



Administration of Justice Act 1965

1965 CHAPTER 2

U.K.

An Act to enable common investment funds to be established for the investment of moneys in certain courts in England, Wales and Northern Ireland and certain other moneys; to make fresh provision for dealing with funds in the [^{F1}Senior Courts] in England and to amend the law concerning dealing with funds in county courts in England and Wales or in the Mayor's and City of London Court; to amend the law concerning giving security by way of making a deposit with the Accountant General of the [^{F1}Senior Courts] in England; to make miscellaneous amendments of the law relating to that court and to inferior courts in England and Wales; to amend section 8 of the Prosecution of Offences Act 1879; to enable benefits under section 10 of the Courts of Justice Concentration (Site) Act 1865 to be commuted into capital sums; to amend the War Pensions (Administrative Provisions) Act 1919; to enlarge the legislative power of the Parliament of Northern Ireland and amend the Criminal Appeal (Northern Ireland) Act 1930; to repeal certain obsolete, spent, unnecessary or superseded enactments; and for purposes connected with the matters aforesaid. [23rd March 1965]

Textual Amendments

F1 Words in Long Title substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 59\(5\)\(6\), 148\(1\), Sch. 11 para. 4; S.I. 2009/1604, art. 2\(b\)\(d\)](#)

Commencement Information

I1 Act not in force at Royal Assent, see [s. 36\(2\)\(3\)](#); Act wholly in force at 1.10.1965

Status: Point in time view as at 01/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1965. (See end of Document for details)

PART I U.K.

FUNDS IN COURT IN ENGLAND AND WALES

Common Investment Funds for Investment of Money in Court and Statutory Deposits

F21 **U.K.**

Textual Amendments
F2 Ss. 1-16 repealed (13.6.1991) by Administration of Justice Act 1982 (c. 53, SIF 37), s. 75(1), **Sch. 9 Pt. I**; S.I. 1991/1245, **art. 2**

F32 **U.K.**

Textual Amendments
F3 Ss. 1-16 repealed (13.6.1991) by Administration of Justice Act 1982 (c. 53, SIF 37), s. 75(1), **Sch. 9 Pt. I**; S.I. 1991/1245, **art. 2**

Funds in the [F4 Senior Courts]

Textual Amendments
F4 Words in cross-heading preceding s. 3 substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59(5)(6), 148(1), **Sch. 11 para. 4**; S.I. 2009/1604, **art. 2(b)(d)**

F53 **U.K.**

Textual Amendments
F5 Ss. 1-16 repealed (13.6.1991) by Administration of Justice Act 1982 (c. 53, SIF 37), s. 75(1), **Sch. 9 Pt. I**; S.I. 1991/1245, **art. 2**

F64 **U.K.**

Textual Amendments
F6 Ss. 1-16 repealed (13.6.1991) by Administration of Justice Act 1982 (c. 53, SIF 37), s. 75(1), **Sch. 9 Pt. I**; S.I. 1991/1245, **art. 2**

F75 **U.K.**

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Textual Amendments

F7 Ss. 1-16 repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 2](#)

F8 **U.K.**

Textual Amendments

F8 Ss. 1-16 repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 2](#)

F9 **6A** **U.K.**

Textual Amendments

F9 S. 6A. (which was inserted by [Administration of Justice Act 1977 \(c. 38\)](#), s. 11(3)) repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 2](#)

F10 **7** **U.K.**

Textual Amendments

F10 Ss. 1-16 repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 2](#)

F11 **8** **U.K.**

Textual Amendments

F11 Ss. 1-16 repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 2](#)

Amendments of Part X of County Courts Act 1959

F12 **9** **U.K.**

Status: Point in time view as at 01/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1965. (See end of Document for details)

Textual Amendments

F12 Ss. 1-16 repealed (13.6.1991) by Administration of Justice Act 1982 (c. 53, SIF 37), s. 75(1), **Sch. 9 Pt. I**; S.I. 1991/1245, **art. 2**

F13 **10** **U.K.**

Textual Amendments

F13 Ss. 1-16 repealed (13.6.1991) by Administration of Justice Act 1982 (c. 53, SIF 37), s. 75(1), **Sch. 9 Pt. I**; S.I. 1991/1245, **art. 2**

F14 **11** **U.K.**

Textual Amendments

F14 S. 11 repealed by Courts Act 1971 (c. 23), **Sch. 11 Pt. II** and expressed to be repealed (13.6.1991) by Administration of Justice Act 1982 (c. 53, SIF 37), s. 75(1), **Sch. 9 Pt. I**; S.I. 1991/1245, **art. 1**

