



Administration of Estates Act 1925

1925 CHAPTER 23 15 and 16 Geo 5

PART II

EXECUTORS AND ADMINISTRATORS

General Provisions

[^{F1}21A Debtor who becomes creditor's executor by representation or administrator to account for debt to estate.

- (1) Subject to subsection (2) of this section, where a debtor becomes his deceased creditor's executor by representation or administrator—
 - (a) his debt shall thereupon be extinguished; but
 - (b) he shall be accountable for the amount of the debt as part of the creditor's estate in any case where he would be so accountable if he had been appointed as an executor by the creditor's will.
- (2) Subsection (1) of this section does not apply where the debtor's authority to act as executor or administrator is limited to part only of the creditor's estate which does not include the debt; and a debtor whose debt is extinguished by virtue of paragraph (a) shall not be accountable for its amount by virtue of paragraph (b) of that subsection in any case where the debt was barred by the Limitation Act 1939 before he became the creditor's executor or administrator.
- (3) In this section "debt" includes any liability, and "debtor" and "creditor" shall be construed accordingly.]

Textual Amendments

F1 S. 21A added by [Limitation Amendment Act 1980 \(c. 24, SIF 79\)](#), s. 10

Modifications etc. (not altering text)

C1 S. 21A extended by [Limitation Act 1980 \(c. 58, SIF 79\)](#), s. 40(2), [Sch. 3 para. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Administration of Estates Act 1925, Section 21A.