



County Courts Act 1984

1984 CHAPTER 28

PART VIII

RESPONSIBILITY AND PROTECTION OF OFFICERS

126 Actions against bailiffs acting under warrants.

- (1) No action shall be commenced against any bailiff for anything done in obedience to a warrant issued by the [^{F1}county court] , unless—
- (a) a demand for inspection of the warrant and for a copy of it is made or left at the office of the bailiff by the party intending to bring the action, or his [^{F2}legal representative] or agent; and
 - (b) the bailiff refuses or neglects to comply with the demand within six days after it is made.
- (2) The demand must be in writing and signed by the person making it.
- (3) If an action is commenced against a bailiff in a case where such a demand has been made and not complied with, judgment shall be given for the bailiff if the warrant is produced or proved at the trial, notwithstanding any defect of jurisdiction or other irregularity in the warrant; ^{F3}...
- (4) In this section [^{F4}“bailiff” in relation to a warrant means the person to whom the warrant is directed, and] (except in paragraph (a) of subsection (1)) ^{F5}... ^{F5}... ^{F5}... includes any person acting by the order and in aid of [^{F6}that person].
- [^{F7}(5) This section does not apply to an action for anything done under a power to use the procedure in Schedule 12 to the Tribunals, Courts and Enforcement Act 2007.]

Textual Amendments

- F1** Words in s. 126(1) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 10\(62\)](#); [S.I. 2014/954, art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956, arts. 3-11](#))

Changes to legislation: County Courts Act 1984, Section 126 is up to date with all changes known to be in force on or before 16 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) View outstanding changes

- F2** Words in s. 126(1)(a) 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.**
- F3** Words in s. 126(3) repealed (6.4.2014) by Tribunals, Courts and Enforcement Act 2007 (c. 15), s. 148, Sch. 13 para. 81(2), **Sch. 23 Pt. 3** (with s. 89); S.I. 2014/768, art. 2(1)(b)
- F4** Words in s. 126(4) inserted (6.4.2014) by Tribunals, Courts and Enforcement Act 2007 (c. 15), s. 148, **Sch. 13 para. 81(3)(a)** (with s. 89); S.I. 2014/768, art. 2(1)(b)
- F5** Word in s. 126(4) repealed (6.4.2014) by Tribunals, Courts and Enforcement Act 2007 (c. 15), s. 148, Sch. 13 para. 81(3)(b), **Sch. 23 Pt. 3** (with s. 89); S.I. 2014/768, art. 2(1)(b)
- F6** Words in s. 126(4) substituted (6.4.2014) by Tribunals, Courts and Enforcement Act 2007 (c. 15), s. 148, **Sch. 13 para. 81(3)(c)** (with s. 89); S.I. 2014/768, art. 2(1)(b)
- F7** S. 126(5) inserted (6.4.2014) by Tribunals, Courts and Enforcement Act 2007 (c. 15), s. 148, **Sch. 13 para. 81(4)** (with s. 89); S.I. 2014/768, art. 2(1)(b)

Modifications etc. (not altering text)

- C1** S. 126 restricted (1.9.1993) by S.I. 1993/2073, **art.4(2)**.

Changes to legislation:

County Courts Act 1984, Section 126 is up to date with all changes known to be in force on or before 16 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.

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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\(5\)](#)