Investment of Money transferred under Funds Rules to, and ultimate Liability of Consolidated Fund for Payments under such Rules by, the National Debt Commissioners

F15 **12** **U.K.**

Textual Amendments

F15 Ss. 1-16 repealed (13.6.1991) by Administration of Justice Act 1982 (c. 53, SIF 37), s. 75(1), **Sch. 9 Pt. I**; S.I. 1991/1245, **art. 2**

F16 **13** **U.K.**

Textual Amendments

F16 Ss. 1-16 repealed (13.6.1991) by Administration of Justice Act 1982 (c. 53, SIF 37), s. 75(1), **Sch. 9 Pt. I**; S.I. 1991/1245, **art. 2**

Special Provisions with respect to Statutory Deposits, &c.

F17 **14** **U.K.**

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Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1965. (See end of Document for details)

Textual Amendments

F17 Ss. 1-16 repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 2](#)

Supplementary Provisions

F18 **15** **U.K.**

Textual Amendments

F18 Ss. 1-16 repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 2](#)

F19 **16** **U.K.**

Textual Amendments

F19 Ss. 1-16 repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 2](#)

17 **Amendments of Acts to secure conformity with Part I of this Act.** **U.K.**

^{X1}(1) The enactments specified in column 1 of Schedule 1 to this Act shall have effect subject to the amendments respectively specified in relation thereto in column 2 of that Schedule (being amendments necessary for bringing those enactments into conformity with this Part of this Act).

(2) Without prejudice to section 23 of the ^{M1}Interpretation Act 1889 or any corresponding enactment of the Parliament of Northern Ireland, any reference in an Act passed or other instrument made before the commencement of this Act which is, or includes, a reference to a provision of the ^{M2}Lands Clauses Consolidation Act 1845 that is amended by this Act shall, unless the contrary intention appears, be construed as referring, or as including a reference, to that provision as so amended.

Editorial Information

X1 The text of S. 17(1) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M1 1889 c. 63.

M2 1845 c. 18.

F20 **18** **U.K.**

Status: Point in time view as at 01/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1965. (See end of Document for details)

Textual Amendments

F20 Ss. 18, 20(2) repealed by Administration of Justice Act 1982 (c. 53, SIF 37), s. 75(1), Sch. 9 Pt. I

PART II U.K.

MISCELLANEOUS AMENDMENTS OF LAW RELATING TO ENGLAND AND WALES

F21 19 **U.K.**

Textual Amendments

F21 S. 19 repealed by Law Reform (Miscellaneous Provisions) Act 1971 (c. 43), s. 5(1)

20 Increase of amount determining county court jurisdiction to make administration orders, restriction on presentation of bankruptcy petitions and minor amendments about such orders. U.K.

F22(1)

F23(2)

F24(3) Before an administration order is made by a court, the registrar of the court shall, in accordance with rules made under **F25**section 102] of the **M3**County Courts Act 1959, send to every person whose name the debtor has notified to the appropriate county court as being a creditor of his notice that that person’s name has been so notified; and so long as the order is in force, a creditor whose name is included in the schedule to the order shall not, without the leave of that court, be entitled to present, or join in, a bankruptcy petition against the debtor unless—

- (a) his name was so notified; and
- (b) the debt by virtue of which he presents, or joins in, the petition exceeds **F26**£1,500]; and
- (c) the notice given to the creditor by the registrar in accordance with this subsection was received by the creditor within twenty-eight days immediately preceding the day on which the petition is presented.

F27(4) In section 150 of the **M4**County Courts Act 1959 (which, when an administration order is made, bars a creditor from remedies in respect of a debt which has been notified to a county court or is scheduled to the order, and requires a stay of proceedings in a county court or other inferior court in respect of such a debt)—

- (a) the requirement to stay proceedings shall not operate as a requirement that a county court in which proceedings in bankruptcy against the debtor are pending shall stay those proceedings; and
- (b) the reference to notification to a county court shall be construed as a reference to notification to the appropriate county court.

(5) In section 149(a) of the **M5**County Courts Act 1959, the requirement that notice of an administration order shall be sent to every creditor notified by the debtor shall be

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construed as a requirement that notice shall be sent to every person whose name a debtor has notified to the appropriate county court as being a creditor of his.

