



Administration of Justice Act 1956

1956 CHAPTER 46

PART IV

GENERAL PROVISIONS AS TO ENFORCEMENT OF JUDGMENTS AND ORDERS

41 Execution by county court of judgments and orders of inferior courts

- (1) Any execution issued by a local court for the purpose of enforcing any judgment or order of that court for the payment of money (including a penalty), or for the delivery of property other than land or money (with or without an option to pay instead the value of the property), or for both, may outside the area in which the local court has jurisdiction, be enforced through a county court in the same way as an execution of the like nature issued by some other county court.
- (2) Where an execution issued by a local court is sent to a county court to be enforced under this section, the judge and officers of the county court shall have the same powers and duties in connection therewith as they have where an execution of the like nature is sent for enforcement from another county court, and the County Courts Act, 1934, shall apply in relation to the enforcement of the execution under this section as if the execution had been issued by a county court:

Provided that this subsection shall not affect the period for which the execution is in force or the manner in which or period for which it may be extended or renewed.

- (3) The foregoing provisions of this section shall apply in relation to any writ, warrant or order for a person's attachment or committal to prison which is issued by a local court as they apply to an execution issued by a local court for a purpose within subsection (1) of this section.
- (4) In this section " local court" means any inferior court of record for the trial of civil actions, other than a county court or any of the barmote courts held under the High Peak Mining Customs and Mineral Courts Act, 1851, or the Derbyshire Mining Customs and Mineral Courts Act, 1852, and includes the Mayor's and City of London Court in relation to proceedings in which it is not regarded as a county court (but

Status: This is the original version (as it was originally enacted).

without prejudice to the application to the said court of the expression " county court"
in relation to executions, attachments and committals issued by other courts).