



# County Courts Act 1984

## 1984 CHAPTER 28

### PART III

#### PROCEDURE

##### *Juries*

#### 66 Trial by jury.

- (1) In the following proceedings in a county court the trial shall be without a jury—
  - (a) Admiralty proceedings;
  - (b) proceedings arising—
    - (i) under Part I, II or III of the Rent (Agriculture) <sup>M1</sup>Act 1976, or
    - (ii) under any provision of the <sup>M2</sup>Rent Act 1977 other than a provision contained in Part V, sections 103 to 106 or Part IX, or
    - (iii) under Part I of the <sup>M3</sup>Protection from Eviction Act 1977; [<sup>F1</sup>or
    - (iv) under Part I of the Housing Act 1988]
  - (c) any appeal to the county court under [<sup>F2</sup>the Housing Act 1985].
- (2) In all other proceedings in a county court the trial shall be without a jury unless the court otherwise orders on an application made in that behalf by any party to the proceedings in such manner and within such time before the trial as may be prescribed.
- (3) Where, on any such application, the court is satisfied that there is in issue—
  - (a) a charge of fraud against the party making the application; or
  - (b) a claim in respect of <sup>F3</sup>... malicious prosecution or false imprisonment; or
  - (c) any question or issue of a kind prescribed for the purposes of this paragraph,the action shall be tried with a jury, unless the court is of opinion that the trial requires any prolonged examination of documents or accounts or any scientific or local investigation which cannot conveniently be made with a jury.

*Status: Point in time view as at 01/01/2014.*

*Changes to legislation: County Courts Act 1984, Cross Heading: Juries is up to date with all changes known to be in force on or before 18 April 2024. 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)*

- (4) There shall be payable, in respect of the trial with a jury of proceedings in a county court, such fees as may be prescribed by [<sup>F4</sup>an order under section 92 of the Courts Act 2003 (fees)].

#### Textual Amendments

- F1** S. 66(1)(b)(iv) inserted by [Housing Act 1988 \(c. 50, SIF 61:1\)](#), s. 140, **Sch. 17 para. 35(1)**
- F2** Words substituted by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 4, **Sch. 2 para. 57(2)**
- F3** Words in s. 66(3)(b) omitted (1.1.2014) by virtue of [Defamation Act 2013 \(c. 26\)](#), **ss. 11(2)**, 17(4) (with s. 16(7)); [S.I. 2013/3027](#), **art. 2**
- F4** Words in s. 66(4) substituted (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), **ss. 109(1)**, 110(1), **Sch. 8 para. 271**; [S.I. 2005/910](#), **art. 3**

#### Marginal Citations

- M1** 1976 c. 80.
- M2** 1977 c. 42.
- M3** 1977 c. 43.

### 67 Impanelling and swearing of jury.

At any county court where proceedings are to be tried with a jury, eight jurymen shall be impanelled and sworn as occasion requires to give their verdicts in the proceedings brought before them, and being once sworn need not be re-sworn in each trial.

### 68 Duty of judge to determine foreign law in jury trials.

Where, for the purpose of disposing of any proceedings which are being tried in a county court by the judge with a jury, it is necessary to ascertain the law of any other country which is applicable to the facts of the case, any question as to the effect of the evidence given with respect to that law shall, instead of being submitted to the jury, be decided by the judge alone.

**Status:**

Point in time view as at 01/01/2014.

**Changes to legislation:**

County Courts Act 1984, Cross Heading: Juries is up to date with all changes known to be in force on or before 18 April 2024. 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.