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STATUTORY INSTRUMENTS

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**1996 No. 1177 (L. 2)**

**COUNTY COURTS**

**The Register of County Court Judgments  
(Amendment) Regulations 1996**

<i>Made</i>	- - - -	<i>25th April 1996</i>
<i>Laid before Parliament</i>		<i>29th April 1996</i>
<i>Coming into force</i>	- -	<i>20th May 1996</i>

The Lord Chancellor, in exercise of the powers conferred on him by section 73(2) of the County Courts Act 1984(1), hereby makes the following Regulations:—

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Register of County Court Judgments (Amendment) Regulations 1996 and shall come into force on 20th May 1996.

(2) In these Regulations, unless the context otherwise requires, a regulation referred to by number means the regulation so numbered in the Register of County Court Judgments Regulations 1985 (“the 1985 Regulations”)(2).

**Liability Orders**

2.—(1) Regulation 1(2) shall be amended by substituting for the definition of “judgment” the following:—

““judgment”; includes

- (a) an order (within the meaning of Order 1, rule 3 of the County Court Rules 1981(3)) and
- (b) a liability order which has been designated by the Secretary of State for the purposes of section 33(5)(4) of the Child Support Act 1991 (“the 1991 Act”)(5) and which, by virtue of that provision, is to be treated as a judgment entered in a county court;”

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(1) 1984 c. 28; section 73 was amended by the Administration of Justice Act 1985 (c. 61), section 54 and by the Courts and Legal Services Act 1990 (c. 41), Schedule 17, paragraph 14.

(2) S.I. 1985/1807; the relevant amending instruments are S.I. 1986/2001, 1990/491, 768 and 1991/1815.

(3) S.I. 1981/1687; there are no relevant amendments.

(4) Section 33(5) was inserted in the Child Support Act 1991 (c. 48), by paragraph 10 of Schedule 3 to the Child Support Act 1995 (c. 34).

(5) 1991 c. 48.

(2) Regulation 1(2) shall be further amended by inserting the following definitions after the definition of “judgment”—

““liability order” shall have the same meaning as in section 33 of the 1991 Act;

“proper officer” shall mean, for the purposes of the registration of liability orders as defined in this regulation, an officer designated as such by the Secretary of State and acting on his behalf.”

### **Application of the Register of County Court Judgments Regulations 1985 to Liability Orders**

3. The following regulation shall be inserted in the 1985 Regulations after regulation 1:—

#### **“Liability Orders**

**1A.—**(1) Subject to paragraph (2) below, these Regulations shall apply to the registration of liability orders, as defined in regulation 1(2) above, as they apply to the registration of judgments.

(2) The following provisions shall not apply to the registration of liability orders:—

- regulation 4,
- regulation 5,
- regulation 6,
- regulation 7,
- paragraphs (2)(b), (3), (4), (5) and (6) of regulation 8,
- regulation 8A,
- paragraph (1)(b) of regulation 11; and
- regulation 12.”

4. The following regulation shall be inserted in the 1985 Regulations after regulation 6:—

**“6A.—**(1) For the purposes of the registration of liability orders, the proper officer shall make a return of liability to the Keeper of the Register.

(2) Upon receipt of a return made in accordance with paragraph (1) above, the Keeper shall enter on the Register the following details of the liability order:—

- (a) the debtor’s name and address;
- (b) the amount of the liability order, including costs;
- (b) the case number.”

5. The following paragraph shall be inserted in the 1985 Regulations after paragraph (4) of regulation 8:—

“(4A) Where a liability order which has been registered under regulation 6A is satisfied, the proper officer shall issue a certificate of satisfaction and notify the Keeper of the Register who shall, upon receipt of the proper officer’s notice, make a note of the satisfaction of the liability order in the Register.”.

Dated 25th April 1996

*Mackay of Clashfern, C.*

**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Register of County Court Judgments Regulations 1985 so as to allow liability orders (within the meaning of section 33 of the Child Support Act 1991) to be entered on the Register. The scheme applicable for the registration of county court judgments is applied to liability orders with modifications.