



County Courts Act 1984

1984 CHAPTER 28

PART IV

APPEALS ETC.

Appeals

77 Appeals: general provisions.

(1) Subject to the provisions of this section and the following provisions of this Part of this Act [^{F1}and to any order made by the Lord Chancellor under section 56(1) of the Access to Justice Act 1999], if any party to any proceedings in [^{F2}the county court] is dissatisfied with the determination of [^{F3}a judge] or jury, he may appeal from it to the Court of Appeal in such manner and subject to such conditions as may be provided by [^{F4}Civil Procedure Rules].

[^{F5}(1A) Without prejudice to the generality of the power to make [^{F6}rules of court]^{F7}..., such rules may make provision for any appeal from the exercise by a [^{F8}judge of the county court] of any power given to him by virtue of any enactment to [^{F9}be to another] judge of [^{F2}the county court] .]

^{F10}(2)

^{F10}(3)

^{F10}(4)

(5) Subject to the provisions of this section and the following provisions of this Part of this Act, where an appeal is brought under subsection (1) in any action, an appeal may be brought under that subsection in respect of any claim or counterclaim in the action notwithstanding that there could have been no such appeal if that claim had been the subject of a separate action.

(6) In proceedings in which either the plaintiff or the defendant is claiming possession of any premises this section shall not confer any right of appeal on any question of fact if by virtue of—

Changes to legislation: County Courts Act 1984, Section 77 is up to date with all changes known to be in force on or before 29 March 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

- (a) section 13(4) of the ^{M1}Landlord and Tenant Act 1954; or
 - (b) Cases III to IX in Schedule 4 to the ^{M2}Rent (Agriculture) Act 1976; or
 - (c) section 98 of the ^{M3}Rent Act 1977, as it applies to Cases 1 to 6 and 8 and 9 in Schedule 15 to that Act, or that section as extended or applied by any other enactment; or
 - (d) section 99 of the Rent Act 1977, as it applies to Cases 1 to 6 and 9 in Schedule 15 to that Act; or
 - (e) [^{F11}section 84(2)(a) of the Housing Act 1985]; or
 - [^{F12}(ee) section 7 of the Housing Act 1988, as it applies to the grounds in Part II of Schedule 2 to that Act; or
 - [section 209 (breach of contract ground) of the Renting Homes (Wales) Act ^{F13}(eg) 2016 (anaw 1); or
 - (eh) section 210 (estate management grounds) of the Renting Homes (Wales) Act 2016; or]
 - (f) any other enactment,
- the court can only grant possession on being satisfied that it is reasonable to do so.
- (7) This section shall not—
- (a) confer any right of appeal from any judgment or order where a right of appeal is conferred by some other enactment; or
 - (b) take away any right of appeal from any judgment or order where a right of appeal is so conferred,
- and shall have effect subject to any enactment other than this Act.
- (8) In this section—
- “enactment” means an enactment whenever passed; ^{F14} . . .
- ^{F14} . . .]

Textual Amendments

- F1** Words in s. 77(1) inserted (2.5.2000) by S.I. 2000/1071, **art. 8** (which amending Order is revoked (3.10.2016) by S.I. 2016/917, **art. 7**); and those same words inserted (3.10.2016) by **The Access to Justice Act 1999 (Destination of Appeals) Order 2016** (S.I. 2016/917), arts. 1, **10**
- 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. 77(1) substituted (22.4.2014) by **Crime and Courts Act 2013** (c. 22), s. 61(3), **Sch. 9 para. 10(29)**; 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 in s. 77(1) substituted (26.4.1999) by 1997 c. 12, s. 10, **Sch. 2 para. 2(7)**; S.I. 1999/1009, **art. 3(h)**
- F5** S. 77(1A) inserted by **Courts and Legal Services Act 1990** (c. 41, SIF 37), s. 125(2), **Sch. 17 para. 15**
- F6** Words in s. 77(1A) substituted (27.4.1997) by 1997 c. 12, s. 10, **Sch. 2 para. 2(2)**; S.I. 1997/841, **art. 3**.
- F7** Words in s. 77(1A) omitted (22.4.2014) by virtue of **Crime and Courts Act 2013** (c. 22), s. 61(3), **Sch. 9 para. 10(30)(a)**; S.I. 2014/954, **art. 2(c)** (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F8** Words in s. 77(1A) substituted (22.4.2014) by **Crime and Courts Act 2013** (c. 22), s. 61(3), **Sch. 9 para. 10(30)(b)**; S.I. 2014/954, **art. 2(c)** (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

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- F9** Words in s. 77(1A) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 9 para. 10(30)(c)**; [S.I. 2014/954](#), art. 2(c) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F10** S. 77(2)-(4) repealed (27.9.1999) by [1999 c. 22](#), ss. 106, 108(3)(f), **Sch. 15 Pt. III** (with [Sch. 14 paras. 7\(2\), 36\(9\)](#))
- F11** Words substituted by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 4, **Sch. 2 para. 57(3)**
- F12** S. 77(6)(ee) inserted by [Housing Act 1988 \(c. 50, SIF 61:1\)](#), s. 140, **Sch. 17 para. 35(2)**
- F13** S. 77(6)(eg)(eh) inserted (W.) (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022 \(S.I. 2022/1166\)](#), regs. 1(1), **10(3)**
- F14** Definition in s. 77(8) and the preceding “and” repealed (27.9.1999) by [1999 c. 22](#), ss. 106, 108(3)(f), **Sch. 15 Pt. III** (with [Sch. 14 paras. 7\(2\), 36\(9\)](#))

Modifications etc. (not altering text)

- C1** S. 77 excluded (1.8.2014) by [Co-operative and Community Benefit Societies Act 2014 \(c. 14\)](#), **ss. 42(6), 154** (with [Sch. 5](#))
- C2** S. 77(1) excluded (30.12.2005) by [The Access to Justice Act 1999 \(Destination of Appeals\) \(Family Proceedings\) Order 2005 \(S.I. 2005/3276\)](#), **art. 1(3)(b)(i)**

Marginal Citations

- M1** 1954 c. 56.
- M2** 1976 c. 80.
- M3** 1977 c. 42.

Changes to legislation:

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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\(5\)](#)