

1972 No. 529 (L.6)

**BANKRUPTCY, ENGLAND****The Bankruptcy (Amendment) Rules 1972**

<i>Made</i>	- - -	22nd March 1972
<i>Laid before Parliament</i>		12th April 1972
<i>Coming into Operation</i>		3rd May 1972

The Lord Chancellor, in exercise of the powers conferred on him by section 132 of the Bankruptcy Act 1914<sup>(a)</sup> and with the concurrence of the Secretary of State for Trade and Industry, hereby makes the following Rules:—

1.—(1) These Rules may be cited as the Bankruptcy (Amendment) Rules 1972 and shall come into operation on 3rd May 1972.

(2) The Interpretation Act 1889<sup>(b)</sup> shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

(3) The amendments set out in these Rules shall be made to the Bankruptcy Rules 1952<sup>(c)</sup>, as amended<sup>(d)</sup>.

2. For Rule 21 there shall be substituted the following rule:—

*“Transfer of proceedings by Judge or Registrar of High Court*

21. The Judge of the High Court may order the proceedings in any matter under the Act to be transferred from a county court to the High Court; the Judge of the High Court or, where an application for transfer is made by the Official Receiver, a Registrar of the High Court may order the proceedings in any matter under the Act to be transferred from the High Court to a county court.”

3.—(1) In paragraph (1) of Rule 70, for the figures “£5 13s 0d”, “£6 6s 0d” and “2s 4d” there shall be substituted the figures “£7·05”, “£7·85” and “16p” respectively.

(2) This rule shall apply in relation to payments made on or after the date on which these Rules come into operation for attendances and transcripts made on or after the 1st November 1971.

---

(a) 1914 c. 59.

(b) 1889 c. 63.

(c) S.I. 1952/2113 (1952 I, p. 213).

(d) The relevant amending instruments are S.I. 1961/317, 1965/1571, 1969/1162 (1961 I, p. 510; 1965 II, p. 4578; 1969 II, p. 3428).

---

4. Rule 87 shall be amended as follows:—

- (a) In paragraph (1), for the words from “in the county court” to the end of the paragraph there shall be substituted the words “be effected by a bailiff of any county court, whether that court has jurisdiction in bankruptcy or not.”
- (b) Paragraph (2) shall be deleted.

Dated 15th March 1972.

*Hailsham of St. Marylebone, C.*

I concur,

Dated 22nd March 1972.

*John Davies,*  
Secretary of State for  
Trade and Industry.

---

EXPLANATORY NOTE

*(This Note is not part of the Rules.)*

These Rules amend the Bankruptcy Rules 1952. They—

- (i) empower a Registrar of the High Court to order the transfer of High Court proceedings to a county court (Rule 2);
- (ii) increase the fees payable to shorthand writers for attending the court and making transcripts (Rule 3); and
- (iii) provide for the use of county court bailiffs as officers of the court to effect service of process in the High Court (Rule 4).

SI 1972/529  
ISBN 0-11-020529-4

