STATUTORY INSTRUMENTS

1982 No. 441

BANKRUPTCY, ENGLAND AND WALES

The Bankruptcy (Amendment) Rules 1982

Made - - - - -	24*th March* 1982
Laid before Parliament	2*nd April* 1982
Coming into Operation	26*th April* 1982

The Lord Chancellor, in exercise of the powers conferred on him by section 132 of the Bankruptcy Act 1914**(a)** and of all other powers enabling him in that behalf, 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. These Rules may be cited as the Bankruptcy (Amendment) Rules 1982 and shall come into operation on 26th April 1982.

2. The Bankruptcy Rules 1952**(c)** shall be amended:—

(*a*) in Rule 138, by inserting at the end thereof the words "or when giving leave to serve the notice outside England"; and

(*b*) in Rule 140, by substituting for the words "one month" the words "two months" and by inserting at the end thereof the words "and in every other case it shall be served within such time as the Registrar shall fix when issuing the notice or when giving leave to serve the notice outside England".

Dated 5th March 1982. *Hailsham of St. Marylebone*, C.

I concur,

Dated 24th March 1982. *John Biffen*,
Secretary of State for Trade.

(a) 1914 c. 59. **(b)** 1976 c. 60.
(c) S.I. 1952/2113; the relevant amending instrument is S.I. 1977/364.

EXPLANATORY NOTE

(*This Note is not part of the Rules.*)

These Rules amend the Bankruptcy Rules 1952 so as to—

(i) empower the Registrar to fix the time for filing an affidavit under Rule 138 when giving leave to serve the bankruptcy notice outside England; and

(ii) increase from one month to two months the period specified in Rule 140 within which a bankruptcy notice must be served in England; and to empower the Registrar (when the notice is not to be served in England) to fix the period within which it must be served when issuing the notice or when giving leave to serve the notice outside England.

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