



County Courts Act 1984

1984 CHAPTER 28

PART I

CONSTITUTION AND ADMINISTRATION

County courts and districts

1 County courts to be held for districts.

- (1) For the purposes of this Act, England and Wales shall be divided into districts, and a court shall be held under this Act for each district at one or more places in it; and [F¹each court] shall have such jurisdiction and powers as are conferred by this Act and any other enactment for the time being in force.
- (2) Every court so held shall be called a county court and shall be a court of record and shall have a seal.
- (3) Nothing in this section affects the operation of section 42 of the ^{M¹}Courts Act 1971 (City of London).

Textual Amendments

- F1** Words in s. 1(1) substituted (27.4.1997) by 1997 c. 12, s. 10, **Sch. 2 para. 2(4)**; S.I. 1997/841, **arts. 3(b), 4(d)**

Marginal Citations

- M1** 1971 c. 23.

2 County court districts etc.

- (1) The Lord Chancellor may [F², after consulting the Lord Chief Justice,] by order specify places at which county courts are to be held and the name by which the court held at any place so specified is to be known.

Status: Point in time view as at 19/07/2007.

Changes to legislation: County Courts Act 1984, Part I is up to date with all changes known to be in force on or before 18 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (2) Any order under this section shall be made by statutory instrument, which shall be laid before Parliament after being made.
- (3) The districts for which county courts are to be held shall be determined in accordance with directions given [^{F3}, after consulting the Lord Chief Justice,] by or on behalf of the Lord Chancellor.
- (4) Subject to any alterations made by virtue of this section, county courts shall continue to be held for the districts and at the places and by the names appointed at the commencement of this Act.
- [^{F4}(5) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (1) or (3).]

Textual Amendments

- F2** Words in s. 2(1) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148(1), [Sch. 4 para. 161\(2\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(r)
- F3** Words in s. 2(3) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148(1), [Sch. 4 para. 161\(3\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(r)
- F4** S. 2(5) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148(1), [Sch. 4 para. 161\(4\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(r)

Places and times of sittings of courts

3 Places and times of sittings.

- (1) In any district the places at which the court sits, and the days and times when the court sits at any place, shall be determined in accordance with directions given [^{F5}, after consulting the Lord Chief Justice,] by or on behalf of the Lord Chancellor.
- (2) A judge may from time to time adjourn any court held by him, and a registrar may from time to time adjourn—
- (a) any court held by him, or
 - (b) in the absence of the judge, any court to be held by the judge.
- [^{F6}(3)
- (4) References in this Act to sittings of the court shall include references to sittings by any registrar in pursuance of any provision contained in, or made under, this Act.
- [^{F7}(5) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (1).]

Textual Amendments

- F5** Words in s. 3(1) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148(1), [Sch. 4 para. 162\(2\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(r)
- F6** S. 3(3) omitted (27.4.1997) by [1997 c. 12, s. 10](#), [Sch. 2 para. 2\(5\)](#); S.I. 1997/841, [art. 3\(b\)](#), 4(e)

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F7 S. 3(5) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148(1), [Sch. 4 para. 162\(3\)](#); [S.I. 2006/1014](#), [art. 2\(a\)](#), [Sch. 1 para. 11\(r\)](#)

4 Use of public buildings for courts.

- (1) Where, in any place in which a county court is held, there is a building, being a town hall, court-house or other public building belonging to any local or other public authority, that building shall, with all necessary rooms, furniture and fittings in it, be used for the purpose of holding the court, without any charge for rent or other payment, except the reasonable and necessary charges for lighting, heating and cleaning the building when used for that purpose.
- (2) Where any such building is used for the purpose of holding any court, the sittings of the court shall be so arranged as not to interfere with the business of the local or other public authority usually transacted in the building or with any purpose for which the building may be used by virtue of any local Act.
- (3) This section shall not apply to any place in which a building was erected before 1st January 1889 for the purpose of holding and carrying on the business of a county court.

Judges

5 Judges of county courts.

- (1) Every Circuit judge shall, by virtue of his office, be capable of sitting as a judge for any county court district in England and Wales, and the [^{F8}Lord Chief Justice shall, after consulting the Lord Chancellor,] assign one or more Circuit judges to each district and may from time to time vary the assignment of Circuit judges among the districts.
- (2) Subject to any directions given by [^{F9}the Lord Chief Justice after consulting the Lord Chancellor], in any case where more than one Circuit judge is assigned to a district under subsection (1), any function conferred by or under this Act on the judge for a district may be exercised by any of the Circuit judges for the time being assigned to that district.
- (3) The following, that is—
 - every judge of the Court of Appeal,
 - every judge of the High Court,
 - every Recorder,shall, by virtue of his office, be capable of sitting as a judge for any county court district in England and Wales and, if he consents to do so, shall sit as such a judge at such times and on such occasions as the [^{F10}Lord Chief Justice considers desirable after consulting the Lord Chancellor].
- (4) Notwithstanding that he is not for the time being assigned to a particular district, a Circuit judge—
 - (a) shall sit as a judge of that district at such times and on such occasions as the [^{F11}Lord Chief Justice may, after consulting the Lord Chancellor, direct]; and
 - (b) may sit as a judge of that district in any case where it appears to him that the judge of that district is not, or none of the judges of that district is, available to deal with the case.

