1984 No. 182

## JUDGMENTS (ENFORCEMENT)

## Judgment Enforcement (Amendment) Rules (Northern Ireland) 1984

| | |
|---|---|
| *Made* . . . . . | *23rd May 1984* |
| *Coming into operation* . . . | *4th July 1984* |
| *To be laid before Parliament* | |

The Lord Chancellor, in exercise of the powers conferred on him by Article 141(1) of the Judgments Enforcement (Northern Ireland) Order 1981(**a**) and of all other powers enabling him in that behalf, hereby makes the following Rules:—

*Citation and commencement*

**1.** These Rules may be cited as the Judgment Enforcement (Amendment) Rules (Northern Ireland) 1984 and shall come into operation on 4th July 1984.

*Interpretation*

**2.** In these Rules—

"the Rules of 1981" means the Judgment Enforcement Rules (Northern Ireland) 1981(**b**).

*Amendment of the Rules of 1981*

**3.** In Rule 2 of the 1981 Rules after the definition of "debtor company" there shall be inserted the following definition—

"deposit-taking institution" means any person carrying on a business which is a deposit-taking institution for the purposes of the Banking Act 1979(**c**).

**4.** For Rule 46 of the 1981 Rules there shall be substituted the following Rule—

"**46.**—(1) An order attaching debts under Article 69 may be made by the Master in respect of a money judgment for at least £50 and such order shall bind in the hands of the garnishee as from the service of the order on him any debt specified in the order or so much thereof as may be so specified.

(2) A sum of money standing to the credit of a person in a deposit account in a bank or other deposit-taking institution or in any withdrawable share account with any deposit-taking institution is attachable notwithstanding that any condition, applicable to the account, which must be fulfilled before money is withdrawn, is not satisfied.

(3) An order under this rule shall not require a payment which would reduce below £1 the amount standing in the name of the debtor in an account with a building society or a credit union.".

Dated 23rd May 1984 *Hailsham of St. Marylebone, C.*

(**a**) S.I. 1981/226 (N.I. 6)
(**b**) S.R. 1981 No. 147
(**c**) 1979 c. 37