



County Courts Act 1984

1984 CHAPTER 28

PART III

PROCEDURE

Interest on debts and damages

69 Power to award interest on debts and damages.

- (1) Subject to county court rules, in proceedings (whenever instituted) before a county court for the recovery of a debt or damages there may be included in any sum for which judgment is given simple interest, at such rate as the court thinks fit or as may be prescribed, on all or any part of the debt or damages in respect of which judgment is given, or payment is made before judgment, for all or any part of the period between the date when the cause of action arose and—
 - (a) in the case of any sum paid before judgment, the date of the payment; and
 - (b) in the case of the sum for which judgment is given, the date of the judgment.
- (2) In relation to a judgment given for damages for personal injuries or death which exceed £200 subsection (1) shall have effect—
 - (a) with the substitution of “shall be included” for “may be included”; and
 - (b) with the addition of “unless the court is satisfied that there are special reasons to the contrary” after “given”, where first occurring.
- (3) Subject to county court rules, where—
 - (a) there are proceedings (whenever instituted) before a county court for the recovery of a debt; and
 - (b) the defendant pays the whole debt to the plaintiff (otherwise than in pursuance of a judgment in the proceedings),

the defendant shall be liable to pay the plaintiff simple interest, at such rate as the court thinks fit or as may be prescribed, on all or any part of the debt for all or any part of the period between the date when the cause of action arose and the date of the payment.

Status: Point in time view as at 01/07/1991.

Changes to legislation: County Courts Act 1984, Cross Heading: Interest on debts and damages is up to date with all changes known to be in force on or before 29 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)

- (4) Interest in respect of a debt shall not be awarded under this section for a period during which, for whatever reason, interest on the debt already runs.
- (5) Interest under this section may be calculated at different rates in respect of different periods.
- (6) In this section “plaintiff” means the person seeking the debt or damages and “defendant” means the person from whom the plaintiff seeks the debt or damages and “personal injuries” includes any disease and any impairment of a person’s physical or mental condition.
- (7) Nothing in this section affects the damages recoverable for the dishonour of a bill of exchange.
- [^{F1}(8) In determining whether the amount of any debt or damages exceeds that prescribed by or under any enactment, no account shall be taken of any interest payable by virtue of this section except where express provision to the contrary is made by or under that or any other enactment.]

Textual Amendments

- F1** S. 69(8) substituted (1.7.1991) by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 125(3), **Sch. 18 para. 46**; S.I. 1991/1364, **art. 2**, Sch.

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