



Deeds of Arrangement Act 1914

1914 CHAPTER 47 4 and 5 Geo 5

An Act to consolidate the law relating to deeds of arrangement. [10th August 1914]

Modifications etc. (not altering text)

- C1** “prescribed” means, as to fees taken under this Act, prescribed by order made by Lord Chancellor with concurrence of Treasury and, as to other matters arising under this Act except s. 7, prescribed by rules made by Lord Chancellor with concurrence of Secretary of State acting concurrently with President of Board of Trade: [Administration of Justice Act 1925 \(c. 28\), s. 22\(4\)\(5\)](#) and [S.I. 1970/1537](#)
- C2** Functions of registrar for purposes of this Act and of Registrar of Bills of Sale now exercisable by registrar appointed by Secretary of State acting concurrently with Board of Trade: [Administration of Justice Act 1925 \(c. 28\), s. 22\(1\)](#) and [S.I. 1970/1537](#)
- C3** Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)
- C4** Act excluded by [Insolvency Act 1986 \(c. 45, SIF 66\), ss. 260\(3\), 443](#)
Act excluded (*prosp.*) by [1986 c. 45, s. 263D\(6\)](#) (as inserted (*prosp.*) by [2002 c. 40, ss. 264, 279, Sch. 22 para. 2](#)) (with s. 249(6))

Commencement Information

- II** Act wholly in force at 1.1.1915 by s. 32(3) (now repealed)

PART I

APPLICATION OF ACT

1 Deeds of arrangement to which Act applies.

- (1) A deed of arrangement to which this Act applies shall include any instrument of the classes hereinafter mentioned whether under seal or not—
- made by, for or in respect of the affairs of a debtor for the benefit of his creditors generally;
 - made by, for or in respect of the affairs of a debtor who was insolvent at the date of the execution of the instrument for the benefit of any three or more of his creditors:

Status: Point in time view as at 01/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Deeds of Arrangement Act 1914 (repealed). (See end of Document for details)

otherwise than in pursuance of the law for the time being in force relating to bankruptcy.

(2) The classes of instrument hereinbefore referred to are—

- (a) an assignment of property;
- (b) a deed of or agreement for a composition;

and in cases where creditors of the debtor obtain any control over his property or business—

- (c) a deed of inspectorship entered into for the purpose of carrying on or winding up a business;
- (d) a letter of licence authorising the debtor or any other person to manage, carry on, realise or dispose of a business with a view to the payment of debts; and
- (e) any agreement or instrument entered into for the purpose of carrying on or winding up the debtor's business, or authorising the debtor or any other person to manage, carry on, realise or dispose of the debtor's business with a view to the payment of his debts.

PART II

AVOIDANCE OF DEEDS OF ARRANGEMENT WHERE STATUTORY CONDITIONS NOT COMPLIED WITH

2 Avoidance of unregistered deeds of arrangement.

A deed of arrangement shall be void unless it is registered with the Registrar of Bills of Sale under this Act within seven clear days after the first execution thereof by the debtor or any creditor, or if it is executed in any place out of England, then within seven clear days after the time at which it would, in the ordinary course of post, arrive in England, if posted within one week after the execution thereof, and unless it bears such . . . ^{F1} stamp as is provided by this Act.

Textual Amendments

F1 Words repealed by [Finance Act 1949 \(c. 47\)](#), [Sch. 11 Pt. V](#)

3 Avoidance of deeds of arrangement unless assented to by a majority of the creditors.

- (1) A deed of arrangement, which either is expressed to be or is in fact for the benefit of a debtor's creditors generally, shall be void unless, before or within twenty-one days after the registration thereof, or within such extended time as the High Court or the court having jurisdiction [^{F2}for the purposes of [^{F3}Parts VIII to XI of the Insolvency Act 1986]in relation to] the district in which the debtor resided or carried on business at the date of the execution of the deed may allow, it has received the assent of a majority in number and value of the creditors of the debtor.
- (2) The list of creditors annexed to the affidavit of the debtor filed on the registration of the deed of arrangement shall be prima facie evidence of the names of the creditors and the amounts of their claims.