(6) In this section any reference to notification to the appropriate county court shall, in relation to an administration order, be construed as a reference to the giving, before the making of the order, of notice, in accordance with rules made under the said [F25section 102], to the court which, at the time when the notification is given, has the power to make the order.

(7) The power conferred by subsection (2) above to make an Order in Council shall include power to vary the Order, F28 . . .]

Textual Amendments

- F22 S. 20(1) repealed by Administration of Justice Act 1982 (c. 53, SIF37), s.75(1), Sch. 9 Pt. I
- F23 Ss. 18, 20(2) repealed by Administration of Justice Act 1982 (c. 53, SIF 37), s. 75(1), Sch. 9 Pt. I
- F24 S.20(3) repealed (E.W.) by County Courts Act 1984 (c. 28, SIF 34), s. 148(3), Sch. 4
- F25 Words substituted by Insolvency Act 1976 (c. 60), s. 12(2)
- F26 S. 20(3)(b): sum substituted by S.I. 1984/1199, reg. 2(e)
- F27 Ss. 20(4)–(7), 23 repealed (E.W.) by County Courts Act 1984 (c. 28, SIF 34), s. 148(3), Sch. 4
- F28 Words repealed by Administration of Justice Act 1982 (c. 53, SIF 37), s. 75(1), Sch. 9 Pt. I

Marginal Citations

- M3 1959 c. 22.
- M4 1959 c. 22.
- M5 1959 c. 22.

F29 21 U.K.

Textual Amendments

- F29 S. 21 repealed by Insolvency Act 1976 (c. 60), s. 13(1), Sch. 3

F30 22 U.K.

Textual Amendments

- F30 Ss. 22, 24, 26 repealed (E.W.) by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), Sch. 7

[F31 23 **Power of county court to extend period for giving possession of land in proceedings for enforcement of right of re-entry or forfeiture.** U.K.]

(1) Where a lessor is proceeding by action in a county court in England or Wales to enforce against a lessee a right of re-entry or forfeiture in respect of any land for non-payment of rent, and the court by order made in pursuance of section 191(1)(b) of the M6County Courts Act 1959 orders possession of the land to be given to the lessor at the expiration of a period fixed by the court unless within that period the lessee pays into court all

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the rent in arrear and the costs of the action, the court may extend that period at any time before possession of the land is recovered in pursuance of the order.

- (2) Where, under the foregoing subsection, a court extends a period at a time when that period has expired and a warrant has been issued for the possession of the land, the court shall suspend the warrant for the period of the extension and, if, before the expiration of the last-mentioned period, the lessee pays into court all the rent in arrear and the costs of the action, shall cancel the warrant.
- (3) The extension under subsection (1) above of a period fixed by a court shall not be treated as relief from which the lessee, if he fails within that period to pay into court all the rent in arrear and the costs of the action, is barred by virtue of section 191(1)(c) of the ^{M7}County Courts Act 1959.
- (4) Where, under subsection (1) above, a court extends a period, any reference in the said section 191(1)(c) (which, as well as barring a lessor from relief as mentioned in the last foregoing subsection, provides that if, within the period specified in the order, the lessee pays into court the rent in arrear and costs he shall continue to hold the land) to the period specified in the order shall be construed as reference to that period as so extended.]

Textual Amendments

F31 Ss. 20(4)–(7), 23 repealed (E.W.) by County Courts Act 1984 (c. 28, SIF 34), s. 148(3), Sch. 4

Marginal Citations

M6 1959 c. 22.
M7 1959 c. 22.

^{F32}**24** **U.K.**

Textual Amendments

F32 Ss. 22, 24, 26 repealed (E.W.) by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), Sch. 7

^{F33}**25** **U.K.**

Textual Amendments

F33 S. 25 repealed by Judicial Pensions Act 1981 (c. 20, SIF 71), s. 36 (2), Sch. 4

^{F34}**26** **U.K.**

Textual Amendments

F34 Ss. 22, 24, 26 repealed (E.W.) by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), Sch. 7

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Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1965. (See end of Document for details)

F35 27 **U.K.**

Textual Amendments

F35 S. 27 repealed (E.W.) by Prosecution of Offences Act 1979 (c. 31), s. 11(2), Sch. 2 Pt. II

F36 28 **U.K.**

Textual Amendments

F36 S. 28 repealed by Statute Law (Repeals) Act 1977 (c. 18), Sch. 1 Pt. XVI

PART III U.K.

