



# Administration of Justice Act 1965

## 1965 CHAPTER 2

### PART I

#### FUNDS IN COURT IN ENGLAND AND WALES

##### *Common Investment Funds for Investment of Money in Court and Statutory Deposits*

**F1** .....

##### **Textual Amendments**

**F1** Ss. 1-16 repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 2](#)

**F2** .....

##### **Textual Amendments**

**F2** Ss. 1-16 repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 2](#)

##### *Funds in the [<sup>F3</sup>Senior Courts]*

##### **Textual Amendments**

**F3** Words in cross-heading preceding s. 3 substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59(5)(6), 148(1), [Sch. 11 para. 4](#); S.I. 2009/1604, [art. 2\(b\)\(d\)](#)

*Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1965. (See end of Document for details)*

F4<sup>3</sup> .....

**Textual Amendments**

**F4** Ss. 1-16 repealed (13.6.1991) by Administration of Justice Act 1982 (c. 53, SIF 37), s. 75(1), **Sch. 9 Pt. I**; S.I. 1991/1245, **art. 2**

F5<sup>4</sup> .....

**Textual Amendments**

**F5** Ss. 1-16 repealed (13.6.1991) by Administration of Justice Act 1982 (c. 53, SIF 37), s. 75(1), **Sch. 9 Pt. I**; S.I. 1991/1245, **art. 2**

F6<sup>5</sup> .....

**Textual Amendments**

**F6** Ss. 1-16 repealed (13.6.1991) by Administration of Justice Act 1982 (c. 53, SIF 37), s. 75(1), **Sch. 9 Pt. I**; S.I. 1991/1245, **art. 2**

F7<sup>6</sup> .....

**Textual Amendments**

**F7** Ss. 1-16 repealed (13.6.1991) by Administration of Justice Act 1982 (c. 53, SIF 37), s. 75(1), **Sch. 9 Pt. I**; S.I. 1991/1245, **art. 2**

F8<sup>6A</sup> .....

**Textual Amendments**

**F8** S. 6A. (which was inserted by Administration of Justice Act 1977 (c. 38), s. 11(3)) repealed (13.6.1991) by Administration of Justice Act 1982 (c. 53, SIF 37), s. 75(1), **Sch. 9 Pt. I**; S.I. 1991/1245, **art. 2**

F9<sup>7</sup> .....

*Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1965. (See end of Document for details)*

**Textual Amendments**

**F9** Ss. 1-16 repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 2](#)

**F10**<sup>8</sup> .....

**Textual Amendments**

**F10** Ss. 1-16 repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 2](#)

*Amendments of Part X of County Courts Act 1959*

**F11**<sup>9</sup> .....

**Textual Amendments**

**F11** Ss. 1-16 repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 2](#)

**F12**<sup>10</sup> .....

**Textual Amendments**

**F12** Ss. 1-16 repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 2](#)

**F13**<sup>11</sup> .....

**Textual Amendments**

**F13** S. 11 repealed by [Courts Act 1971 \(c. 23\)](#), [Sch. 11 Pt. II](#) and expressed to be repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 1](#)

*Investment of Money transferred under Funds Rules to, and ultimate Liability of Consolidated Fund for Payments under such Rules by, the National Debt Commissioners*

**F14**<sup>12</sup> .....

*Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1965. (See end of Document for details)*

**Textual Amendments**

**F14** Ss. 1-16 repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 2](#)

<sup>F15</sup>**13** .....

**Textual Amendments**

**F15** Ss. 1-16 repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 2](#)

*Special Provisions with respect to Statutory Deposits, &c.*

<sup>F16</sup>**14** .....

**Textual Amendments**

**F16** Ss. 1-16 repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 2](#)

*Supplementary Provisions*

<sup>F17</sup>**15** .....

**Textual Amendments**

**F17** Ss. 1-16 repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 2](#)

<sup>F18</sup>**16** .....

**Textual Amendments**

**F18** Ss. 1-16 repealed (13.6.1991) by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#); S.I. 1991/1245, [art. 2](#)

**17 Amendments of Acts to secure conformity with Part I of this Act.**

<sup>X1</sup>(1) The enactments specified in column 1 of Schedule 1 to this Act shall have effect subject to the amendments respectively specified in relation thereto in column 2 of that

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Schedule (being amendments necessary for bringing those enactments into conformity with this Part of this Act).

- (2) Without prejudice to section 23 of the <sup>M1</sup>Interpretation Act 1889 or any corresponding enactment of the Parliament of Northern Ireland, any reference in an Act passed or other instrument made before the commencement of this Act which is, or includes, a reference to a provision of the <sup>M2</sup>Lands Clauses Consolidation Act 1845 that is amended by this Act shall, unless the contrary intention appears, be construed as referring, or as including a reference, to that provision as so amended.

**Editorial Information**

**X1** The text of S. 17(1) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M1** 1889 c. 63.  
**M2** 1845 c. 18.

<sup>F19</sup>**18** .....

