
STATUTORY INSTRUMENTS

1995 No. 205 (L.1)
COUNTY COURTS
SUPREME COURT OF ENGLAND AND WALES

The High Court and County Courts
Jurisdiction (Amendment) Order 1995

Made - - - - 31st January 1995
Coming into force - - 1st February 1995

The Lord Chancellor, in exercise of the powers conferred on him by section 1 of the Courts and Legal Services Act 1990⁽¹⁾, having consulted as required by section 1(9) of that Act, hereby makes the following Order, a draft of which has, in accordance with section 120(4) of that Act, been laid before and approved by resolution of each House of Parliament:—

Citation, commencement and interpretation

1. This Order may be cited as the High Court and County Courts Jurisdiction (Amendment) Order 1995 and shall come into force on the day after the day on which it is made.
2. In this Order, “the 1991 Order” means the High Court and County Courts Jurisdiction Order 1991⁽²⁾ and an article referred to by number means the article so numbered in the 1991 Order.

Amendments to the 1991 Order

3. The 1991 Order shall be amended in accordance with the following provisions of this Order.
4. After article 7(5) there shall be inserted the following new paragraph—
 - (a) “(6) Where the High Court or a county court is considering whether to exercise the powers mentioned in paragraph (5) so as to transfer proceedings to or from the Central London County Court Business List, paragraph (4) shall apply as if the figure of £200,000 were substituted for the figure of £50,000.
 - (b) In sub-paragraph (a), ‘the Central London County Court Business List’ means the business list established at the Central London County Court by Order 48C of the County Court Rules 1981⁽³⁾.”

⁽¹⁾ 1990 c. 41.

⁽²⁾ S.I.1991/724, amended by S.I. 1993/1407.

⁽³⁾ S.I. 1981/1687; Order 48C was inserted by S.I. 1994/1288.

5. Article 8 shall be amended as follows—

- (a) at the beginning of paragraph (1), there shall be inserted the words “Subject to paragraph (1A)”;
- (b) in paragraph (1)(a), the words “subject to sub-paragraph (b)(ii)” shall be omitted;
- (c) for paragraph (1)(b) there shall be substituted the following—
 - “(b) shall be enforced only in a county court where the sum which it is sought to enforce is less than £2,000.”; and
- (d) after paragraph (1) there shall be inserted the following new paragraph—
 - “(1A) A judgment or order of a county court for the payment of a sum of money in proceedings arising out of an agreement regulated by the Consumer Credit Act 1974(4) shall be enforced only in a county court.”.

Dated 31st January 1995

Mackay of Clashfern, C.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the High Court and County Courts Jurisdiction Order 1991 so as to provide that—

(1) where the High Court or a county court is considering whether to transfer proceedings to or from the Central London County Court Business List, it will not be presumed that the action should be tried in the High Court unless the value of the action exceeds £200,000 (*article 4*);

(2) judgments given in proceedings arising out of the Consumer Credit Act 1974 may only be enforced in a county court, whatever enforcement method is chosen (*article 5*).