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- (3) The assent of a creditor for the purposes of subsection (1) of this section shall be established by his executing the deed of arrangement or sending to the trustee his assent in writing attested by a witness, but not otherwise.
- (4) The trustee shall file with the Registrar of Bills of Sale at the time of the registration of a deed of arrangement, or, in the case of a deed of arrangement assented to after registration, within twenty-eight days after registration or within such extended time as the High Court or the court having jurisdiction [^{F2}for the purposes of [^{F3}Parts VIII to XI of the Insolvency Act 1986] in relation to] the district in which the debtor resided or carried on business at the date of the execution of the deed may allow, a statutory declaration by the trustee that the requisite majority of the creditors of the debtor have assented to the deed of arrangement, which declaration shall, in favour of a purchaser for value, be conclusive evidence, and, in other cases, be prima facie evidence, of the fact declared.
- (5) In calculating a majority of creditors for the purposes of this section, a creditor holding security upon the property of the debtor shall be reckoned as a creditor only in respect of the balance (if any) due to him after deducting the value of such security, and creditors whose debts amount to sums not exceeding ten pounds shall be reckoned in the majority in value but not in the majority in number.

Textual Amendments

- F2** Words substituted by [Insolvency Act 1985 \(c. 65, SIF 66\)](#), s. 235, **Sch. 8 para. 2(2)** (with saving in [Insolvency Act 1986 \(c. 45, SIF 66\)](#), ss. 437, 443, **Sch. 11 para. 10(2)**)
- F3** Words substituted by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), ss. 439(2), 443, **Sch. 14**

PART III

REGISTRATION OF DEEDS OF ARRANGEMENT

4 ^{F4}

Textual Amendments

- F4** Ss. 4, 6(c), 28 repealed by [Administration of Justice Act 1925 \(c. 28\)](#), **Sch. 5**

5 Mode of registration.

- (1) The registration of a deed of arrangement under this Act shall be effected in the following manner:—

A true copy of the deed, and of every schedule or inventory thereto annexed, or therein referred to, shall be presented to and filed with the registrar within seven clear days after the execution of the deed . . . ^{F5}, together with an affidavit verifying the time of execution, and containing a description of the residence and occupation of the debtor, and of the place or places where his business is carried on, and an affidavit by the debtor stating the total estimated amount of property and liabilities included under the

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deed, the total amount of the composition (if any) payable thereunder, and the names and addresses of his creditors.

- (2) No deed shall be registered under this Act unless the original of the deed, duly stamped with the proper inland revenue duty, . . . ^{F5} is produced to the registrar at the time of such registration.

Textual Amendments

F5 Words repealed by [Administration of Justice Act 1925 \(c. 28\), Sch. 5](#)

Modifications etc. (not altering text)

C5 S. 5 amended by [Administration of Justice Act 1925 \(c. 28\), s. 22\(2\)](#)

6 Form of register.

The registrar shall keep a register wherein shall be entered, as soon as conveniently may be after the presentation of a deed for registration, an abstract of the contents of every deed of arrangement registered under this Act, containing the following and any other prescribed particulars:—

- (a) The date of the deed;
- (b) The name, address, and description of the debtor, and the place or places where his business was carried on at the date of the execution of the deed, and the title of the firm or firms under which the debtor carried on business, and the name and address of the trustee (if any) under the deed;
- (c) ^{F6}
- (d) The date of registration;
- (e) The amount of property and liabilities included under the deed, as estimated by the debtor.

Textual Amendments

F6 Ss. 4, 6(c), 28 repealed by [Administration of Justice Act 1925 \(c. 28\), Sch. 5](#)

7 Rectification of register.

The High Court or a judge thereof, upon being satisfied that the omission to register a deed of arrangement within the time required by this Act or that the omission or mis-statement of the name, residence, or description of any person was accidental, or due to inadvertence, or to some cause beyond the control of the debtor and not imputable to any negligence on his part, may, on the application of any party interested, and on such terms and conditions as are just and expedient, extend the time for registration, or order the omission or mis-statement to be supplied or rectified by the insertion in the register of the true name, residence, or description.