QUALIFICATION OF EX-SERVICE MEMBERS OF APPEAL TRIBUNALS
UNDER WAR PENSIONS (ADMINISTRATIVE PROVISIONS) ACT 1919

X2 29 **Amendment of War Pensions (Administrative Provisions) Act 1919. U.K.**

For sub-paragraph (ii) of paragraph 2 of the Schedule to the ^{M8}War Pensions (Administrative Provisions) Act 1919 (by virtue whereof one of the members of an appeal tribunal established under section 8 of that Act must be a disabled officer who retired or was demobilised from the forces during the 1914-18 war while suffering impairment or a disabled man who was similarly discharged or demobilised) there shall be substituted the following sub-paragraph:—

“(ii) a person who has served in Her Majesty’s Forces”.

Editorial Information

X2 The text of S. 29 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M8 1919 c. 53.

PART IV U.K.

F37 30 **U.K.**

Textual Amendments

F37 S. 30 repealed (with saving) by Judicature (Northern Ireland) Act 1978 (c. 23, SIF 38), s. 122(1)(2), Sch. 6 para. 13, Sch. 7 Pt. I

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^{F38}**31** **U.K.**

Textual Amendments
F38 S. 31 repealed by Northern Ireland Constitution Act 1973 (c. 36), s. 42, **Sch. 6 Pt. I**

^{F39}**32,** **U.K.**
33.

Textual Amendments
F39 Ss. 32, 33 repealed by Judicature (Northern Ireland) Act 1978 (c. 23, SIF 38), s. 122(1), Sch. 6 para. 13, **Sch. 7 Pt. I**

PART V **U.K.**

SUPPLEMENTAL

34 **U.K.**

^{F40}(1)
^{F41}(2)

Textual Amendments
F40 Ss. 34(1), 36(4) repealed by Statute Law (Repeals) Act 1974 (c. 22), **Sch. Pt.XI**
F41 S. 34(2) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIII** Group1.

35 **Construction of references to enactments.** **U.K.**

References in this Act to any enactment shall, except in so far as the context otherwise requires, be construed as references to that enactment as amended by or under any subsequent enactment, including this Act.

36 ^{X3}**Short title, commencement and repeal.** **U.K.**

- (1) This Act may be cited as the Administration of Justice Act 1965.
- (2) This Act shall come into force on such day as the Lord Chancellor may by order made by statutory instrument appoint.
- (3) Different days may be appointed by order under this section for different purposes of this Act; and any reference in any provision of this Act to the commencement of this Act shall, unless otherwise provided by any such order, be construed as a reference to the day on which that provision comes into operation.

^{F42}(4)

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for the Administration of Justice Act 1965. (See end of Document for details)*

Editorial Information

X3 Unreliable marginal note.

Subordinate Legislation Made

P1 Power of appointment conferred by s. 36 fully exercised.

Textual Amendments

F42 Ss. 34(1), 36(4) repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), [Sch. Pt.XI](#)

Status: Point in time view as at 01/10/2009.

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SCHEDULES

^{x4}SCHEDULE 1 U.K.

Sections 17 & 18.

AMENDMENTS OF ENACTMENTS FOR SECURING CONFORMITY WITH PART I OF THIS ACT

Editorial Information

X4 The text of Sch. 1 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

<i>Enactment</i>	<i>Amendment</i>
F43	F43
...	...
F44	F44
...	...
The Chelsea and Kilmainham Hospitals Act 1826 (7 Geo. 4. c. 16).	<p>In section 44, for the words “into the Bank of England” there shall be substituted the words “into the Supreme Court”.</p> <p>In section 46, for the words from “into the Bank of England” to “Middlesex” there shall be substituted the words “into the Supreme Court”, and for the words from “and in the meantime” (where first occurring) to “bank annuities” (where last occurring) there shall be substituted the words “and if, before the said money is so applied, it is dealt with under section 6 of the Administration of Justice Act 1965, the annual proceeds thereof”.</p> <p>In section 47, for the words from “into the bank” to “aforesaid” there shall be substituted the words “into the Supreme Court”.</p> <p>In section 49, for the words from “into the Bank” to “Chancery” there shall be substituted the words “into the Supreme Court”, and for the words “bank annuities” (wherever occurring) there shall be substituted the words “securities”.</p>

