



# County Courts Act 1984

## 1984 CHAPTER 28

### PART VI

#### ADMINISTRATION ORDERS

#### 112 Power to make administration order.

- (1) Where a debtor—
  - (a) is unable to pay forthwith the amount of a judgment obtained against him; and
  - (b) alleges that his whole indebtedness amounts to a sum not exceeding the county court limit, inclusive of the debt for which the judgment was obtained;a county court may make an order providing for the administration of his estate.
- (2) In this Part of this Act—
  - “administration order” means an order under this section; and
  - “the appropriate court”, in relation to an administration order, means the court which has the power to make the order.
- (3) Before an administration order is made, the appropriate court shall, in accordance with [<sup>F1</sup>rules of court], send to every person whose name the debtor has notified to the appropriate court as being a creditor of his, a notice that that person’s name has been so notified.
- (4) So long as an administration order is in force, a creditor whose name is included in the schedule to the order shall not, without the leave of the appropriate 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 [<sup>F2</sup>£1500]; and
  - (c) the notice given under subsection (3) was received by the creditor within 28 days immediately preceding the day on which the petition is presented.

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*Status: Point in time view as at 03/07/2000. This version of this provision has been superseded.*

*Changes to legislation: County Courts Act 1984, Section 112 is up to date with all changes known to be in force on or before 12 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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- (5) An administration order shall not be invalid by reason only that the total amount of the debts is found at any time to exceed the county court limit, but in that case the court may, if it thinks fit, set aside the order.
- (6) An administration order may provide for the payment of the debts of the debtor by instalments or otherwise, and either in full or to such extent as appears practicable to the court under the circumstances of the case, and subject to any conditions as to his future earnings or income which the court may think just.
- (7) The Secretary of State may by regulations increase or reduce the sum for the time being specified in subsection (4)(b); but no such increase in the sum so specified shall affect any case in which the bankruptcy petition was presented before the coming into force of the increase.
- (8) The power to make regulations under subsection (7) shall be exercisable by statutory instrument; and no such regulations shall be made unless a draft of them has been approved by resolution of each House of Parliament.

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#### **Textual Amendments**

- F1** Words in s. 112 substituted (27.4.1997) by 1997 c. 12, s. 10, **Sch. 2 para. 2(2)**; S.I. 1997/841, **art. 3(b)**, 4(c)
- F2** Amount substituted by **Insolvency Act 1985 (c. 65, SIF 66), s. 220(2)**

**Status:**

Point in time view as at 03/07/2000. This version of this provision has been superseded.

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