

1977 No. 364

BANKRUPTCY, ENGLAND

The Bankruptcy (Amendment) Rules 1977

<i>Made</i>	- - -	<i>2nd March 1977</i>
<i>Laid before Parliament</i>		<i>11th March 1977</i>
<i>Coming into Operation</i>		<i>1st April 1977</i>

The Lord Chancellor, in exercise of the powers conferred on him by section 132 of the Bankruptcy Act 1914(a), with the concurrence of the Secretary of State for Trade, and after consulting the committee appointed under section 10 of the Insolvency Act 1976(b), hereby makes the following Rules:—

1.—(1) These Rules may be cited as the Bankruptcy (Amendment) Rules 1977 and shall come into operation on 1st April 1977.

(2) The Interpretation Act 1889(c) shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

(3) The amendments set out in these Rules shall be made to the Bankruptcy Rules 1952(d), as amended(e).

2. In rule 138, for the word “three” there shall be substituted the word “seven”.

3. In rules 347, 374, 375 and 376 there shall be substituted for the word “the Bankruptcy Estates Account” the words “the Insolvency Service Account”.

Dated 1st March 1977.

Elwyn-Jones, C.

I concur,
Dated 2nd March 1977.

Edmund Dell,
Secretary of State
for Trade

(a) 1914 c. 59.

(d) S.I. 1952/2113 (1952 I, p. 213).

(b) 1976 c. 60.

(e) There are no relevant amendments.

(c) 1889 c. 63.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Bankruptcy Rules 1952 as follows:—

- (i) rule 2 increases from three to seven days the time for filing an affidavit asserting a counter-claim, set-off or cross-demand to a bankruptcy notice;
- (ii) rule 3 replaces references to the Bankruptcy Estates Account with references to the Insolvency Services Account. This change is consequential upon section 3 of the Insolvency Act 1976, which comes into force on the same day as these Rules and replaces the Bankruptcy Estates Account and the Companies Liquidation Account with a single Insolvency Services Account.

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