
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends article 4A of the High Court and County Courts Jurisdiction Order 1991 (“the 1991 Order”) by restricting the issue of money claims in the High Court to those with a value of more than £25,000. The amendment is consequential upon amendments to the Civil Procedure Rules 1998 (S.I. 1998/3132) by the Civil Procedure (Amendment No. 3) Rules 2008 (S.I. 2008/3327) relating to fast track claims, which will also come into force on 6th April 2009.

This Order contains consequential amendments to articles 5(1) and 9 of the 1991 Order and a transitional provision.

This Order also amends article 8 of the 1991 Order by restricting the courts in which sums of money recoverable pursuant to an enactment as if payable under a county court order shall be enforced by way of execution against goods. The recovery of sums of money payable pursuant to an employment tribunal decision under section 15(1) of the Employment Tribunals Act 1996 (c.17) as if payable under a county court order, and the recovery of a compromise sum under section 19A of that Act as if payable under a county court order, must be enforced in the High Court only where the sum of money being enforced is £5,000 or more and in any other case may be enforced in either the High Court or a county court. The payment of other sums of money recoverable pursuant to an enactment as if payable under a county court order, must be enforced in accordance with article 8(1)(a) to (c).

This Order also amends article 8A of the 1991 Order restricting certain types of traffic enforcement proceedings to Northampton County Court.

A partial impact assessment relating to the amendments to article 4A of the 1991 Order is available at <http://www.justice.gov.uk/docs/cp0807.pdf>.