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STATUTORY INSTRUMENTS

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**1996 No. 2181 (L.6)**

**COUNTY COURTS**

**PROCEDURE**

**The County Court (Amendment) Rules 1996**

*Made* - - - - *20th August 1996*

*Coming into force* - - *12th September 1996*

1. These Rules may be cited as the County Court (Amendment) Rules 1996.
2. In these Rules, unless the context otherwise requires, an Order referred to by number means the Order so numbered in the County Court Rules 1981(1).
- 3.—(1) In the title to Order 11, rule 1, the words “before judgment” shall be omitted.  
(2) In Order 11, rule 1(1), the words “before judgment” shall be omitted.
4. After Order 48B, rule 1, there shall be inserted the following new rule: —

**“Establishment of the Parking Enforcement Centre**

**1A.—(1)** There shall be a parking enforcement centre (“the Centre”) situated at such place or places as the Lord Chancellor may determine and having such functions relating to proceedings under this Order and other related matters as he may direct.

(2) For any purpose connected with the exercise of the Centre’s functions —

- (a) the Centre shall be deemed to be part of the office of the court whose name appears on the documents to which the functions relate or in whose name the documents are issued,
  - (b) any officer of the Centre shall, in exercising its functions, be deemed to act as the proper officer of that court,
- and these rules shall have effect accordingly..”

5. Order 26, rule 1 shall be amended by inserting the following new paragraph: —

“(1A) The proper officer shall discharge the functions

- (a) under section 85(2) of the Act of issuing a warrant of execution; and
- (b) under section 85(3) of the Act of entering in the record mentioned in that subsection and on the warrant the precise time of the making of the application to issue the warrant, and

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(c) under section 103(1) of the Act of sending the warrant of execution to another county court..”

The undersigned members of the Rule Committee, appointed by the Lord Chancellor under section 75 of the County Courts Act 1984(2), having made these Rules, certify them and submit them to the Lord Chancellor.

*Frank White  
J. A. Wroath  
Hugh Jones  
Margaret Wilby  
E. C. Gee*

I allow these Rules, which shall come into force on 12th September 1996.

Dated 20th August 1996

*Mackay of Clashfern, C.*

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(2) 1984 c. 28; section 75 was amended by the Courts and Legal Services Act 1990 (c. 41), sections 2(4) and 16 and Schedule 18, paragraph 47.

## EXPLANATORY NOTE

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

These Rules amend the County Court Rules 1981 so as to

- (a) make a minor amendment to Order 11 (*rule 3*);
- (b) establish a Parking Enforcement Centre and to provide for the exercise by officers of the centre of functions conferred on the proper officer by Order 48B (*rule 4*);
- (c) enable the functions of district judges under sections 85(2) and (3) and 103(1) of the County Courts Act 1984 in relation to the issue and sending of warrants of execution to be discharged by court staff (*rule 5*).