
 STATUTORY INSTRUMENTS

1978 No. 570 (L. 10)

BANKRUPTCY, ENGLAND

The Bankruptcy Fees (Amendment) Order 1978

Made - - - - - 12th April 1978

Coming into Operation 9th May 1978

The Lord Chancellor and the Treasury, in exercise of the powers conferred on them by section 133 of the Bankruptcy Act 1914(a) and sections 2 and 3 of the Public Offices Fees Act 1879(b), hereby make, sanction and consent to the following Order:—

1.—(1) This Order may be cited as the Bankruptcy Fees (Amendment) Order 1978 and shall come into operation on 9th May 1978.

(2) The Interpretation Act 1889(c) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

2. The Schedule to the Bankruptcy Fees Order 1975(d), as amended(e), shall have effect subject to the following further amendments:—

(a) At the end of Table A there shall be added the following new fee:—

“37. On the making of a receiving order under section 11 of the Insolvency Act 1976(f). 10.00”

(b) In Fee No. 12 of Table B, for the figure “£3.00” there shall be substituted the figure “£3.75”.

(c) Fee No. 18 of Table B shall be omitted.

(d) For Fee No. 19 of Table B there shall be substituted the following fee:—

“19. At the due date for trustees (including the Official Receiver when he is trustee) sending accounts of their receipts and payments as trustee to the Secretary of State under section 92 of the Act, a fee according to the following scale on the amount brought to credit, after deducting any sums paid to secured creditors in respect of their securities and any sums spent out of money received in carrying on the business of the debtor—

(a) on the first £100,000 or fraction thereof	per cent	7.50
(b) on the next £400,000 or fraction thereof	per cent	6.50
(c) on the next £500,000 or fraction thereof	per cent	3.75
(d) on all further sums	per cent	2.00

(a) 1914 c. 59.

(b) 1879 c. 58.

(c) 1889 c. 63.

(d) S.I. 1975/1350.

(e) The relevant amending instrument is S.I. 1976/687.

(f) 1976 c. 60.

Provided that where a fee has been taken under Table A on an application to approve a composition or scheme of arrangement, seven-eighths of the amount paid under Fee No. 13 or 14 of Table A shall be deducted from this fee”.

Elwyn-Jones, C.

Dated 11th April 1978.

Donald R. Coleman,

T. E. Graham,

Two of the Lords Commissioners of
Her Majesty's Treasury.

Dated 12th April 1978.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order adds a new fee to Table A (Fee No. 37) which is payable where a receiving order is made under section 11 of the Insolvency Act 1976. In addition it substitutes for Fees No. 18 and 19 in Table B, an *ad valorem* fee payable by every trustee in bankruptcy (including an Official Receiver when acting as such) on the submission to the Secretary of State of accounts of their receipts and payments under section 92 of the Bankruptcy Act 1914, and increases from £3.00 to £3.75 the fee payable for insertion in the London Gazette of a notice authorised by the Act or the Bankruptcy Rules 1952.

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