



# Deeds of Arrangement Act 1914 (repealed)

1914 CHAPTER 47 4 and 5 Geo 5

## 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 [<sup>F1</sup>for the purposes of [<sup>F2</sup>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

- F1** 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\(2\)](#))
- F2** Words substituted by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), ss. 439(2), 443, [Sch. 14](#)

#### 24 Relation to bankruptcy law.

- (1) ..... **F3**
- (2) ..... **F3**

Status: Point in time view as at 01/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Deeds of Arrangement Act 1914 (repealed), Part V. (See end of Document for details)

(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 . . . F4 void or voidable.

Textual Amendments
F3 S. 24(1)(2), 27 repealed by Insolvency Act 1985 (c. 65, SIF 66), s. 235, Sch. 10 Pt.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))
F4 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) . . . . . F5

Textual Amendments
F5 S. 26(2), 32(3), Sch. repealed by Statute Law Revision Act 1927 (c. 42)
Modifications etc. (not altering text)
C1 S. 26 extended by Insolvency Services (Accounting and Investment) Act 1970 (c. 8), s. 1(3)(b)

27 . . . . . F6

Textual Amendments
F6 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 . . . . . F7

*Status: Point in time view as at 01/10/2009.*

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**Textual Amendments**

**F7** 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 [<sup>F8</sup>Senior Courts] or before any person empowered to take affidavits in the [<sup>F8</sup>Senior Courts] or before any other person before whom such an affidavit may, by any law for the time being in force, be sworn . . . <sup>F9</sup>

**Textual Amendments**

**F8** 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)

**F9** 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;

<sup>F10</sup>

[<sup>F11</sup> “ 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**

**F10** Definition of “Prescribed” repealed by [Administration of Justice Act 1925 \(c. 28\)](#), [Sch. 5](#)

**F11** Definition of “property” substituted by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), ss. 439(2), 443, [Sch. 14](#)

**31** . . . . . <sup>F12</sup>

**Textual Amendments**

**F12** 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) . . . . . <sup>F13</sup>

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**Textual Amendments**

**F13** S. 26(2), 32(3), Sch. repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

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**Modifications etc. (not altering text)**

**C2** A dagger appended to a marginal note means that it is no longer accurate

**Status:**

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