8 Time for registration.

Where the time for registering a deed of arrangement expires on a Sunday, or other day on which the registration office is closed, the registration shall be valid if made on the next following day on which the office is open.

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9 Inspection of register and registered deeds.

Any person shall be entitled, at all reasonable times, to search the register on payment of one shilling, or such other fee as may be prescribed, and subject to such regulations as may be prescribed, and shall be entitled, at all reasonable times, to inspect, examine, and make extracts from any registered deed of arrangement, without being required to make a written application or to specify any particulars in reference thereto, upon payment of one shilling, or such other fee as may be prescribed, for each deed of arrangement inspected:

Provided that the extracts shall be limited to the dates of execution and of registration, the names, addresses, and descriptions of the debtor and of the parties to the deed, a short statement of the nature and effect of the deed, and any other prescribed particulars.

10 Local registration of copy of deeds.

- (1) Where the place of business or residence of the debtor who is one of the parties to a deed of arrangement, or who is referred to therein, is situate in some place outside the London bankruptcy district, the registrar shall, within three clear days after registration, and in accordance with the prescribed directions, transmit a copy of the deed to the registrar of the county court in the district of which such place of business or residence is situate.
- (2) Every copy so transmitted shall be filed, kept and indexed by the registrar of the county court in the prescribed manner, and any person may search, inspect, make extracts from, and obtain copies of, the registered copy, in the like manner and upon the like terms, as to payment or otherwise, as near as may be, as in the case of deeds registered under this Act.

PART IV

PROVISIONS AS TO TRUSTEES

11 Security by trustee.

- (1) The trustee under a deed of arrangement shall, within seven days from the date on which the statutory declaration certifying the assent of the creditors is filed, give security in the prescribed manner to the registrar of the court having jurisdiction [^{F7}for the purposes of [^{F8}Parts VIII to XI of the Insolvency Act 1986] in relation to] the district in which the debtor resided or carried on business at the date of the execution of the deed, or, if he then resided or carried on business in the [^{F7}London insolvency district], to the senior bankruptcy registrar of the High Court, in a sum equal to the estimated assets available for distribution amongst the unsecured creditors as shown by the affidavit filed on registration, to administer the deed properly and account fully for the assets which come to his hands, unless a majority in number and value of the debtors' creditors, either by resolution passed at a meeting convened by notice to all the creditors, or by writing addressed to the trustee, dispense with his giving such security:

Provided that, when such a dispensation has been so given, the trustee shall forthwith make and file with the Registrar of Bills of Sale a statutory declaration to that effect, which declaration shall, in favour of a purchaser for value, be conclusive evidence, and, in other cases, be prima facie evidence, of the facts declared.

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- (2) If a trustee under a deed of arrangement fails to comply with the requirements of this section, the court having jurisdiction [^{F7}for the purposes of [^{F8}Parts VIII to XI of the Insolvency Act 1986] in relation to] the district in which the debtor resided or carried on business at the date of the execution of the deed, on the application of any creditor and after hearing such persons as it may think fit, may declare the deed of arrangement to be void or make an order appointing another trustee in the place of the trustee appointed by the deed of arrangement.
- (3) A certificate that the security required by this section has been given by a trustee, signed by the registrar to whom it was given and filed with the Registrar of Bills of Sale, shall be conclusive evidence of the fact.
- (4) All moneys received by a trustee under a deed of arrangement shall be banked by him to an account to be opened in the name of the debtor's estate.
- (5) In calculating a majority of creditors for the purposes of this section, a creditor holding security upon the property of the debtor shall be reckoned as a creditor only in respect of the balance (if any) due to him after deducting the value of such security, and creditors whose debts amount to sums not exceeding ten pounds shall be reckoned in the majority in value but not in the majority in number.

