



# Crown Proceedings Act 1947

1947 CHAPTER 44 10 and 11 Geo 6

## PART III

### JUDGMENTS AND EXECUTIONS

#### 27 Attachment of moneys payable by the Crown.

- (1) Where any money is payable by the Crown to some person who, under any order of any court, is liable to pay any money to any other person, and that other person would, if the money so payable by the Crown were money payable by a subject, be entitled under rules of court to obtain an order for the attachment thereof as a debt due or accruing due, or an order for the appointment of a sequestrator or receiver to receive the money on his behalf, the High Court may, subject to the provisions of this Act and in accordance with rules of court, make an order restraining the first-mentioned person from receiving that money and directing payment thereof to that other person, or to the sequestrator or receiver:

Provided that no such order shall be made in respect of:—

- (a) pay wages or salary payable to any officer of the Crown as such;
  - (b) any money which is subject to the provisions of any enactment prohibiting or restricting assignment or charging or taking in execution; <sup>[F1]</sup>or
  - (c) <sup>[F1]</sup>any money payable by the Crown to any person on account of a deposit in <sup>[F2]</sup>the National Savings Bank
- (2) The provisions of the preceding subsection shall, so far as they relate to forms of relief falling within the jurisdiction of <sup>[F3]</sup>the county court, have effect in relation to <sup>[F4]</sup>the county court as they have effect in relation to the High Court <sup>F5</sup>....
- <sup>[F6]</sup>(3) In their application to England and Wales the preceding provisions of this section shall have effect subject to any order for the time being in force under section 139(2) of the <sup>[F7]</sup>Senior Courts Act 1981<sup>[F7]</sup>.

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*Changes to legislation: There are currently no known outstanding effects for the Crown Proceedings Act 1947, Section 27. (See end of Document for details)*

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### Textual Amendments

- F1** S. 27(1): para. (c) of the proviso and the word "or" preceding it repealed (E.W.) by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 139(4), **Sch. 7**
- F2** Words substituted by [Post Office Act 1969 \(c. 48\)](#), **Sch. 6 Pt. III**
- F3** Words in Act substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 9 para. 20(a)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F4** Words in s. 27(2) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 9 para. 20(b)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F5** Words in s. 27(2) repealed (1.10.2005) by [The Civil Procedure \(Modification of Crown Proceedings Act 1947\) Order 2005 \(S.I. 2005/2712\)](#), art. 2, **Sch. 1 para. 6** (with art. 4)
- F6** S. 27(3) added (E.W.) after subsection (2) by [Supreme Court Act 1981 \(c.54,SIF 37\)](#),s.139(1)(b)(4)
- F7** Words in s. 27(3) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59, 148, **Sch. 11 para. 1(2)**; S.I. 2009/1604, **art. 2(b)(d)**

### Modifications etc. (not altering text)

- C1** Ss. 21-42 excluded (S.) (18.4.2016) by [The Utilities Contracts \(Scotland\) Regulations 2016 \(S.S.I. 2016/49\)](#), regs. 1, **103(8)**
- C2** S. 27(1) power to exclude conferred (E.W) by [Supreme Court Act 1981 \(c.54, SIF 37\)](#), **s.139(2)(4)**
- C3** S. 27(2) power to exclude conferred (E.W.) by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), **s.139(2)**

**Changes to legislation:**

There are currently no known outstanding effects for the Crown Proceedings Act 1947, Section 27.