



County Courts Act 1984

1984 CHAPTER 28

PART III

PROCEDURE

Right of audience

60 Right of audience.

^{F1}(1)

(2) Where an action is brought in [^{F2}the county court] by a local authority for either or both of the following—

- (a) the recovery of possession of a house belonging to the authority;
- (b) the recovery of any rent, mesne profits, damages or other sum claimed by the authority in respect of the occupation by any person of such a house,

[^{F3}then, except where rules of court provide otherwise, any officer of the authority authorised by the authority for the purpose may address the court.]

(3) In this section—

“local authority” means a county council, ^{F4}... a district council [^{F5}the Broads Authority], [^{F6}any National Park authority,] a London borough council [^{F7}, [^{F8}a police and crime commissioner, the Mayor's Office for Policing and Crime]]^{F9}... [^{F10}[^{F11}the Inner London Education Authority], a joint authority established by Part IV of the Local Government Act 1985,]^{F12}an economic prosperity board established under section 88 of the Local Democracy, Economic Development and Construction Act 2009, a combined authority established under section 103 of that Act,]^{F13}a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023,]^{F14}a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004,]^{F15}... [^{F16}the London Fire Commissioner], or the Common Council of the City of London; and

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“house” includes a part of a house, a flat or any other dwelling and also includes any yard, garden, outhouse or appurtenance occupied with a house or part of a house or with a flat or other dwelling,
and any reference to the occupation of a house by a person includes a reference to anything done by that person, or caused or permitted by him to be done, in relation to the house as occupier of the house, whether under a tenancy or licence or otherwise.

Textual Amendments

- F1** S. 60(1) repealed by [Courts and Legal Services Act 1990](#) (c. 41, SIF 76:1), s. 125(7), **Sch. 20**
- F2** Words in ss. 36-147 substituted (22.4.2014) by [Crime and Courts Act 2013](#) (c. 22), s. 61(3), **Sch. 9 para. 10(1)(b)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F3** Words in s. 60(2) substituted (22.4.2014) by [Crime and Courts Act 2013](#) (c. 22), s. 61(3), **Sch. 9 para. 10(16)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F4** Words repealed by [Local Government Act 1985](#) (c. 51, SIF 81:1), s. 102, **Sch. 17**
- F5** Words inserted by [Norfolk and Suffolk Broads Act 1988](#) (c. 4, SIF 81:1), s. 21, **Sch. 6 para. 24**
- F6** Words in s. 60(3) inserted (23.11.1995) by 1995 c. 25, s. 78, **Sch. 10 para. 23** (with ss. 7(6), 115, 117, Sch. 8 para. 7); S.I. 1995/2950, **art. 2(1)**.
- F7** Words in s. 60(3) inserted (1.10.1994 for certain purposes, 1.4.1995 for remaining purposes) by 1994 c. 29, s. 43, **Sch. 4 Pt. II para. 57**; S.I. 1994/2025, **art. 6(1)**; S.I. 1994/3262, art. 4, **Sch.**
- F8** Words in s. 60(3) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011](#) (c. 13), s. 157(1), **Sch. 16 para. 159**; S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 46)
- F9** Words in s. 60(3) repealed (1.4.2002) by [Criminal Justice and Police Act 2001](#) (c. 16), s. 137, **Sch. 7 Pt. 5(1)**; S.I. 2002/344, **art. 3** (with art. 4)
- F10** Words inserted by [Local Government Act 1985](#) (c. 51, SIF 81:1), s. 84, **Sch. 14 para. 63**
- F11** Words repealed by [Education Reform Act 1988](#) (c. 40, SIF 41:1), ss. 231(7), 235(6), 237, Sch. 13 Pt. I
- F12** Words in s. 60(3) inserted (17.12.2009) by [Local Democracy, Economic Development and Construction Act 2009](#) (c. 20), ss. 119, 148(6), **Sch. 6 para. 58**; S.I. 2009/3318, **art. 2(b)(c)**
- F13** Words in s. 60(3) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023](#) (c. 55), s. 255(2)(c), **Sch. 4 para. 74** (with s. 247)
- F14** Words in s. 60(3) inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017](#) (c. 3), s. 183(1)(5)(e), **Sch. 1 para. 48**; S.I. 2017/399, Sch. para. 38
- F15** Words in s. 60(3) omitted (26.5.2015) by virtue of [Deregulation Act 2015](#) (c. 20), s. 115(7), **Sch. 13 para. 6(18)**; S.I. 2015/994, art. 6(g)
- F16** Words in s. 60(3) substituted (31.1.2017 for specified purposes, 1.4.2018 in so far as not already in force) by [Policing and Crime Act 2017](#) (c. 3), s. 183(1)(5)(e), **Sch. 2 para. 69**; S.I. 2018/227, **reg. 4(c)**

