with, assets located within that jurisdiction shall be exercisable in cases where that party is, as well as in cases where he is not, domiciled, resident or present within that jurisdiction.
- (4) The power of the High Court to appoint a receiver by way of equitable execution shall operate in relation to all legal estates and interests in land; and that power—
  - (a) may be exercised in relation to an estate or interest in land whether or not a charge has been imposed on that land under section 1 of the <sup>M1</sup>Charging Orders Act 1979 for the purpose of enforcing the judgment, order or award in question; and
  - (b) shall be in addition to, and not in derogation of, any power of any court to appoint a receiver in proceedings for enforcing such a charge.
- (5) Where an order under the said section 1 imposing a charge for the purpose of enforcing a judgment, order or award has been, or has effect as if, registered under section 6

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*Changes to legislation:* There are outstanding changes not yet made by the [legislation.gov.uk](http://legislation.gov.uk) editorial team to Senior Courts Act 1981. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

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of the <sup>M2</sup>Land Charges Act 1972, subsection (4) of the said section 6 (effect of non-registration of writs and orders registrable under that section) shall not apply to an order appointing a receiver made either—

- (a) in proceedings for enforcing the charge; or
- (b) by way of equitable execution of the judgment, order or award or, as the case may be, of so much of it as requires payment of moneys secured by the charge.

**Annotations:**

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**Marginal Citations**

**M1** 1979 c. 53.

**M2** 1972 c. 61.

### Changes to legislation:

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### Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 2(1)(b) word substituted by S.I. 2015/1885 art. 2
- s. 2(7) inserted by 2013 c. 22 Sch. 13 para. 13(4)
- s. 4(7) inserted by 2013 c. 22 Sch. 13 para. 14(4)
- s. 8(1A) inserted by 2011 c. 18 Sch. 2 para. 1(4)
- s. 8(4) inserted by 2011 c. 18 Sch. 2 para. 1(6)
- s. 9(1ZA)(1ZB) inserted by 2013 c. 22 Sch. 14 para. 1(5)
- s. 9(2CA) inserted by 2013 c. 22 Sch. 13 para. 52
- s. 9(8A)(8B) inserted by 2013 c. 22 Sch. 14 para. 2(3)
- s. 10(6A) inserted by 2013 c. 22 Sch. 13 para. 88
- s. 31(2A)(2B) applied by 2007 c. 15 s. 15(5A)(5B) (as inserted) by 2015 c. 2 s. 84(4)
- s. 31(2A)(2B) applied by 2007 c. 15 s. 16(6A) (as inserted) by 2015 c. 2 s. 84(6)
- s. 31(2A)-(2C) inserted by 2015 c. 2 s. 84(1)
- s. 31(3)(a) word inserted by 2015 c. 2 s. 85(1)(a)
- s. 31(3)(b) and word inserted by 2015 c. 2 s. 85(1)(b)
- s. 31(3A)(3B) inserted by 2015 c. 2 s. 85(2)
- s. 31(3C)-(3F) inserted by 2015 c. 2 s. 84(2)
- s. 31(8) inserted by 2015 c. 2 s. 84(3)
- s. 33(3) inserted by 2013 c. 22 Sch. 10 para. 55
- s. 34(5) inserted by 2013 c. 22 Sch. 10 para. 56
- s. 37(6) inserted by 2013 c. 22 Sch. 10 para. 58
- s. 51(1)(ba) inserted by 2013 c. 22 Sch. 10 para. 61(2)
- s. 51(7A) inserted by 2015 c. 2 s. 67(2)
- s. 51(12A) inserted by 2015 c. 2 s. 67(3)
- s. 69(3A) (3B) inserted by 2013 c. 18 Sch. 2 para. 8(3)
- s. 69(6) inserted by 2013 c. 18 Sch. 2 para. 8(5)
- s. 70(5) inserted by 2013 c. 22 Sch. 10 para. 62
- s. 84(10) inserted by S.I. 2012/2398 Sch. 1 para. 2(4)
- s. 91(6A)-(6D) inserted by 2013 c. 22 Sch. 13 para. 35(4)
- s. 102(5ZA)-(5ZE) inserted by 2013 c. 22 Sch. 13 para. 36(4)
- Sch. 1 para. 2(bc) inserted by 2010 c. 38 s. 28(1)
- Sch. 1 para. 2(bd) inserted by 2011 c. 23 Sch. 7 para. 1(b)
- Sch. 1 para. 2(be) inserted by 2015 c. 6 s. 15(1)
- Sch. 1 para. 3(ha) inserted by 2015 c. 9 Sch. 4 para. 5
- Sch. 1 para. 3(f)(vi) inserted by S.I. 2010/1898 Sch. para. 2 (This amendment comes into force on the date on which the 1996 Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-Operation in respect of Parental Responsibility and Measures for the Protection of Children enters into force in relation to the United Kingdom, see reg. 1(2). The Convention entered into force on 1.11.2012 as notified in the Gazettes)
- Sch. 1 para. 3(aa) inserted by S.I. 2014/3257 art. 4(b)
- Sch. 1 para. 3(l) inserted by S.I. 2014/3298 reg. 3(3)
- Sch. 1 para. 3(ec) inserted by S.I. 2016/413 reg. 34

### Commencement Orders yet to be applied to the Senior Courts Act 1981

Commencement Orders bringing legislation that affects this Act into force:

- S.I. 2010/145 art. 2 Sch. commences (2009 c. 25)
- S.I. 2010/708 art. 1-14 commences (2008 c. 14)

- [S.I. 2010/987 art. 2 commences \(2008 c. 22\)](#)
- [S.I. 2010/1621 art. 2 Sch. commences \(S.I. 2010/231\)](#)
- [S.I. 2010/2582 art. 2 Sch. 1 commences \(2010 nawm 1\)](#)
- [S.I. 2011/1741 art. 2 commences \(2009 c. 11\)](#)