Textual Amendments

- F7** Words substituted by [Insolvency Act 1985 \(c. 65, SIF 66\)](#), s. 235, [Sch. 8 para. 2\(3\)\(a\)](#) (with saving in [Insolvency Act 1986 \(c.45, SIF 66\)](#), ss. 437, 443, [Sch. 11 para. 10\(2\)](#))
- F8** Words substituted by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), ss. 439(2), 443, [Sch. 14](#)
- F9** Words substituted by [Insolvency Act 1985 \(c. 65, SIF 66\)](#), s. 235, [Sch. 8 para. 2\(3\)\(b\)](#) (with saving in [Insolvency Act 1986 \(c.45, SIF 66\)](#), ss. 437, 443, [Sch. 11 para. 10\(2\)](#))

12 Penalty on trustee acting when deed of arrangement void.

If a trustee acts under a deed of arrangement—

- (a) after it has to his knowledge become void by reason of non-compliance with any of the requirements of this Act or any enactment repealed by this Act; or
- (b) after he has failed to give security within the time and in the manner provided for by this Act or any enactment repealed by this Act,

he shall be liable on summary conviction to a fine not exceeding five pounds for every day between the date on which the deed became void or the expiration of the time within which security should have been given, as the case may be, and the last day on which he is proved to have acted as trustee, unless he satisfies the court before which he is accused that his contravention of the law was due to inadvertence, or that his action has been confined to taking such steps as were necessary for the protection of the estate.

13 Transmission of accounts to Board of Trade.

- (1) Every trustee under a deed of arrangement shall, at such times as may be prescribed, transmit to the Board of Trade, or as they direct, an account of his receipts and payments as trustee, in the prescribed form and verified in the prescribed manner.
- (2) If any trustee fails to transmit such account, he shall be liable on summary conviction to a fine not exceeding five pounds for each day during which the default continues,

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[^{F10}and, in addition, shall be guilty of contempt of court and liable to be punished accordingly].

- (3) The accounts transmitted to the Board of Trade in pursuance of this section shall be open to inspection by the debtor or any creditor or other person interested on payment of the prescribed fee, and copies of or extracts from the accounts shall, on payment of the prescribed fee, be furnished to the debtor, the creditors, or any other persons interested.
- (4) In this section the expression “trustee” shall include any person appointed to distribute a composition or to act in any fiduciary capacity under any deed of arrangement . . . ^{F11}

Textual Amendments

- F10** Words substituted by [Insolvency Act 1985 \(c. 65, SIF 66\)](#), s. 235, [Sch. 8 para. 2\(4\)](#) (with saving in [Insolvency Act 1986 \(c. 45, SIF 66\)](#), ss. 437, 443, [Sch. 11 para. 10\(2\)](#))
- F11** Words repealed by [Administration of Justice Act 1925 \(c. 28\)](#), [Sch. 5](#)

14 Transmission of accounts to creditors.

Every trustee under a deed of arrangement shall, at the expiration of six months from the date of the registration of the deed, and thereafter at the expiration of every subsequent period of six months until the estate has been finally wound up, send to each creditor who has assented to the deed a statement in the prescribed form of the trustee’s accounts and of the proceedings under the deed down to the date of the statement, and shall, in his affidavit verifying his accounts transmitted to the Board of Trade, state whether or not he has duly sent such statements, and the dates on which the statements were sent; and, if a trustee fails to comply with any of the provisions of this section, [^{F12}he shall be guilty of contempt of court and liable to be punished accordingly].

Textual Amendments

- F12** Words substituted by [Insolvency Act 1985 \(c. 65, SIF 66\)](#), s. 235, [Sch. 8 para. 2\(5\)](#) (with saving in [Insolvency Act 1986 \(c.45, SIF 66\)](#), ss. 437, 443, [Sch. 11 para. 10\(2\)](#))

15 Audit of accounts.

- (1) Where, in the course of the administration of the estate of a debtor who has executed a deed of arrangement, or within twelve months from the date when the final accounts of the estate were rendered to the Board of Trade, an application in writing is made to the Board by a majority in number and value of the creditors who have assented to the deed for an official audit of the trustee’s accounts, the Board may cause the trustee’s accounts to be audited, and in such case [^{F13}any rules made under [^{F14}section 412 of the [Insolvency Act 1986](#)]], relating to the institution and enforcement of an audit of the accounts of a trustee in bankruptcy (including the provisions as to fees) shall, with necessary modifications, apply to the audit of the trustee’s accounts, and the Board shall have power on the audit to require production of a certificate for the taxed costs of any solicitor whose costs have been paid or charged by the trustee, and to disallow the whole or any part of any costs in respect of which no certificate is produced.
- (2) The Board of Trade may determine how and by what parties the costs, charges and expenses of and incidental to the audit (including any prescribed fees chargeable in