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[^{F12}(5) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.]

Textual Amendments

- F8** Words in s. 5(1) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148(1), [Sch. 4 para. 163\(2\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(r)
- F9** Words in s. 5(2) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148(1), [Sch. 4 para. 163\(3\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(r)
- F10** Words in s. 5(3) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148(1), [Sch. 4 para. 163\(4\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(r)
- F11** Words in s. 5(4)(a) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148(1), [Sch. 4 para. 163\(5\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(r)
- F12** S. 5(5) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148(1), [Sch. 4 para. 163\(6\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(r)

[^{F13}District judges], [^{F13}assistant district judges] and [^{F13}deputy district judges]

Textual Amendments

- F13** Words substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\)](#), s. 125(3), [Sch. 18 para. 42](#)

[^{F14}6 District judges.

- (1) Her Majesty may, on the recommendation of the Lord Chancellor, appoint district judges.
- (2) The Lord Chief Justice, after consulting the Lord Chancellor—
 - (a) must assign each district judge to one or more districts;
 - (b) may change an assignment so as to assign the district judge to a different district or districts.
- (3) A reference in any enactment or other instrument to the district judge for a district or of a county court is a reference to any district judge assigned to the district concerned.
- (4) Every district judge is, by virtue of his office, capable of acting in any district whether or not assigned to it, but may do so only in accordance with arrangements made by or on behalf of the Lord Chief Justice.
- (5) A district judge is to be paid such salary as may be determined by the Lord Chancellor with the concurrence of the Treasury.
- (6) A salary payable under this section may be increased but not reduced by a determination or further determination under this section.

[^{F15}(7) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (2).]]

Status: Point in time view as at 19/07/2007.

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Textual Amendments

- F14** S. 6 substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\), ss. 14, 148\(1\), Sch. 3 para. 1;](#)
[S.I. 2006/1014, art. 2\(a\), Sch. 1 para. 9](#)
- F15** S. 6(7) inserted (19.7.2007) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\), ss. 56, 148\(5\),](#)
[Sch. 11 para. 6](#)

F167

Textual Amendments

- F16** S. 7 repealed (31.3.1995) by [1993 c. 8, s. 31\(3\)\(4\), Sch. 8 para. 17\(a\), Sch.9;](#) [S.I. 1995/631, art.2](#)

8 [^{F17}**Deputy district judges**].

[^{F18}(1) If it appears to the Lord Chancellor that it is expedient to do so in order to facilitate the disposal of business in the county courts, he may appoint a person to be a deputy district judge.

(1ZA) A person is qualified for appointment under subsection (1) only if the person—

- (a) is qualified for appointment as a district judge, or
- (b) holds, or has held, the office of district judge.

(1ZB) The Lord Chancellor may not appoint a person under subsection (1) without the concurrence of the Lord Chief Justice if the person—

- (a) holds the office of district judge, or
- (b) ceased to hold the office of district judge within two years ending with the date when the appointment takes effect.

(1ZC) Section 85 of the Constitutional Reform Act 2005 (c. 4) (selection of certain office holders) does not apply to an appointment to which subsection (1ZB) applies.]

[^{F19}(1A) Any appointment of a person as a deputy district judge—

- (a) [^{F20}if subsection (1ZB) applies to the appointment,] shall not be such as to extend beyond the day on which he attains the age of 75 years; and
- (b) in any other case, shall not be such as to extend beyond the day on which he attains the age of 70 years, but subject to section 26(4) to (6) of the Judicial Pensions and Retirement Act 1993 (power to authorise continuance in office up to the age of 75).]

[^{F21}(1B) The Lord Chief Justice, after consulting the Lord Chancellor—

- (a) may assign a deputy district judge appointed under this section to one or more districts;
- (b) may change an assignment so as to assign the deputy district judge to a different district or districts (or to no district).

(1C) A deputy district judge appointed under this section and assigned to a district has, while acting under his assignment, the same powers as if he were a district judge assigned to the district.

