



Insolvency Act 1986

1986 CHAPTER 45

PART IX

BANKRUPTCY

CHAPTER IV

ADMINISTRATION BY TRUSTEE

Acquisition, control and realisation of bankrupt's estate

309 Time-limit for notice under s. 307 or 308.

- (1) Except with the leave of the court, a notice shall not be served—
 - (a) under section 307, after the end of the period of 42 days beginning with the day on which it first came to the knowledge of the trustee that property in question had been acquired by, or had devolved upon, the bankrupt;
 - (b) under section 308 [^{F1}or section 308A], after the end of the period of 42 days beginning with the day on which the property [^{F2}or tenancy] in question first came to the knowledge of the trustee.
- (2) For the purposes of this section—
 - (a) any thing which comes to the knowledge of the trustee is deemed in relation to any successor of his as trustee to have come to the knowledge of the successor at the same time; and
 - (b) any thing which comes (otherwise than under paragraph (a)) to the knowledge of a person before he is the trustee is deemed to come to his knowledge on his appointment taking effect or, in the case of the official receiver, on his becoming trustee.

Changes to legislation: *Insolvency Act 1986, Section 309 is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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Textual Amendments

- F1** Words inserted by [Housing Act 1988 \(c. 50, SIF 75:1\), s. 117\(3\)\(a\)](#)
F2 Words inserted by [Housing Act 1988 \(c. 50, SIF 75:1\), s. 117\(3\)\(b\)](#)
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Modifications etc. (not altering text)

- C1** S. 309 applied with modifications by [S.I. 1986/1999, art. 3, Sch. 1 Pt. II](#)

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[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act amendment to earlier affecting provision S.I. 1986/1999, art. 3, Sch. 1 Pt. 2 by [S.I. 2017/1119 Sch. 3 para. 1](#)
- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 41HB(2) words substituted by [2018 c. 14 s. 1\(3\)\(b\)](#)