
STATUTORY INSTRUMENTS

1979 No. 1575

Administration of Estates (Northern Ireland) Order 1979

PART IV

EXECUTORS AND ADMINISTRATORS

Provisions applying to both executors and administrators, and to persons dealing with them

Payment of debts by personal representative

37.—(1) A personal representative shall not pay the debt of a creditor (including himself) of the estate of any degree in preference to the debt of any other creditor of the same degree.

(2) Nevertheless a personal representative—

- (a) other than one mentioned in sub-paragraph (b) who, in good faith and at a time when he has no reason to believe that the deceased's estate is insolvent, pays the debt of any person (including himself) who is a creditor of the estate; or
- (b) to whom administration had been granted solely by reason of his being a creditor and who in good faith and at such a time pays the debt of another person who is a creditor of the estate;

shall not, if it subsequently appears that the estate is insolvent, be liable to account to a creditor of the same degree as the paid creditor for the sum so paid.

(3) This Article has effect only in relation to the estates of persons dying after the end of the year 1971.

Changes to legislation:

There are currently no known outstanding effects for the Administration of Estates (Northern Ireland) Order 1979, Section 37.