

1974 No. 205 (L.3)

BANKRUPTCY, ENGLAND

The Bankruptcy (Amendment) Rules 1974

Made - - - 6th February 1974*To be laid before Parliament**Coming into Operation* 18th March 1974

The Lord Chancellor, in exercise of the powers conferred on him by section 132 of the Bankruptcy Act 1914^(a) 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 1974 and shall come into operation on 18th March 1974.

(2) The Interpretation Act 1889^(b) 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^(c), as amended ^(d).

2. In Rule 85, the existing Rule shall be renumbered 85(1) and the following paragraph added:—

“(2) No process, order of the court or other document shall be served or executed within the jurisdiction on a Sunday except, in case of urgency, with the leave of the court. Service on a Sunday shall be deemed to have been effected on the following Monday.”.

3. In Rule 359, after the words “receiving orders” there shall be inserted the words “for such period as the Lord Chancellor may from time to time direct”.

Dated 31st January 1974.

Hailsham of St. Marylebone, C.

I concur.

Dated 6th February 1974.

Peter Walker,
Secretary of State
for Trade and Industry.

This instrument was laid before Parliament on 7th March 1974.

(a) 1914 c. 59.

(b) 1889 c. 63.

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

(d) There are no relevant amendments.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Bankruptcy Rules 1952. They forbid the service or execution of process on a Sunday except with leave of the court. They also authorise the Lord Chancellor to direct the period for which court registers shall be kept by the court.

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