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	In section 50, for the words “said Court of Chancery” there shall be substituted the words “Supreme Court”.
	In section 51, for the words “the Bank of England” there shall be substituted the words “the Supreme Court”.
F45	F45
...	...
[^{F46} The Court Funds Act 1829 (10 Geo. 4. c. 13)]	[^{F46} After the word “Exchequer” (where first occurring) there shall be inserted the words “or to the Supreme Court”, ^{F47} . . .]
The Ecclesiastical Houses of Residence Act 1842 (5 & 6 Vict. c. 26).	In section 12, for the words from “into the Bank of England” to “enfranchised” (where next occurring) there shall be substituted the words “into the Supreme Court”, for the words from “and in the meantime” (where first occurring) to “aforesaid” there shall be substituted the words “and if, before it is so applied or so laid out and invested, it is dealt with under section 6 of the Administration of Justice Act 1965”, F47
	...
The Defence Act 1842 (5 & 6 Vict. c. 94).	Section 26 shall, in its application to Her Majesty’s High Court of Justice in England and Her Majesty’s High Court of Justice in Northern Ireland, have effect with omission of the words “or for placing out such part thereof as shall be principal in the public funds, or upon government or real securities”.
	Section 30 shall, as regards money paid into the [^{F48} Senior Courts], have effect with the substitution, for the words “any bank annuities”, of the words “any investments”, for the words “any such bank annuities”, of the words “any such investments or money” and, for the words “the bank annuities to be purchased with such money, and also the capital of such bank annuities”, of the words “the money or the investments to be purchased therewith, and also the investments themselves”.
The Lands Clauses Consolidation Act 1845 (8 & 9 Vict. c. 18).	Section 69 shall, in the case of purchase money or compensation payable in respect of, or of an interest in, or for damage to, lands in England or Wales, have effect with the substitution, for the words from “be paid

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into the Bank” to “the said courts” of the words “be paid into the [F48Senior Courts]”.

Section 70 shall, in the case of money paid into the [F48Senior Courts], have effect with the substitution, for the words from “and until the money” to “annual proceeds thereof paid”, of the words “and if, before it is so applied, it is dealt with under section 6 of the Administration of Justice Act 1965, the annual proceeds thereof shall be paid”.

Section 71 shall, in the case of purchase money or compensation payable in respect of, or of an interest in, or for damage to, lands in England or Wales, have effect with the substitution, for the words “be paid into the Bank”, of the words “be paid into the [F48Senior Courts]” and, for the words “money paid into the Bank”, of the words “money paid into the [F48Senior Courts]”.

Section 73 shall, in the case of money payable in respect of the taking, using or interfering with lands in England or Wales, have effect with the substitution, for the words “be paid into the Bank”, of the words “be paid into the [F48Senior Courts]” and, for the words “so paid into the Bank”, of the words “paid into the [F48Senior Courts]”.

In section 74, after the word “into” there shall be inserted the words “the [F48Senior Courts] or”.

In section 75, before the word “deposit” (where it first occurs) there shall be inserted the words “payment into court or”, before the word “deposit” (where it secondly occurs) there shall be inserted the words “payment or”, and before the word “deposited” there shall be inserted the words “paid or”.

Section 76 shall, in the case of, or of an interest in, lands in England or Wales that have, or has, been purchased or taken, have effect with the substitution, for the words from “to deposit the purchase money” onwards, of the words “to pay into the [F48Senior Courts] the purchase money or compensation payable in respect of such lands”.

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In section 77, for the words “such deposit” (wherever they occur) there shall be substituted the words “such payment or deposit”, and for the word “deposited” there shall be substituted the words “paid or deposited”.

Section 78 shall, in the case of purchase money or compensation payable in respect of, or of an interest in, lands in England or Wales, have effect as if, after the word “so” (in both places where it occurs), there were inserted the words “paid or”, and as if, for the words from “order such money” to “thereof” (where it last occurs), there were substituted the words “order distribution of the money according to the respective estates, titles or interests of the parties making claim to such money or lands, or any part thereof, and if, before the money is distributed, it is dealt with under section 6 of the Administration of Justice Act 1965 payment likewise of the dividends thereof”.

In section 79, for the words “the money so deposited, and to the dividends or interest of the annuities or securities purchased therewith” there shall be substituted the words “the money so paid or deposited, and to the interest or dividends of it or of the securities purchased therewith”.

In section 80, after the word “monies” (where it first occurs) there shall be inserted the words “paid into the [^{F48}Senior Courts] or”, after the word “so” there shall be inserted the words “paid or”;

^{F47}

. . . and for the words from “and interest” to “or of the” there shall be substituted the words “of the monies, and for the payment out of court of the principal thereof or of any”.