Modifications etc. (not altering text)

- C1** S. 60 amended by [Local Government Act 1985](#) (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 13(l)**
- C2** S. 60 extended (5.7.1994) by 1994 c. 19, s. 39, **Sch. 13 para. 20(k)** (with s. 54, Sch. 17 paras. 22(1), 23(2)).
- C3** S. 60 excluded (8.5.2017) by [The Greater Manchester Combined Authority \(Transfer of Police and Crime Commissioner Functions to the Mayor\) Order 2017](#) (S.I. 2017/470), art. 1(2), **Sch. 2 para. 8**
- C4** S. 60(3) amended by S.I. 1985/1884, art. 10, **Sch. 3 para. 4(w)**

61 Right of audience by direction of Lord Chancellor.

- (1) The Lord Chancellor may [^{F17}, with the concurrence of the Lord Chief Justice,] at any time direct that such categories of persons in relevant legal employment as may be

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specified in the direction may address the court in any proceedings in [F²the county court] , or in proceedings in [F²the county court] of such description as may be so specified.

- (2) In subsection (1), “relevant legal employment” means employment which consists of or includes giving assistance in the conduct of litigation to a [F¹⁸legal representative] whether in private practice or not.
- (3) A direction under this section may be given subject to such conditions and restrictions as appear to the Lord Chancellor to be necessary or expedient, and may be expressed to have effect as respects [F¹⁹ every place where the county court sits or] as respects one or more specified places where [F²the county court] sits.
- [F²⁰(3A) Subsections (1) to (3) apply in relation to the family court as they apply in relation to the county court.]
- (4) The power to give directions conferred by this section includes a power to vary or rescind any direction given under this section.
- [F²¹(5) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.]

Textual Amendments

- F2** Words in ss. 36-147 substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 10\(1\)\(b\)](#); [S.I. 2014/954](#), art. 2(c) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F17** Words in s. 61(1) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148(1), [Sch. 4 para. 168\(2\)](#); [S.I. 2006/1014](#), art. 2(a), Sch. 1 para. 11(r)
- F18** Words in s. 61(2) substituted (1.4.1991) by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\)](#), s. 125(3), [Sch. 18 para. 49\(2\)](#); [S.I. 1991/608](#), art. 2, [Sch.](#)
- F19** Words in s. 61(3) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 10\(18\)](#); [S.I. 2014/954](#), art. 2(c) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F20** S. 61(3A) inserted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 69](#); [S.I. 2014/954](#), art. 2(d) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F21** S. 61(5) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148(1), [Sch. 4 para. 168\(3\)](#); [S.I. 2006/1014](#), art. 2(a), Sch. 1 para. 11(r)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 6A inserted by [2007 c. 15 s. 107\(1\)](#) (This affecting provision is amended (22.4.2014) by [2013 c. 22, Sch. 9 paras. 10\(53\), 48](#); [S.I. 2014/954, art. 2\(c\)](#))
- [s. 60A](#) inserted by [2007 c. 29 s. 191](#)
- [s. 60A\(2\)](#) words substituted by [2013 c. 22 Sch. 9 para. 10\(17\)](#) (Effect not applied as [s. 60A](#) has not been brought into force)
- [s. 60A\(3\)\(b\)](#) words substituted by [S.I. 2022/1166 reg. 10\(2\)\(a\)\(ii\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- [s. 60A\(3\)\(aa\)](#) inserted by [S.I. 2022/1166 reg. 10\(2\)\(a\)\(i\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- [s. 60A\(3\)\(bb\)](#) inserted by [S.I. 2022/1166 reg. 10\(2\)\(a\)\(iii\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- [s. 60A\(3\)\(cc\)](#) inserted by [S.I. 2022/1166 reg. 10\(2\)\(a\)\(iv\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- [s. 60A\(7\)](#) words inserted by [S.I. 2022/1166 reg. 10\(2\)\(b\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- [s. 60A\(7\)](#) words substituted by [S.I. 2010/844 Sch. 2 para. 2](#) (Effect not applied as [s. 60A](#) has not been brought into force)
- [s. 112A112B](#) inserted by [1990 c. 41 s. 13\(5\)](#)