



County Courts Act 1984

1984 CHAPTER 28

PART IX

MISCELLANEOUS AND GENERAL

General

146 Lords Commissioners to represent Lord Chancellor when Great Seal in commission.

When the Great Seal is in commission, the Lords Commissioners shall represent the Lord Chancellor for the purposes of this Act; but the powers vested in him by this Act in relation to the Appointment of officers may be exercised by the senior Lord Commissioner for the time being.

147 Interpretation.

(1) In this Act, unless the context otherwise requires—

“action” means any proceedings in a county court which may be commenced as prescribed by plaintiff;

“Admiralty county court” means a county court appointed to have Admiralty jurisdiction by order under this Act;

“Admiralty proceedings” means proceedings in which the claim would not be within the jurisdiction of a county court but for sections 26 and 27;

“bailiff” includes a registrar;

“the county court limit” means—

(a) in relation to any enactment contained in this Act for which a limit is for the time being specified by an Order under section 145, that limit,

^{F1}(b)

(c) in relation to any enactment contained in this Act and not within paragraph (a) ^{F1} . . . , the county court limit for the time being specified by any other Order In

Status: Point in time view as at 01/07/1991.

Changes to legislation: County Courts Act 1984, Cross Heading: General is up to date with all changes known to be in force on or before 04 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)

Council or order defining the limit of county court jurisdiction for the purposes of that enactment;

“county court rules” means rules made under section 75;

“court” and “county court” mean a court held for a district under this Act;

“deposit-taking institution” means any person carrying on a business which is a deposit-taking business for the purposes of [^{F2}the Banking Act 1987];

“district” and “county court district” mean a district for which a court is to be held under section 2;

“fees orders” means orders made under section 128;

“hearing” includes trial, and “Hear” and “Heard” shall be construed accordingly;

“hereditament” includes both a corporeal and an incorporeal hereditament;

“judge”, in relation to a county court, means a judge assigned to the district of that court under subsection (1) of section 5 and any person sitting as a judge for that district under subsection (3) or (4) of that section;

“judgment summons” means a summons issued on the application of a person entitled to enforce a judgment or order under section 5 of the ^{M1}Debtors Act 1869 requiring a person, or where two or more persons are liable under the judgment or order, requiring any one or more of them, to appear and be examined on oath as to his or their means;

“landlord”, in relation to any land, means the person entitled to the immediate reversion or, if the property therein is held in joint tenancy, any of the persons entitled to the immediate reversion;

[^{F3}“legal representative” means an authorised advocate or authorised litigator, as defined by section 119(1) of the Courts and Legal Services Act 1990.]

F4

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“matter” means every proceeding in a county court which may be commenced as prescribed otherwise than by plaint;

“officer”, in relation to a court means any registrar, deputy registrar or assistant registrar of that court, and any clerk, bailiff, usher or messenger in the service of that court;

“part-time registrar” and “part-time assistant registrar” have the meaning assigned to them by section 10(3);

“party” includes every person served with notice of, or attending, any proceeding, whether named as a party to that proceeding or not;

“prescribed” means prescribed by county court rules;

“probate proceedings” means proceedings brought in a county court by virtue of section 32 or transferred to that court under section 40;

“proceedings” includes both actions and matters;

“registrar” and “registrar of a county court” mean a registrar appointed for a district under this Act, or in a case where two or more registrars are appointed jointly, either or any of those registrars;

“return day” means the day appointed in any summons or proceeding for the appearance of the defendant or any other day fixed for the hearing of any proceedings;

“the rule committee” means the committee constituted under section 75;

“ship” includes any description of vessel used in navigation;

“solicitor” means solicitor of the Supreme Court;

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“standard scale” has the meaning given by section 75 of the ^{M2}Criminal Justice Act 1982; and

“statutory maximum” has the meaning given by section 74 of that Act.

(2) F5

Textual Amendments

- F1** Words in s. 147(1) repealed by S.I.1991/724, art. 2(8), **Schedule Part I**
- F2** Words in s. 147(1) substituted by **Banking Act 1987 (c. 22, SIF 10), s. 108(1), Sch. 6 para. 15**
- F3** Definition in s. 147(1) added (1.4.1991) by **Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 125(3), Sch. 18 para. 49(1); S.I. 1991/608, art. 2, Sch.**
- F4** Words in s. 147(1) repealed by **Matrimonial and Family Proceedings Act 1984 (c. 42, SIF 49:3), s. 46(3), Sch. 3**
- F5** S. 147(2)(3) repealed by S.I. 1990/776, art. 3, **Sch. 1**

Marginal Citations

- M1** 1869 c. 62.
- M2** 1982 c. 48.

148 Amendments of other Acts, transitory provisions, transitional provisions savings and repeals.

- (1) The enactments specified in Schedule 2 shall have effect subject to the amendments there specified.
- (2) This Act shall have effect subject to the transitory provisions and transitional provisions and savings contained in Schedule 3.
 - (3) The enactments specified in Schedule 4 are hereby repealed to the extent specified in the third column of that Schedule.

149 Extent.

- (1) Section 148(1) and Schedule 2 extend to Scotland so far as they amend enactments extending to Scotland.
- (2) Section 148(1) and Schedule 2 extend to Northern Ireland so far as they amend enactments extending to Northern Ireland.
- (3) Subject to subsections (1) and (2), this Act extends to England and Wales only.

150 Commencement.

This Act shall come into force on 1st August 1984.

151 Short title.

This Act may be cited as the County Courts Act 1984.

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