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respect thereof) are to be borne, whether by the applicants or by the trustee or out of the estate, and may, before granting an application for an audit, require the applicants to give security for the costs of the audit.

Textual Amendments

F13 Words substituted by virtue of [Insolvency Act 1985 \(c. 65, SIF 66\)](#), s. 235, [Sch. 8 para. 2\(6\)](#) and [Insolvency Act 1986 \(c. 45, SIF 66\)](#), ss. 439(2), 443, [Sch. 14](#) (the substitution by the Insolvency Act 1985 being with saving in the [Insolvency Act 1986 \(c.45, SIF 66\)](#), ss. 437, 443, [Sch. 11 para. 10\(2\)](#))

F14 Words substituted by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), ss. 439(2), 443, [Sch. 14](#)

Modifications etc. (not altering text)

C6 S. 15(1) amended (1.1.1992) by [S.I. 1991/2684](#), [arts. 2, 4](#) and [Sch. 1](#)

16 Payment of undistributed moneys into court.

At any time after the expiration of two years from the date of the registration of a deed of arrangement, the court having jurisdiction [^{F15}for the purposes of [^{F16}Parts VIII to XI of the [Insolvency Act 1986](#)] in relation to] the district in which the debtor resided or carried on business at the date of the execution of the deed may, on the application of the trustee or a creditor, or on the application of the debtor, order that all moneys representing unclaimed dividends and undistributed funds then in the hands of the trustee or under his control be [^{F17}paid into the [^{F18}Senior Courts] or, if a county court has jurisdiction in the matter, into that court].

Textual Amendments

F15 Words substituted by [Insolvency Act 1985 \(c. 65, SIF 66\)](#), s. 235, [Sch. 8 para. 2\(7\)](#) (with saving in [Insolvency Act 1986 \(c. 45, SIF 66\)](#), ss. 437, 443, [Sch. 11 para. 10\(2\)](#))

F16 Words substituted by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), ss. 439(2), 443, [Sch. 14](#)

F17 Words substituted by [Administration of Justice Act 1965 \(c.2, SIF 37\)](#), ss. 17, 18, [Sch. 1](#)

F18 Words in [Act](#) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), [Sch. 11 para. 4](#); [S.I. 2009/1604](#), art. 2(d)

17 Preferential payment to creditor an offence.

If a trustee under a deed of arrangement pays to any creditor out of the debtor’s property a sum larger in proportion to the creditor’s claim than that paid to other creditors entitled to the benefit of the deed, then, unless the deed authorises him to do so, or unless such payments are either made to a creditor entitled to enforce his claim by distress or are such as would be lawful in a bankruptcy, he shall be guilty of a misdemeanour.

Modifications etc. (not altering text)

C7 S. 17 amended as to mode of trial by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), s. 17, [Sch. 1 para. 16](#)

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Textual Amendments

F19 S. 18 repealed by [Trustee Act 1925 \(c. 19\)](#), [Sch. 2](#)

19 Provisions for the protection of trustees under void deeds.

- (1) Where a deed of arrangement is void by reason that the requisite majority of creditors have not assented thereto, or, in the case of a deed for the benefit of three or more creditors, by reason that the debtor was insolvent at the time of the execution of the deed and that the deed was not registered as required by this Act, but is not void for any other reason, and a [^{F20}bankruptcy order] is made against the debtor upon a petition presented after the lapse of three months from the execution of the deed, the trustee under the deed shall not be liable to account to the trustee in the bankruptcy for any dealings with or payments made out of the debtor's property which would have been proper if the deed had been valid, if he proves that at the time of such dealings or payments he did not know, and had no reason to suspect, that the deed was void.

