
STATUTORY INSTRUMENTS

1980 No. 397

County Courts (Northern Ireland) Order 1980

PART V

**SUPPLEMENTAL PROVISIONS RESPECTING
JURISDICTION OF COUNTY COURTS**

(ii)

PROVISIONS SUPPLEMENTAL TO CIVIL JURISDICTION

Parties

Third and subsequent parties

40.—(1) In any action where—

- (a) a defendant claims to be entitled to contribution or indemnity from or other relief over against another defendant or any person not a party to the action (in this Article referred to as a “third party”);
- (b) a third party makes a like claim against any other person, whether a party to the action or not (in this Article referred to as a “fourth party”),

a county court shall have jurisdiction to grant, subject to county court rules, any such relief as may be granted in the like case by the High Court to a defendant or third party.

(2) Subject to county court rules, the practice and procedure as between a defendant and a third party and as between a third party and a fourth party shall be the same as the practice and procedure as between a plaintiff and defendant.

(3) County court rules shall apply the foregoing provisions of this Article to—

- (a) any action wherein a fourth party makes, as such, a claim against another person not a party to the action; and
- (b) any action wherein any subsequent like claims are made successively.

(4) A party shall not be prejudiced or unnecessarily delayed in the prosecution of his claim by reason of questions between other parties in which he is not concerned.

Changes to legislation:

County Courts (Northern Ireland) Order 1980, Section 40 is up to date with all changes known to be in force on or before 28 July 2023. 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Instrument am (prosp) by [S.I. 1994/2795 \(N.I.\) art.3\(5\)Sch.1](#)