



# Insolvency Act 1986

## 1986 CHAPTER 45

### PART IX

#### BANKRUPTCY

#### CHAPTER IV

##### ADMINISTRATION BY TRUSTEE

##### *Distribution of bankrupt's estate*

#### **329 Debts to spouse.**

(1) This section applies to bankruptcy debts owed in respect of credit provided by a person who (whether or not the bankrupt's spouse [<sup>F1</sup>or civil partner] at the time the credit was provided) was the bankrupt's spouse [<sup>F1</sup>or civil partner] at the commencement of the bankruptcy.

(2) Such debts—

- (a) rank in priority after the <sup>F2</sup>... interest required to be paid in pursuance of section [<sup>F3</sup>328(4)], and
- (b) are payable with interest at the rate specified in section 328(5) in respect of the period during which they have been outstanding since the commencement of the bankruptcy;

and the interest payable under paragraph (b) has the same priority as the debts on which it is payable.

#### **Textual Amendments**

- F1** Words in s. 329(1) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), ss. 261(1), 263, [Sch. 27 para. 116](#); [S.I. 2005/3175](#), [art. 2\(2\)](#) (subject to [art. 2\(3\)-\(5\)](#))

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**Changes to legislation:** *Insolvency Act 1986, Section 329 is up to date with all changes known to be in force on or before 16 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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- F2** Words in s. 329(2)(a) omitted (19.12.2018) by virtue of [The Banks and Building Societies \(Priorities on Insolvency\) Order 2018 \(S.I. 2018/1244\)](#), arts. 1(2), **9(a)** (with art. 3)
- F3** Word in s. 329(2)(a) substituted (19.12.2018) by [The Banks and Building Societies \(Priorities on Insolvency\) Order 2018 \(S.I. 2018/1244\)](#), arts. 1(2), **9(b)** (with art. 3)

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

- C1** S. 329 applied (with modifications) by [S.I. 1986/1999](#), art. 3, **Sch. 1 Pt. II**

**Changes to legislation:**

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**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\(3\)\(b\)](#)