**Textual Amendments**

**F19** Ss. 18, 20(2) repealed by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), [Sch. 9 Pt. I](#)

**PART II**

MISCELLANEOUS AMENDMENTS OF LAW RELATING TO ENGLAND AND WALES

<sup>F20</sup>**19** .....

**Textual Amendments**

**F20** S. 19 repealed by [Law Reform \(Miscellaneous Provisions\) Act 1971 \(c. 43\)](#), s. 5(1)

**20 Increase of amount determining county court jurisdiction to make administration orders, restriction on presentation of bankruptcy petitions and minor amendments about such orders.**

<sup>F21</sup>(1) .....

<sup>F22</sup>(2) .....

[<sup>F23</sup>(3) Before an administration order is made by a court, the registrar of the court shall, in accordance with rules made under [<sup>F24</sup>section 102] of the <sup>M3</sup>County Courts Act 1959, send to every person whose name the debtor has notified to the appropriate county court as being a creditor of his notice that that person's name has been so notified; and so long as the order is in force, a creditor whose name is included in the schedule to

*Changes to legislation: There are currently no known outstanding effects  
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the order shall not, without the leave of that court, be entitled to present, or join in, a bankruptcy petition against the debtor unless—]

- (a) his name was so notified; and
- (b) the debt by virtue of which he presents, or joins in, the petition exceeds [<sup>F25</sup>£1,500]; and
- (c) the notice given to the creditor by the registrar in accordance with this subsection was received by the creditor within twenty-eight days immediately preceding the day on which the petition is presented.

[<sup>F26</sup>(4) In section 150 of the <sup>M4</sup>County Courts Act 1959 (which, when an administration order is made, bars a creditor from remedies in respect of a debt which has been notified to a county court or is scheduled to the order, and requires a stay of proceedings in a county court or other inferior court in respect of such a debt)—

- (a) the requirement to stay proceedings shall not operate as a requirement that a county court in which proceedings in bankruptcy against the debtor are pending shall stay those proceedings; and
- (b) the reference to notification to a county court shall be construed as a reference to notification to the appropriate county court.

(5) In section 149(a) of the <sup>M5</sup>County Courts Act 1959, the requirement that notice of an administration order shall be sent to every creditor notified by the debtor shall be construed as a requirement that notice shall be sent to every person whose name a debtor has notified to the appropriate county court as being a creditor of his.

(6) In this section any reference to notification to the appropriate county court shall, in relation to an administration order, be construed as a reference to the giving, before the making of the order, of notice, in accordance with rules made under the said [<sup>F24</sup>section 102], to the court which, at the time when the notification is given, has the power to make the order.

(7) The power conferred by subsection (2) above to make an Order in Council shall include power to vary the Order; <sup>F27</sup> . . . .]

#### Textual Amendments

- F21** S. 20(1) repealed by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), Sch. 9 Pt. I
- F22** Ss. 18, 20(2) repealed by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), **Sch. 9 Pt. I**
- F23** S. 20(3) repealed (E.W.) by [County Courts Act 1984 \(c. 28, SIF 34\)](#), s. 148(3), **Sch. 4**
- F24** Words substituted by [Insolvency Act 1976 \(c. 60\)](#), **s. 12(2)**
- F25** S. 20(3)(b): sum substituted by [S.I. 1984/1199](#), **reg. 2(e)**
- F26** Ss. 20(4)–(7), 23 repealed (E.W.) by [County Courts Act 1984 \(c. 28, SIF 34\)](#), s. 148(3), **Sch. 4**
- F27** Words repealed by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), **Sch. 9 Pt. I**

#### Marginal Citations

- M3** 1959 c. 22.
- M4** 1959 c. 22.
- M5** 1959 c. 22.

*Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1965. (See end of Document for details)*

**Textual Amendments**

**F28** S. 21 repealed by [Insolvency Act 1976 \(c. 60\)](#), s. 13(1), [Sch. 3](#)

<sup>F29</sup>**22** .....

**Textual Amendments**

**F29** Ss. 22, 24, 26 repealed (E.W.) by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 152(4), [Sch. 7](#)

[<sup>F30</sup>**23** **Power of county court to extend period for giving possession of land in proceedings for enforcement of right of re-entry or forfeiture.**

- (1) Where a lessor is proceeding by action in a county court in England or Wales to enforce against a lessee a right of re-entry or forfeiture in respect of any land for non-payment of rent, and the court by order made in pursuance of section 191(1)(b) of the <sup>M6</sup>County Courts Act 1959 orders possession of the land to be given to the lessor at the expiration of a period fixed by the court unless within that period the lessee pays into court all the rent in arrear and the costs of the action, the court may extend that period at any time before possession of the land is recovered in pursuance of the order.
- (2) Where, under the foregoing subsection, a court extends a period at a time when that period has expired and a warrant has been issued for the possession of the land, the court shall suspend the warrant for the period of the extension and, if, before the expiration of the last-mentioned period, the lessee pays into court all the rent in arrear and the costs of the action, shall cancel the warrant.
- (3) The extension under subsection (1) above of a period fixed by a court shall not be treated as relief from which the lessee, if he fails within that period to pay into court all the rent in arrear and the costs of the action, is barred by virtue of section 191(1)(c) of the <sup>M7</sup>County Courts Act 1959.
- (4) Where, under subsection (1) above, a court extends a period, any reference in the said section 191(1)(c) (which, as well as barring a lessor from relief as mentioned in the last foregoing subsection, provides that if, within the period specified in the order, the lessee pays into court the rent in arrear and costs he shall continue to hold the land) to the period specified in the order shall be construed as reference to that period as so extended.]

