
STATUTORY INSTRUMENTS

2011 No. 761

**SENIOR COURTS OF ENGLAND AND WALES
COUNTY COURTS, ENGLAND AND WALES**

The London Insolvency District (Central
London County Court) Order 2011

Made - - - - *11th March 2011*

Laid before Parliament *14th March 2011*

Coming into force - - *6th April 2011*

The Lord Chancellor makes the following Order in exercise of the powers conferred on him by section 1 of the Courts and Legal Services Act 1990⁽¹⁾ and by section 374 of the Insolvency Act 1986⁽²⁾.

In accordance with section 1(1A) of the Courts and Legal Services Act 1990, the Lord Chief Justice concurs in the making of this Order.

In accordance with section 374 of the Insolvency Act 1986, the Chancellor of the High Court (as nominee of the Lord Chief Justice) concurs in the making of this Order⁽³⁾.

The Lord Chancellor has consulted in accordance with section 1(9) of the Courts and Legal Services Act 1990.

Citation and commencement

1. This Order may be cited as the London Insolvency District (Central London County Court) Order 2011 and comes into force on 6th April 2011.

Areas within the London insolvency district

2. The London insolvency district shall comprise the areas situated within the districts of the following county courts—

(1) 1990 c.41. Section 1 was amended by section 15(1) of, and Part 1 paragraphs 211 and 212 of Schedule 4 to, the Constitutional Reform Act 2005 (c.4); by section 59(5) of, and Part 2 paragraph 4 of Schedule 11 to, the Constitutional Reform Act 2005; and by section 109 of, and paragraph 348 of Schedule 8, and Schedule 10 to, the Courts Act 2003 (c.39).

(2) 1986 c.45. Section 374 was amended by section 15(1) of, and Part 1 paragraphs 185 and 187 of Schedule 4 to, the Constitutional Reform Act 2005 (c.4).

(3) Under section 374(5) of the Insolvency Act 1986 (c.45) the Lord Chief Justice may nominate a judicial office holder to exercise his functions under section 374. The Lord Chief Justice has nominated the Chancellor of the High Court for this purpose.

- (a) Barnet;
- (b) Bow;
- (c) Brentford;
- (d) Central London;
- (e) Clerkenwell and Shoreditch;
- (f) Edmonton;
- (g) Lambeth;
- (h) Mayor’s and City of London;
- (i) Wandsworth;
- (j) West London; and
- (k) Willesden.

Jurisdiction under the Insolvency Act 1986

3. Jurisdiction in relation to proceedings under Parts 7A to 11 of the Insolvency Act 1986⁽⁴⁾ that are allocated to the London insolvency district in accordance with the Insolvency Rules⁽⁵⁾ shall be conferred on the Central London County Court.

4. For the purposes of section 374 of the Insolvency Act 1986 the districts of the county courts falling within the London insolvency district are attached to the Central London County Court.

Amendment to the Insolvency Act 1986

5. In section 373(3)(a) of the Insolvency Act 1986, after “the High Court” insert “or the Central London County Court”.

Amendments to the Civil Courts Order 1983

6.—(1) Article 9 of the Civil Courts Order 1983⁽⁶⁾ is amended as follows.

(2) For paragraph (a) substitute—

“(a) the county court at a place named in the first column of Schedule 3 to this Order shall be excluded from having jurisdiction—

- (i) if the word “Bankruptcy” does not appear in the second column of the Schedule opposite the name of the place; or
- (ii) if the words “Bankruptcy (for Parts 7A to 11 of the Insolvency Act 1986)” appear in the second column of the Schedule opposite the name of the place, but only for the purposes of Parts 1 to 7 of the Insolvency Act 1986.”.

7.—(1) Schedule 3 to the Civil Courts Order 1983 is amended as follows.

(2) In the fourth column for “High Court” substitute “Central London (for Parts 7A to 11 of the Insolvency Act 1986), High Court (for Parts 1 to 7 of the Insolvency Act 1986)” opposite the entry in the first column for—

(4) 1986 c.45. Part 7A was inserted by the Tribunals Courts and Enforcement Act 2007 (c.15), section 108(1), Schedule 17. Other amendments which are not relevant for present purposes were made to Parts 8 to 11 by the Insolvency Act 2000 (c.39), the Enterprise Act 2002 (c.40) and the Tribunals Courts and Enforcement Act 2007 (c.15). Part 8 was also amended by S.I. 2010/18.

(5) S.I. 1986/1925. The main relevant provisions are rules 6.9A and 6.40A, which were inserted by S.I. 2010/686. Another relevant provision is rule 5A.21, which was inserted by S.I. 2009/642.

(6) S.I. 1983/713; relevant amendments were made to article 9 and Schedule 3 by S.I. 1992/1810, S.I. 2006/1542 and S.I. 2007/786.

- (a) Barnet;
- (b) Bow;
- (c) Brentford;
- (d) City of London;
- (e) Edmonton;
- (f) Lambeth;
- (g) Wandsworth;
- (h) West Kensington; and
- (i) Willesden.

(3) In the fourth column insert “Central London (for Parts 7A to 11 of the Insolvency Act 1986)” opposite the entry in the first column for Farringdon.

(4) Insert “Bankruptcy (for Parts 7A to 11 of the Insolvency Act 1986)” above “Race Relations” in the second column and insert “(for Parts 1 to 7 of the Insolvency Act 1986)” after “High Court” in the fourth column opposite the entry in the first column for Marylebone.

Amendments to the Civil Courts (Amendment No. 3) Order 1992

8.—(1) The Civil Courts (Amendment No. 3) Order 1992(7) is amended as follows.

(2) In article 3(6)—

- (a) for “sections 117(4) and 374” substitute “section 117(4)”; and
- (b) for “those provisions” substitute “that provision”.

Transitional provisions

9. Proceedings under the Insolvency Act 1986 that—

- (a) were, immediately before this Order came into force, being dealt with in the High Court; and
- (b) would have been allocated to the Central London County Court if this Order had been in force when proceedings were commenced,

may either be continued in the High Court or transferred to the Central London County Court.

Signed by authority of the Lord Chancellor

1st March 2011

J Djanogly
Parliamentary Under Secretary of State
Ministry of Justice

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

I concur

10th March 2011

Judge, C.J.
The Lord Chief Justice

I concur

11th March 2011

The Right Hon Sir Andrew Morritt
The Chancellor of the High Court

EXPLANATORY NOTE

(This note is not part of the Order)

In certain instances the Insolvency Rules 1986 (S.I. 1986/1925) allocate proceedings in relation to individual insolvency to the London insolvency district. This Order defines the areas that fall within the London insolvency district (Article 2).

The Order confers jurisdiction on the Central London County Court, for the purpose of individual insolvency proceedings that are allocated to the London insolvency district by the Insolvency Rules 1986 (Article 3). It also makes a consequential amendment to section 373(3)(a) of the Insolvency Act 1986 (Article 5).

To reflect the changes outlined above, the Order also designates the areas which fall within the insolvency district of the Central London County Court as being the districts of the county courts falling within the London insolvency district (Article 4). It then also makes consequential amendments to the Civil Courts Order 1983 (Articles 6 and 7) and to the Civil Courts (Amendment No. 3) Order 1992 (Article 8), again to reflect the changes outlined above.

Proceedings being dealt with in the High Court, that would have been allocated to the Central London County Court if this Order had been in force when proceedings were commenced, may be transferred to the Central London County Court or continued in the High Court (Article 9).