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STATUTORY INSTRUMENTS

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**1980 No. 397**

**County Courts (Northern Ireland) Order 1980**

**PART V**

**SUPPLEMENTAL PROVISIONS RESPECTING  
JURISDICTION OF COUNTY COURTS**

(ii)

**PROVISIONS SUPPLEMENTAL TO CIVIL JURISDICTION**

*Decrees*

**Decrees**

**45.**—(1) Every decree of a county court shall, except as provided by Part VI or any other statutory provision or county court rules, be final and conclusive between the parties.

(2) If at any time before the creditor has applied to the Enforcement of Judgments Office under [<sup>F1</sup> Article 22 or Article 23 of the Judgments Enforcement (Northern Ireland) Order 1981 ] to enforce the decree it appears to the satisfaction of the judge that any party to any proceedings is unable from any cause to pay any sum decreed against him, the judge may in his discretion stay the execution of the decree for such time and on such terms as the judge thinks fit.

**F1** 1981 NI 6

**[<sup>F2</sup>Interest on debts and damages**

**45A.**—(1) Subject to county court rules, in proceedings (whenever instituted) before a county court for the recovery of a debt or damages there may be included in any sum for which judgment is given simple interest, at such rate as the court thinks fit or as county court rules may provide, on all or any part of the debt or damages in respect of which judgment is given, or payment is in respect of which judgment is given, or payment is made before judgment, for all or any part of the period between the date when the cause of action arose and—

- (i) in the case of any sum paid before judgment, the date of the payment; and
- (ii) in the case of the sum for which judgment is given, the date of the judgment.

(2) Subject to the rules of court, where—

- (a) there are proceedings (whenever instituted) before the High Court for the recovery of a debt; and
- (b) the defendant pays the whole debt to the plaintiff (otherwise than in pursuance of a judgment in the proceedings),

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**Changes to legislation:** County Courts (Northern Ireland) Order 1980, Cross Heading: Decrees is up to date with all changes known to be in force on or before 15 June 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. (See end of Document for details) [View outstanding changes](#)

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the defendant shall be liable to pay the plaintiff simple interest at such rate as the court thinks fit or as rules of court may provide on all or any part of the debt for all or any part of the period between the date when the cause of action arose and the date of the payment.

(3) Interest in respect of a debt shall not be awarded under this section for a period during which, for whatever reason, interest on the debt already runs.

(4) Without prejudice to the generality of section 55, rules of court may provide for a rate of interest by reference to a rate for which any other enactment provides.

(5) Interest under this section may be calculated at different rates in respect of different periods.

(6) In this section “plaintiff” means the person seeking the debt or damages and “defendant” means the person from whom the plaintiff seeks the debt or damages.

(7) Nothing in this section affects the damages recoverable for the dishonour of a bill of exchange.]

**F2** 1982 c. 53

**Changes to legislation:**

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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](#)