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- (1D) Every deputy district judge appointed under this section is, by virtue of his office, capable of acting as a district judge in any district to which he is not assigned, but may act in a district to which he is not assigned only in accordance with arrangements made by or on behalf of the Lord Chief Justice.]
- (2)
- (3) The Lord Chancellor may pay to any person appointed under this section as [deputy district judge] such remuneration and allowances as he may, with the approval of the Treasury, determine.
- [^{F22}(4) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (1ZB) or (1B).]

Textual Amendments

- F17** Words substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF37\)](#), S. 125(3), **Sch. 18 para. 42**
- F18** S. 8(1)-(1ZC) substituted (19.7.2007) for s. 8(1) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), ss. 56, 148(5), **Sch. 11 para. 7(2)** (with Sch. 11 para. 10)
- F19** S. 8(1A) inserted (31.3.1995) by 1993 c. 8, s. 26, **Sch. 6 para. 17(1)** (with Sch. 7 paras. 2(2), 3(2), 4); S.I. 1995/631, **art.2**
- F20** Words in s. 8(1A)(a) substituted (19.7.2007) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), ss. 56, 148(5), **Sch. 11 para. 7(3)** (with Sch. 11 para. 10)
- F21** S. 8(1B)-(1D) inserted (19.7.2007) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), ss. 56, 148(5), **Sch. 11 para. 7(4)** (with Sch. 11 para. 10)
- F22** S. 8(4) inserted (19.7.2007) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), ss. 56, 148(5), **Sch. 11 para. 7(5)** (with Sch. 11 para. 10)

Modifications etc. (not altering text)

- C1** Ss. 6-9, 11, 12, amended by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\)](#), s. 125(3), **Sch. 18 para. 42** which provides that: "(a) for the word "registrar" in each place where it occurs, except where it is in the context of assistant registrar or deputy registrar, there shall be substituted "district judge"; (b) for the words "assistant district judge"; and (c) for the words "deputy county court registrar" and "deputy registrar" in each place where they occur there shall be substituted "deputy district judge".
- C2** S. 8 restricted (31.3.1995) by 1993 c. 8, s. 26(7)(g) (with Sch. 7 paras. 2(2), 3(2), 4); S.I. 1995/631, **art.2**

9 Qualifications [^{F23}for appointment as district judge].

No person shall be appointed a [^{F24}district judge], ^{F25}. . . ^{F26}. . . unless [^{F27}he has a 7 year general qualification, within the meaning of section 71 of the Courts and Legal Services Act 1990].

Textual Amendments

- F23** Words in s. 9 heading inserted (19.7.2007) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), ss. 56, 148(5), **Sch. 11 para. 8(b)**
- F24** Words substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\)](#), s. 125(3), **Sch. 18 para. 42**
- F25** Words in s. 9 repealed (31.3.1995) by 1993 c. 8, s. 31(3)(4), Sch. 8 para. 17(b), **Sch.9**; S.I. 1995/631, **art.2**

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F26 Words in s. 9 omitted (19.7.2007) by virtue of Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. 56, 148(5), **Sch. 11 para. 8(a)**

F27 Words substituted by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 71(2), **Sch. 10 para. 57**

Modifications etc. (not altering text)

C3 Ss. 6–9, 11, 12 amended by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 125(3), **Sch. 18 para. 42** which provides that: “(a)for the word “registrar” in each place where it occurs, except where it is in the context of assistant registrar or deputy registrar, there shall be substituted “district judge”; (b)for the words “assistant registrar” in each place where they occur there shall be substituted “assistant district judge”; and(c)for the words “deputy county court registrar” and “deputy registrar” in each place where they occur there shall be substituted “deputy district judge”.”

10 **F28**

Textual Amendments

F28 S. 10 repealed by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), s. 125(7), **Sch. 20**

11 Tenure of office.

[^{F29}(1) This subsection applies to the office of district judge.

(2) Subject to the following provisions of this section and to subsections (4) to (6) of section 26 of the Judicial Pensions and Retirement Act 1993 (Lord Chancellor’s power to authorise continuance in office up to the age of 75), a person who holds an office to which subsection (1) applies shall vacate his office on the day on which he attains the age of 70 years.]

^{F30}(3)

(4) A person appointed to an office to which subsection (1) applies shall hold that office during good behaviour.

(5) The power to remove such a person from his office on account of misbehaviour shall be exercisable by the Lord Chancellor [^{F31}, but only with the concurrence of the Lord Chief Justice].

(6) The Lord Chancellor may [^{F32}, with the concurrence of the Lord Chief Justice,] also remove such a person from his office on account of inability to perform the duties of his office.

