
STATUTORY INSTRUMENTS

1980 No. 397

County Courts (Northern Ireland) Order 1980

PART II

HOLDING OF COUNTY COURTS

County courts^{F1} ...

3.—^{F2}(1)

^{F3}(2) A court shall be held at such place or places in each division as may be specified in directions given under Article 4.

(3) A court held under paragraph (2) shall—

- (a) be called a county court and be a court of record; and
- (b) have throughout Northern Ireland the jurisdiction and powers conferred on a county court by this Order or any other statutory provision.]

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| <p>F1 Words in art. 3 repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 80(2)(a), Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)</p> <p>F2 Art. 3(1) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 80(2)(b), Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)</p> <p>F3 Art. 3(2)(3) substituted (31.10.2016) for art. 3(2)-(4) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 80(2)(c) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)</p> |
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Directions as to holding of courts

4. The^{F4}[Lord Chief Justice] may give directions as to—

- (a) the places at which county courts are to be held;
- (b) the number of ordinary sittings of county courts which are to be held each year;
- (c) the ordinary hours of sitting of county courts;
- ^{F5}(d)
- (e) the cancellation of any sitting of a county court for which provision has been made under this Order where there is no, or insufficient, business to be transacted at that sitting; and
- (f) such other incidental, consequential, transitional or supplementary matters as appear to the^{F6}[Lord Chief Justice] to be necessary or proper.

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| <p>F4 Words in art. 4 substituted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(2), 148(1), Sch. 5 para. 51; S.I. 2006/1014, art. 2(a), Sch. 1 para. 12(a)</p> <p>F5 Art. 4(d) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 80(3), Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)</p> |
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F6 Words in art. 4(f) substituted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(2), 148(1), Sch. 5 para. 51; S.I. 2006/1014, art. 2(a), Sch. 1 para. 12(a)

Courthouses

5. Subject to section 13 of the Administration of Justice Act (Northern Ireland) 1954 sittings of county courts shall, except where the^{F7}Lord Chief Justice] otherwise directs, be held in courthouses provided or maintained under Part I of that Act.

F7 Words in art. 5 substituted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(2), 148(1), Sch. 5 para. 52; S.I. 2006/1014, art. 2(a), Sch. 1 para. 12(a)

Appointment of days for holding of ordinary sittings

6.—(1) Subject to any provision made by virtue of Article 4, in each year the^{F8}Lord Chief Justice] shall—

- (a) on or before 1st May, appoint the days for the holding of the ordinary sittings of the county court [^{F9}in each division] for the period of twelve months commencing on 1st September next following; and
- (b) on or before 1st July cause notice of the days so appointed to be published.

^{F10}(2)

F8 Words in art. 6(1) substituted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(2), 148(1), Sch. 5 para. 53(2); S.I. 2006/1014, art. 2(a), Sch. 1 para. 12(a)

F9 Words in art. 6(1)(a) substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 80(4)(a) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)

F10 Art. 6(2) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 80(4)(b), Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

Additional and extraordinary sittings

7.—(1) The^{F11}Lord Chief Justice] may, where he considers it expedient to do so for the purpose of avoiding delay in the administration of justice, give directions for the holding of sittings of the county court in addition to the ordinary sittings fixed under this Order.

(2) Subject to county court rules and to any directions given by the^{F12}Lord Chief Justice] under Article 4 or paragraph (1), a judge may, in addition to the ordinary sittings, sit at any other time or times for the hearing of any proceedings where he is satisfied that such additional sitting is necessary or expedient for the doing of justice between the parties.

F11 Words in art. 7(1) substituted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(2), 148(1), Sch. 5 para. 54; S.I. 2006/1014, art. 2(a), Sch. 1 para. 12(a)

F12 Words in art. 7(2) substituted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(2), 148(1), Sch. 5 para. 54; S.I. 2006/1014, art. 2(a), Sch. 1 para. 12(a)

Adjournments

8.—(1) A judge may adjourn any court held by him.

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(2) Where by reason of death or unavoidable absence the judge is not present at any ordinary or other sitting of a court, a circuit registrar or an officer of the court present shall, subject to paragraph (3), open and adjourn, or as the case may be, adjourn the court to such day as he thinks convenient.

(3) An adjournment under paragraph (2) shall not operate to prevent a prescribed officer or circuit registrar from hearing and determining any civil action which he is authorised by any statutory provision or by county court rules to hear and determine.

(4) A judge may adjourn any proceedings for such period as will in his opinion best meet the ends of justice.

^{F13}(5)

^{F13}(6)

^{F13}(7)

^{F13}(8)

<p>F13 Art. 8(5)-(8) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 80(5), Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)</p>
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Order of hearing

9. Subject to county court rules, the order in which proceedings are to be heard shall be determined by the judge.

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Changes and effects yet to be applied to :

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