Section 84 shall, in the case of lands in England or Wales, have effect with the substitution, for the words “deposited in the Bank”, of the words “paid into the [^{F48}Senior Courts]”.

Section 85 shall, in the case of lands in England or Wales have effect as if, for the words “to deposit in the Bank”, the words “for deposit in the Bank”, the words “deposited in the Bank” and the words

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“such deposit”, there were respectively substituted the words “to pay into the [F⁴⁸Senior Courts]”, the words “for payment into the [F⁴⁸Senior Courts]”, the words “paid into the [F⁴⁸Senior Courts]” and the words “such payment”.

The Act shall, in its application to England and Wales, have effect with the substitution for sections 86, 87 and 88 of the following section:—

“**86** Money paid under section 85 of this Act into the [F⁴⁸Senior Courts] shall remain there by way of security to the parties whose lands shall so have been entered upon for the performance of the condition of the bond to be given by the promoters of the undertaking, as hereinbefore mentioned, and, if dealt with under section 6 of the Administration of Justice Act 1965 shall be accumulated; and upon the condition of such bond being fully performed the High Court may, on the application of the promoters, order it, or the proceeds of the securities in which it has been invested, together with the accumulation thereof, to be paid to the promoters of the undertaking, or if such condition shall not be fully performed it shall be lawful for the said Court to order the same to be applied, in such manner as it shall think fit, for the benefit of the parties for whose security the same shall have been paid.”

Section 99 shall, in the case of lands in England or Wales, have effect with the substitution, for the words “and upon payment or deposit in the Bank of the compensation so determined”, of the words “and upon payment of the compensation so determined either to the persons entitled thereto or into the [F⁴⁸Senior Courts]”.

Section 100 shall, in the case of lands in England or Wales, have effect with the substitution, for the words “on deposit thereof in the Bank”, of the words “on payment thereof into the [F⁴⁸Senior Courts]”, with the substitution, for the words “deposited as aforesaid”, of the words “paid

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into the [F48Senior Courts] as aforesaid”Q, and with the substitution, for the words from “by payment” onwards, of the words “by payment, as hereinafter provided, of compensation for the same either to the persons entitled thereto or into the [F48Senior Courts]”.

Section 107 shall, in the case of lands in England or Wales over which commonable or other rights subsist, have effect with the substitution, for the words “deposit in the Bank in the manner provided in the like case”, of the words “payment into the [F48Senior Courts]” with the omission of the words “or deposited”, and with the substitution, for the words “so deposited”, of the words “so paid into the [F48Senior Courts]”.

Section 109 shall, in the case of lands in England or Wales subject to a mortgage, have effect with the substitution, for the words “to deposit in the bank, in the manner provided by this Act in like cases”, of the words “to pay into the [F48Senior Courts]”.

Section 111 shall, in the case of lands in England or Wales subject to a mortgage, have effect with the substitution, for the words from “to deposit” to “every such payment or deposit”, of the words “to pay into the [F48Senior Courts] the amount of such value or compensation; and the making of payment to the mortgagee or into the [F48Senior Courts]”, and, for the words “by such payment or deposit”, of the words “by payment to the mortgagee or into the [F48Senior Courts]”.

Section 113 shall, in the case of lands in England or Wales subject to a mortgage, have effect with the substitution, for the words from “to pay the amount” to “such payment or deposit”, of the words “to pay into the [F48Senior Courts] the amount of such value or compensation; and the making of payment to the mortgagee or into the [F48Senior Courts]”.

Section 117 shall, in the case of lands in England or Wales charged with payments or incumbrances not otherwise provided for in the Act, have effect with the substitution, for

