



Administration of Justice Act 1956

1956 CHAPTER 46

PART IV

GENERAL PROVISIONS AS TO ENFORCEMENT OF JUDGMENTS AND ORDERS

36 Receivers

- (1) The power of the High Court and of the county court to appoint a receiver by way of equitable execution shall be extended so as to operate in relation to all legal estates and interests in land.
- (2) The said power may be exercised in relation to an estate or interest in land whether or not a charge has been imposed on that land under the last preceding section for the purpose of enforcing the judgment, decree, order or award in question, and the said power 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.
- (3) Where an order under the last preceding section imposing a charge for the purpose of enforcing a judgment, decree, order or award has been registered under section six of the Land Charges Act, 1925, subsection (1) of section seven of that Act (which provides that, amongst other things, an order appointing a receiver and any proceedings pursuant to the order or in obedience thereto shall be void against a purchaser unless the order is for the time being registered under section six of that Act) shall not apply to an order appointing a receiver made either in proceedings for enforcing the charge or by way of equitable execution of the judgment, decree, order or award or, as the case may be, of so much thereof as requires payment of moneys secured by the charge.
- (4) Consequentially on the provisions of subsection (1) of this section, in subsection (2) of section forty of the Bankruptcy Act, 1914, for the words " or, in the case of an equitable interest," and in subsection (2) of section three hundred and twenty-five of the Companies Act, 1948, for the words " and, in the case of an equitable interest," the word " or " shall be substituted.