- (2) ^{F21}

Textual Amendments

F20 Words substituted by [Insolvency Act 1985 \(c. 65, SIF 66\)](#), s. 235, [Sch. 8 para. 2\(8\)](#) (with saving in [Insolvency Act 1986 \(c. 45, SIF 66\)](#), ss. 437, 443, [Sch. 11 para. 10\(2\)](#))

F21 S. 19(2) repealed by [Insolvency Act 1985 \(c. 65, SIF 66\)](#), s. 235, [Sch. 10 Pt. III](#) (with saving in [Insolvency Act 1986 \(c. 45, SIF 66\)](#), ss. 437, 443, [Sch. 11 para. 10\(2\)](#))

20 Notice to creditors of avoidance of deed.

When a deed of arrangement is void by virtue of this Act for any reason other than that, being for the benefit of creditors generally, it has not been registered within the time allowed for the purpose by this Act, the trustee shall, as soon as practicable after he has become aware that the deed is void, give notice in writing thereof to each creditor whose name and address he knows, and file a copy of the notice with the Registrar of Bills of Sale, and, if he fails to do so, he shall be liable on summary conviction to a fine not exceeding [^{F22}level 2 on the standard scale].

Textual Amendments

F22 Words substituted by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), s. 31 and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 46

21 Payment of expenses incurred by trustees.

Where a deed of arrangement is avoided by reason of the bankruptcy of the debtor, any expenses properly incurred by the trustee under the deed in the performance of any of the duties imposed on him by this Act shall be allowed or paid him by the trustee in the bankruptcy as a first charge on the estate.

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22 Application of Part IV.

The provisions of this Part of this Act, except such of those provisions—

- (a) as relate to the transmission of accounts to the Board of Trade;
- (b) as provide for the protection of trustees under void deed;
- (c) as require a notice to be given to creditors of avoidance of deeds;
- (d) as provide for the payment of expenses incurred by trustees;

shall not apply to a deed of arrangement made for the benefit of any three or more of the debtor’s creditors unless it is in fact for the benefit of the debtor’s creditors generally.

PART V

GENERAL

23 Courts in which applications for enforcement of trusts to be made.

Any application by the trustee under a deed of arrangement, which either is expressed to be or is in fact for the benefit of the debtors’ creditors generally, or by the debtor or by any creditor entitled to the benefit of such a deed of arrangement, for the enforcement of the trusts or the determination of questions under it, shall be made to the court having jurisdiction [^{F23}for the purposes of [^{F24}Parts VIII to XI of the Insolvency Act 1986] in relation to] the district in which the debtor resided or carried on business at the date of the execution of the deed:

Provided that any question as to whether any person claiming to be a creditor entitled to the benefit of a deed of arrangement is so entitled may, subject to rules made under this Act, be decided either by the court having such jurisdiction as aforesaid or by the High Court.

Textual Amendments

- F23** Words substituted by [Insolvency Act 1985 \(c. 65, SIF 66\)](#), s. 235, [Sch. 8 para. 2\(9\)](#) (with saving in [Insolvency Act 1986 \(c. 45, SIF 66\)](#), ss. 437, 443, [Sch. 11 para. 10\(2\)](#))
- F24** Words substituted by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), ss. 439(2), 443, [Sch. 14](#)

24 Relation to bankruptcy law.

- (1) ^{F25}
- (2) ^{F25}
- (3) Save as otherwise expressly provided by this Act, nothing in this Act shall be construed as repealing or shall affect any provision of the law for the time being in force in relation to bankruptcy or shall give validity to any deed or instrument which by law is an . . . ^{F26} void or voidable.

