



Insolvency Act 1986

1986 CHAPTER 45

PART IX

BANKRUPTCY

CHAPTER IV

ADMINISTRATION BY TRUSTEE

Distribution of bankrupt's estate

332 Saving for bankrupt's home.

- (1) This section applies where—
- there is comprised in the bankrupt's estate property consisting of an interest in a dwelling house which is occupied by the bankrupt or by his spouse or former spouse [^{F1}or by his civil partner or former civil partner], and
 - the trustee has been unable for any reason to realise that property.
- (2) The trustee shall not [^{F2}give notice under section 331(2)] unless either—
- the court has made an order under section 313 imposing a charge on that property for the benefit of the bankrupt's estate, or
 - the court has declined, on an application under that section, to make such an order, or
 - the Secretary of State has issued a certificate to the trustee stating that it would be inappropriate or inexpedient for such an application to be made in the case in question.

Textual Amendments

- F1** Words in s. 332(1) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), ss. 261(1), 263, [Sch. 27 para. 117](#); [S.I. 2005/3175](#), [art. 2\(2\)](#) (subject to [art. 2\(3\)-\(5\)](#))

Status: Point in time view as at 26/06/2017.

Changes to legislation: Insolvency Act 1986, Section 332 is up to date with all changes known to be in force on or before 23 July 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)

- F2** Word in s. 332(2) substituted (26.5.2015 for specified purposes, 6.4.2017 for E.W. in so far as not already in force) by [Small Business, Enterprise and Employment Act 2015 \(c. 26\), s. 164\(1\), Sch. 9 para. 84](#); [S.I. 2015/1329, reg. 3\(d\)](#); [S.I. 2016/1020, reg. 4\(e\)](#) (with reg. 5) (as amended by [S.I. 2017/363, reg. 3](#))

Modifications etc. (not altering text)

- C1** S. 332 applied (with modifications) by [S.I. 1986/1999, art. 3, Sch. 1 Pt. II](#)

Status:

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