Courts Act 2003

2003 CHAPTER 39

PART 8

MISCELLANEOUS

Register of judgments etc. and execution of writs

98 Register of judgments and orders etc.

(1) A register is to be kept, in accordance with regulations, of—

(a) judgments entered in the High Court;

(b) judgments entered in county courts;

(c) administration orders made under section 112 of the County Courts Act 1984 (c. 28) (power of county courts to make administration orders);

(d) orders restricting enforcement made under section 112A of that Act (power of county courts to restrict enforcement of debts in lieu of administration order);

(e) sums which are, for the purposes of the 1980 Act, sums adjudged to be paid by a conviction or order of a magistrates' court.

(2) "Regulations" means regulations made by the Lord Chancellor for the purposes of this section.

(3) The regulations may—

(a) provide for prescribed classes of judgments, orders or adjudged sums to be exempt from registration;

(b) prescribe circumstances in which judgments, orders or adjudged sums (or classes of them) are to be exempt from registration;

(c) prescribe circumstances in which an entry in the register is to be cancelled;

(d) in the case of sums adjudged to be paid by conviction of a magistrates' court, provide for sums to be registered only in prescribed circumstances or subject to prescribed conditions.

(4) The Lord Chancellor may fix charges to be made for—

(a) making information in an entry in the register available for inspection;
(b) carrying out an official search of the register;
(c) supplying a certified copy of information in an entry in the register.

(5) The proceeds of those charges are to be applied in paying the expenses incurred in maintaining the register; and any surplus is to be paid into the Consolidated Fund.

(6) If there is in force an agreement between the Lord Chancellor and a body corporate relating to the keeping by that body corporate of the register the register is to be kept by that body corporate.

(7) If, under subsection (6), the register is kept by a body corporate—
(a) the Lord Chancellor may recover from the body corporate any expenses incurred by the Lord Chancellor in connection with the supply of information to that body for the purposes of the register,
(b) subsection (4) applies as if it enabled the Lord Chancellor to fix the maximum charges to be made (instead of the charges to be made), and
(c) subsection (5) does not apply.

(8) If subsection (6) ceases to apply to a body corporate as a result of the termination (for any reason) of the agreement, the Lord Chancellor may require the information contained in the entries in the register to be transferred to such person as he may direct.