Textual Amendments

F29 S. 11(1)(2) substituted (31.3.1995) by 1993 c. 8, s. 26, **Sch. 6 para. 17(3)** (with Sch. 7 paras. 2(2), 3(2), 4); S.I. 1995/631, **art.2**

F30 S. 11(3) repealed and superseded (31.3.1995) by 1993 c. 8, **ss. 26(4)-(6)**(10), 31(4), Sch. 6 para. 17(4), Sch.9 (with Sch. 7 paras. 2(2), 3(2), 4); S.I. 1995/631, **art.2**

F31 Words in s. 11(5) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(1), 148(1), **Sch. 4 para. 164(2)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 11(r)

F32 Words in s. 11(6) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(1), 148(1), **Sch. 4 para. 164(3)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 11(r)

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Modifications etc. (not altering text)

- C4** Ss. 6–9, 11, 12 amended by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 125(3), Sch. 18 para. 42 which provides that: “(a)for the word “registrar” in each place where it occurs, except where it is in the context of assistant registrar or deputy registrar, there shall be substituted “district judge”; (b)for the words “assistant registrar” in each place where they occur there shall be substituted “assistant district judge”; and(c)for the words “deputy county court registrar” and “deputy registrar” in each place where they occur there shall be substituted “deputy district judge”.”

12 Records of proceedings to be kept by [^{F33}district judges].

- (1) The [^{F33}district judge]for every district shall keep or cause to be kept such records of and in relation to proceedings in the court for that district as the Lord Chancellor may by regulations made by statutory instrument prescribe.
- (2) Any entry in a book or other document required by the said regulations to be kept for the purposes of this section, or a copy of any such entry or document purporting to be signed and certified as a true copy by the [^{F33}district judge], shall at all times without further proof be admitted in any court or place whatsoever as evidence of the entry and of the proceeding referred to by it and of the regularity of that proceeding.
- [^{F34}(3) The Lord Chancellor must consult the Lord Chief Justice before making regulations under this section.
- (4) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.]

Textual Amendments

- F33** Words substituted by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 125(3), Sch. 18 para. 42
- F34** S. 12(3)(4) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(1), 148(1), Sch. 4 para. 165; S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(r)

Modifications etc. (not altering text)

- C5** Ss. 6–9, 11, 12 amended by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 125(3), Sch. 18 para. 42 which provides that: “(a)for the word “registrar” in each place where it occurs, except where it is in the context of assistant registrar or deputy registrar, there shall be substituted “district judge”; (b)for the words “assistant registrar” in each place where they occur there shall be substituted “assistant district judge”; and(c)for the words “deputy county court registrar” and “deputy registrar” in each place where they occur there shall be substituted “deputy district judge”.”

Miscellaneous provisions as to officers

13 Officers of court not to act as [^{F35}legal representatives]in that court.

- (1) Subject to the provisions of this section, no officer of a court shall, either by himself or his partner, be directly or indirectly engaged as [^{F35}legal representative]or agent for any party in any proceedings in that court.
- (2) Every person who contravenes this section shall for each offence be liable on summary conviction to a fine of an amount not exceeding level 3 on the standard scale.

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- (3) Subsection (1) does not apply to a person acting as registrar by virtue of section 6(5).
- (4) Subsection (1) does not apply to a deputy registrar; but a deputy registrar shall not act as such in relation to any proceedings in which he is, either by himself or his partner, directly or indirectly engaged as [^{F35}legal representative]or agent for any party.

Textual Amendments

F35 Words in s. 13(1)(4) substituted (1.4.1991) by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 125(3), **Sch. 18 para. 49(2)**; S.I. 1991/608, art. 2, **Sch.**

Modifications etc. (not altering text)

C6 S. 13(1)(2) amended (1.1.1992) by S.I. 1991/2684, arts. 2(2), 4, **Sch.2**

14 Penalty for assaulting officers.

- (1) If any person assaults an officer of a court while in the execution of his duty, he shall be liable—
- (a) on summary conviction, to imprisonment for a term not exceeding 3 months or to a fine of an amount not exceeding level 5 on the standard scale, or both; or
- (b) on an order made by the judge in that behalf, to be committed for a specified period not exceeding 3 months to . . . ^{F36}prison . . . ^{F36}or to such a fine as aforesaid, or to be so committed and to such a fine,
- and a bailiff of the court may take the offender into custody, with or without warrant, and bring him before the judge.
- (2) The judge may at any time revoke an order committing a person to prison under this section and, if he is already in custody, order his discharge.
- [^{F37}(3) A district judge, assistant district judge or deputy district judge shall have the same powers under this section as a judge.]

Textual Amendments

F36 Words repealed by Statute Law (Repeals) Act 1986 (c. 12), s. 1(1), **Sch. 1 Pt. I**

F37 S. 14(3) inserted (1.7.1991) by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 74(4); S.I. 1991/1364, art. 2, Sch.

Modifications etc. (not altering text)

C7 S. 14 restricted (1.9.1993) by S.I. 1993/2073, art.4(2).

Status:

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Changes to legislation:

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