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<p>F45</p> <p>...</p> <p>F45</p> <p>...</p> <p>The Queen's Remembrancer Act 1859 (22 & 23 Vict. c. 21).</p> <p>F45</p> <p>...</p> <p>The Defence Act 1860 (23 & 24 Vict. c. 112).</p> <p>F49</p> <p>...</p> <p>[^{F50}The Tramways Act 1870 (33 & 34 Vict. c. 78).]</p>	<p>the words from "to deposit" to "like cases", of the words "to pay into the [^{F48}Senior Courts] the amount of the compensation".</p> <p>F45</p> <p>...</p> <p>F45</p> <p>...</p> <p>F45</p> <p>...</p> <p>F45</p> <p>...</p> <p>In section 8, for the words from "be paid into the Bank of England" to "his name as aforesaid" there shall be substituted the words "be paid into the Supreme Court; and upon the filing there of a certificate of the Accountant General of the Supreme Court of the payment".</p> <p>F45</p> <p>...</p> <p>In sections 21 and 22, for the words "into the Bank of England or Ireland" there shall be substituted the words "into the Supreme Court or into the Bank of Ireland".</p> <p>In section 23, for the words from "Bank of England" to "Court of Chancery" (where first occurring) there shall be substituted the words "Supreme Court".</p> <p>F49</p> <p>...</p> <p>[^{F50}Section 12 shall, except in the case of a tramway that will be wholly situate in Scotland, have effect with the substitution, for the references to the payment of a prescribed sum of money into, and the deposit of a security of the prescribed nature in, the prescribed bank, of references respectively to the deposit of such a sum of money with the Accountant General [^{F51}of the Supreme Court]] and the deposit of a security of such a nature with him, and shall, in the said excepted case, have effect as if the first-mentioned references included references respectively to the deposit of such a sum of money with him and the deposit of a security of such a nature with him.</p>
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	<p>[^{F50}In section 64(2), the reference to the investment of money paid by way of deposit shall, in the case of money deposited with the Accountant General [^{F51}of the Supreme Court]], be construed as referring to the laying out thereof at interest, the investment thereof by the Accountant General in securities or the transfer thereof to one of the funds established by common investment schemes [^{F52}under section 42 of the Administration of Justice Act 1982].</p>
<p>F53 ...</p>	<p>F53 ...</p>
	<p>F53 ...</p>
<p>Life Assurance Companies (Payment into Court) Act 1896 (59 & 60 Vict. c. 8) .</p>	<p>The Act shall, in its application to England and Wales, have effect with the substitution, for references to the High Court, of references to the [^{F48}Senior Courts].</p>
<p>[^{F54}The Light Railways Act 1896 (59 & 60 Vict. c. 48).]</p>	<p>[^{F54}For section 11(k) there shall be substituted the following:— “(k) in the case of a new company, requiring the company to make a deposit with the Accountant General of the Supreme Court, and providing for the time of making and the application of the deposit and for its being laid out at interest, invested by the Accountant General in securities or transferred to one of the funds established by schemes made under section 1 of the Administration of Justice Act 1965.”]</p>
<p>The Deeds of Arrangement Act, 1914 (4 & 5 Geo. 5. c. 47)</p>	<p>In section 16, for the words “paid into court” there shall be substituted the words “paid into the Supreme Court or, if a county court has jurisdiction in the matter, into that court”.</p>
<p>F55 ...</p>	<p>F55 ...</p>
<p>F56 ...</p>	<p>F56 ...</p>

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- The Settled Land Act 1925 (15 & 16 Geo. 5. c. 18). After subsection (1) of section 117, there shall be inserted the following subsection:—
- “(1A) Any reference in this Act to money, securities or proceeds of sale being paid or transferred into court shall be construed as referring to the money, securities or proceeds being paid or transferred into the Supreme Court or any other court that has jurisdiction, and any reference in this Act to the court, in a context referring to the investment or application of money, securities or proceeds of sale paid or transferred into court, shall be construed, in the case of money, securities or proceeds paid or transferred into the Supreme Court, as referring to the High Court, and, in the case of money, securities or proceeds paid or transferred into another court, as referring to that other court.”
- The Trustee Act 1925 (15 & 16 Geo. 5. c. 19). Paragraph (8) of section 68 and, in paragraph (13) of that section, the words from “and so far as relates” to “Supreme Court” shall be omitted, and at the end of that section there shall be inserted the following subsection:—
- “(2) Any reference in this Act to paying money or securities into court shall be construed as referring to paying the money or transferring or depositing the securities into or in the Supreme Court or into or in any other court that has jurisdiction, and any reference in this Act to payment of money or securities into court shall be construed—
- (a) with reference to an order of the High Court, as referring to payment of the money or transfer or deposit of the securities into or in the Supreme Court; and
- (b) with reference to an order of any other court, as referring to payment of the money or transfer or deposit of the securities into or in that court.”

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The Law of Property Act 1925 (15 & 16 Geo. 5. c. 20). After subsection (1) of section 205 there shall be inserted the following subsection:—

“(1A) Any reference in this Act to money being paid into court shall be construed as referring to the money being paid into the Supreme Court or any other court that has jurisdiction, and any reference in this Act to the court, in a context referring to the investment or application of money paid into court, shall be construed, in the case of money paid into the Supreme Court, as referring to the High Court, and in the case of money paid into another court, as referring to that other court.”

