Status: Point in time view as at 14/05/2014. This version of this provision has been superseded.
Changes to legislation: Insolvency Act 1986, Section 345 is up to date with all changes known to be in force
on or before 05 August 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)

Insolvency Act 1986

1986 CHAPTER 45

PART IX

BANKRUPTCY

CHAPTER V

EFFECT OF BANKRUPTCY ON CERTAIN RIGHTS TRANSACTTIONS, ETC.

Adjustment of prior transactions, etc.

345   Contracts to which bankrupt is a party.

(1) The following applies where a contract has been made with a person who is subsequently adjudged bankrupt.

(2) The court may, on the application of any other paty to the contract, make an order discharging obligations under the contract on such terms as to payment by the applicant or the bankrupt of damages for non-performance or otherwise as appear to the court to be equitable.

(3) Any damages payable by the bankrupt by virtue of an order of the court under this section are provable as a bankruptcy debt.

(4) Where an undischarged bankrupt is a contractor in respect of any contract jointly with any person, that person may sue or be sued in respect of the contract without the joinder of the bankrupt.

Modifications etc. (not altering text)
C1   Ss. 342–345 applied with modifications by S.I. 1986/1999, art. 3, **Sch. 1 Pt. II**
C2   S. 345 excluded (25.4.1991) by Companies Act 1989 (c. 40), ss. 154, 155, 164(1), 182(4), **Sch. 22 para. 7(1)**; S.I. 1991/878, art. 2, **Sch.** .

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Insolvency Act 1986 (c. 45)
Part IX – Bankruptcy
Chapter V – Effect of Bankruptcy on Certain Rights Transacttions, Etc.
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S. 345 excluded (11.12.1999) by S.I. 1999/2979, **reg. 16(1)**

Status:
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