



# Crown Proceedings Act 1947

1947 CHAPTER 44 10 and 11 Geo 6

## PART III

### JUDGMENTS AND EXECUTIONS

#### 26 Execution by the Crown.

- (1) Subject to the provisions of this Act, any order made in favour of the Crown against any person in any civil proceedings to which the Crown is a party may be enforced in the same manner as an order made in an action between subjects, and not otherwise.

<sup>F1</sup> . . .

- (2) Sections four and five of the <sup>M1</sup>Debtors Act 1869 (which provide respectively for the abolition of imprisonment for debt, and for saving the power of committal in case of small debts), shall apply to sums of money payable and debts due to the Crown:

Provided that for the purpose of the application of the said section four to any sum of money payable or debt due to the Crown, the section shall have effect as if there were included among the exceptions therein mentioned default in payment of any sum payable in respect of death duties. . . <sup>F2</sup>.

- (3) Nothing in this section shall affect any procedure which immediately before the commencement of this Act was available for enforcing an order made in favour of the Crown in proceedings brought by the Crown for the recovery of any fine or penalty, or the forfeiture or condemnation of any goods, or the forfeiture of any ship or any share in a ship.

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#### Textual Amendments

**F1** Words in s. 26(1) repealed (5.11.1993) by 1993 c. 50, s. 1(1)(2), **Sch. 1 Pt. I** Gp. 1, Sch. 2 Pt. II para. 27.

**F2** Words repealed (1.3.1982) by Finance Act 1972 (c. 41), s. 54(8), **Sch. 28 Pt. II**; S.I. 1982/87

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*Changes to legislation: There are currently no known outstanding effects for the Crown Proceedings Act 1947, Section 26. (See end of Document for details)*

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

**C1** Ss. 21-42 excluded (S.) (18.4.2016) by [The Utilities Contracts \(Scotland\) Regulations 2016 \(S.S.I. 2016/49\)](#), regs. 1, **103(8)**

**Marginal Citations**

**M1** 1869 c. 62.

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