**Textual Amendments**

**F30** Ss. 20(4)–(7), 23 repealed (E.W.) by [County Courts Act 1984 \(c. 28, SIF 34\)](#), s. 148(3), [Sch. 4](#)

**Marginal Citations**

**M6** 1959 c. 22.  
**M7** 1959 c. 22.

<sup>F31</sup>**24** .....

*Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1965. (See end of Document for details)*

**Textual Amendments**

**F31** Ss. 22, 24, 26 repealed (E.W.) by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 152(4), [Sch. 7](#)

<sup>F32</sup>**25** .....

**Textual Amendments**

**F32** S. 25 repealed by [Judicial Pensions Act 1981 \(c. 20, SIF 71\)](#), s. 36 (2), Sch. 4

<sup>F33</sup>**26** .....

**Textual Amendments**

**F33** Ss. 22, 24, 26 repealed (E.W.) by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 152(4), [Sch. 7](#)

<sup>F34</sup>**27** .....

**Textual Amendments**

**F34** S. 27 repealed (E.W.) by [Prosecution of Offences Act 1979 \(c. 31\)](#), s. 11(2), [Sch. 2 Pt. II](#)

<sup>F35</sup>**28** .....

**Textual Amendments**

**F35** S. 28 repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), [Sch. 1 Pt. XVI](#)

**PART III**

QUALIFICATION OF EX-SERVICE MEMBERS OF APPEAL TRIBUNALS  
UNDER WAR PENSIONS (ADMINISTRATIVE PROVISIONS) ACT 1919

<sup>X2</sup>**29** **Amendment of War Pensions (Administrative Provisions) Act 1919.**

For sub-paragraph (ii) of paragraph 2 of the Schedule to the <sup>M8</sup>War Pensions (Administrative Provisions) Act 1919 (by virtue whereof one of the members of an appeal tribunal established under section 8 of that Act must be a disabled officer who retired or was demobilised from the forces during the 1914-18 war while suffering impairment or a disabled man who was similarly discharged or demobilised) there shall be substituted the following sub-paragraph:—

“(ii) a person who has served in Her Majesty’s Forces”.



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**Editorial Information**

**X2** The text of S. 29 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M8** 1919 c. 53.

**PART IV**

**F36** **30** .....

**Textual Amendments**

**F36** S. 30 repealed (with saving) by [Judicature \(Northern Ireland\) Act 1978 \(c. 23, SIF 38\)](#), s. 122(1)(2), Sch. 6 para. 13, [Sch. 7 Pt. I](#)

**F37** **31** .....

**Textual Amendments**

**F37** S. 31 repealed by [Northern Ireland Constitution Act 1973 \(c. 36\)](#), s. 42, [Sch. 6 Pt. I](#)

**F38** **32,** .....  
**33.**

**Textual Amendments**

**F38** Ss. 32, 33 repealed by [Judicature \(Northern Ireland\) Act 1978 \(c. 23, SIF 38\)](#), s. 122(1), Sch. 6 para. 13, [Sch. 7 Pt. I](#)

**PART V**

SUPPLEMENTAL

**34** **F39** (1) .....  
**F40** (2) .....

**Textual Amendments**

**F39** Ss. 34(1), 36(4) repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), [Sch. Pt. XI](#)

*Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1965. (See end of Document for details)*

**F40** S. 34(2) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIII** Group1.

**35 Construction of references to enactments.**

References in this Act to any enactment shall, except in so far as the context otherwise requires, be construed as references to that enactment as amended by or under any subsequent enactment, including this Act.

**36** <sup>X3</sup>**Short title, commencement and repeal.**

- (1) This Act may be cited as the Administration of Justice Act 1965.
- (2) This Act shall come into force on such day as the Lord Chancellor may by order made by statutory instrument appoint.
- (3) Different days may be appointed by order under this section for different purposes of this Act; and any reference in any provision of this Act to the commencement of this Act shall, unless otherwise provided by any such order, be construed as a reference to the day on which that provision comes into operation.

<sup>F41</sup>(4) .....

**Editorial Information**

**X3** Unreliable marginal note.

**Subordinate Legislation Made**

**P1** Power of appointment conferred by s. 36 fully exercised.

**Textual Amendments**

**F41** Ss. 34(1), 36(4) repealed by Statute Law (Repeals) Act 1974 (c. 22), **Sch. Pt.XI**

**Changes to legislation:**

There are currently no known outstanding effects for the Administration of Justice Act 1965.