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The Insurance Companies Act 1958 (6 & 7 Eliz. 2. c. 72). For section 19(1) there shall be substituted the following:—

“(1) The interest or dividends accruing due on a sum deposited with the Accountant General of the Supreme Court by any company under section 2 of the Assurance Companies Act 1909 or paragraph 1 of Schedule 2 to this Act, on securities in which a sum so deposited is for the time being invested or on securities so deposited shall be paid to the company.”

For section 20(1) there shall be substituted the following:—

“(1) Regulations may be made with respect to applications for warrants, to the payment of deposits, the

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laying out thereof at interest or the investment thereof by the Accountant General in securities or the transfer thereof to one of the funds established by schemes made under section 1 of the Administration of Justice Act 1965, and other dealing therewith, to the deposit of securities in lieu of money, to the payment of interest or dividends from time to time accruing due on deposits or any securities in which they are for the time being invested, or on any securities deposited in lieu of money, and to the withdrawal and transfer of deposits.”

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Textual Amendments

- F43** Entry relating to Crown Debts Act 1801 repealed by [Civil Jurisdiction and Judgments Act 1982 \(c. 27, SIF 45:3\)](#), s. 54, **Sch. 14**
- F44** Entry repealed by [Endowments and Glebe Measure 1976 \(No. 4\)](#), **Sch. 8**.
- F45** Sch. 1: entries relating to Clergy Residence Act 1826, Inclosure Act 1845, Tithe Act 1846 and Tithe Act 1860 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), s. **1(1)**, {Sch. 1 Pt. 1 Group 4}
- F46** Entry relating to Court Funds Act 1829 repealed (E.W.) by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 152(4), **Sch. 7**
- F47** Words repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), s. 1, **Sch. Pt. XI**
- F48** Sch. 1: words in entries relating to amendments to Defence Act 1842, Lands Clauses Consolidation Act 1845 and Life Insurance Companies (Payment into Court) Act 1896 (sic) substituted (1.10.2009) by virtue of [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59(5)(6), 148(1), **Sch. 11 para. 4**; S.I. 2009/1604, **art. 2(b)(d)**
- F49** Entry repealed by [Post Office Act 1969 \(c. 48\)](#), **Sch. 8 Pt. I**
- F50** Entry in Sch. 1 repealed (E.W.S.) (1. 1. 1993) by [Transport and Works Act 1992 \(c. 42\)](#), s. 68(1), **Sch. 4 Pt.I**; S.I. 1992/2784, art. 2(b), **Sch. 2Pt. III** (with art. 3(3)).
- F51** Words inserted by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), ss. **46(2)(d)(i)**
- F52** Words added by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), ss. **46(2)(d)(ii)**
- F53** Sch. 1: entry relating to Consolidated Fund (Permanent Charges Redemption) Act 1873 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), s. **1(1)**, {Sch. 1 Pt. 9 Group 1}
- F54** Entry in Sch. 1 repealed (E.W.S.) (1. 1. 1993) by [Transport and Works Act 1992 \(c. 42\)](#), s. 68(1), **Sch. 4 Pt.I**; S.I. 1992/2784, art. 2(b), **Sch. 2Pt. III** (with art. 3(3)).
- F55** Entry repealed by [Companies Act 1967 \(c. 81\)](#), **Sch. 8 Pt. IX**
- F56** Entry repealed by [Mines \(Working Facilities and Support\) Act 1966 \(c. 4\)](#), **Sch. 1**
- F57** Entry relating to War Damage Act 1943 repealed by [Statute Law \(Repeals\) Act 1981 \(c. 19\)](#), s. 1(1), **Sch. 1 Pt. XI**
- F58** Entry relating to the Exchange Control Act 1947 repealed by [Finance Act 1987 \(c. 16, SIF 99:6\)](#), s. 72(7), **Sch. 16 Pt. XI**

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- F59** Entry relating to Prevention of Fraud (Investments) Act 1958 repealed by [Financial Services Act 1986](#) (c. 60, SIF 69), s. 212(3), [Sch. 17 Pt. I](#)
- F60** Entry relating to Mental Health Act 1959 repealed (E.W.) by [Mental Health Act 1983](#) (c. 20, SIF 85), s. 148(3), [Sch. 6](#)

^{F61}SCHEDULES
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Textual Amendments

- F61** [Schs. 2, 3](#) repealed by [Statute Law \(Repeals\) Act 1974](#) (c. 22), [Sch. Pt. XI](#).
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Changes to legislation:

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