Textual Amendments

- F25** S. 24(1)(2), 27 repealed by [Insolvency Act 1985 \(c. 65, SIF 66\)](#), s. 235, [Sch. 10 Pt. III](#) (with saving in [Insolvency Act 1986 \(c. 45, SIF 66\)](#), ss. 437, 443, [Sch. 11 para. 10\(2\)](#))

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F26 Words substituted by [Insolvency Act 1985 \(c. 65, SIF 66\)](#), s. 235, **Sch. 8 para. 2(8)** (with saving in [Insolvency Act 1986 \(c. 45, SIF 66\)](#), ss. 437, 443, **Sch. 11 para. 10(2)**)

25 Office copies.

Subject to the provisions of this Act, and to any rules made thereunder, any person shall be entitled to have an office copy of, or extract from, any deed registered under this Act, upon paying for it at the like rate as for office copies of judgments of the High Court, and any copy or extract purporting to be an office copy or extract shall, in all courts and before all arbitrators or other persons, be admitted as prima facie evidence thereof, and of the fact and date of registration as shown thereon.

26 Fees.

- (1) There shall be taken, in respect of the registration of deeds of arrangement, and in respect of any office copies or extracts, or official searches made by the registrar, such fees as may be from time to time prescribed, and nothing in this Act contained shall make it obligatory on the registrar to do, or permit to be done, any act in respect of which any fee is specified or prescribed, except on payment of such fee.

(2) **F27**

Textual Amendments

F27 S. 26(2), 32(3), Sch. repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

Modifications etc. (not altering text)

C8 S. 26 extended by [Insolvency Services \(Accounting and Investment\) Act 1970 \(c. 8\)](#), s. 1(3)(b)

27 **F28**

Textual Amendments

F28 S. 24(1)(2), 27 repealed by [Insolvency Act 1985 \(c. 65, SIF 66\)](#), s. 235, **Sch. 10 Pt. III** (with saving in [Insolvency Act 1986 \(c. 45, SIF 66\)](#), ss. 437, 443, **Sch. 11 para. 10(2)**)

28 **F29**

Textual Amendments

F29 Ss. 4, 6(c), 28 repealed by [Administration of Justice Act 1925 \(c. 28\)](#), **Sch. 5**

29 Affidavits.

An affidavit required by or for the purposes of this Act may be sworn before a Master of the [^{F18}Senior Courts] or before any person empowered to take affidavits in the

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[^{F18}Senior Courts] or before any other person before whom such an affidavit may, by any law for the time being in force, be sworn . . . ^{F30}

Textual Amendments

- F18** Words in *Act* substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), s. 148\(1\), Sch. 11 para. 4](#); [S.I. 2009/1604, art. 2\(d\)](#)
- F30** Words repealed by [Administration of Justice Act 1925 \(c. 28\), Sch. 5](#)

30 Interpretation of terms.

- (1) In this Act, unless the context otherwise requires,—
 - “Creditors generally” includes all creditors who may assent to, or take the benefit of, a deed of arrangement;
 . . . ^{F31}
 - [^{F32} “ Property ” has the meaning given by section 436 of the Insolvency Act 1986]
 - “Rules” includes forms.
- (2) For the purpose of determining the number of creditors for whose benefit a deed is made, any two or more joint creditors shall be treated as a single creditor.

Textual Amendments

- F31** Definition of “Prescribed” repealed by [Administration of Justice Act 1925 \(c. 28\), Sch. 5](#)
- F32** Definition of “property” substituted by [Insolvency Act 1986 \(c. 45, SIF 66\), ss. 439\(2\), 443, Sch. 14](#)

31 ^{F33}

Textual Amendments

- F33** S. 31 repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\), Sch. 1 Pt. XIX](#)

32 †Short title, extent, and commencement.

- (1) This Act may be cited as the Deeds of Arrangement Act, 1914.
- (2) This Act shall not extend to Scotland or Ireland.
- (3) ^{F34}

Textual Amendments

- F34** S. 26(2), 32(3), Sch. repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

Modifications etc. (not altering text)

- C9** A dagger appended to a marginal note means that it is no longer accurate

Status: Point in time view as at 01/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Deeds of Arrangement Act 1914 (repealed). (See end of Document for details)

F35F35 SCHEDULE

Textual Amendments

F35 S. 26(2), 32(3), Sch. repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

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F35

Status:

Point in time view as at 01/10/2009.

Changes to legislation:

There are currently no known outstanding effects for the Deeds of Arrangement Act 1914 (repealed).