



# County Courts Act 1984

## 1984 CHAPTER 28

### PART II

#### JURISDICTION AND TRANSFER OF PROCEEDINGS

##### *Admiralty proceedings*

### **30 Restrictions on entertainment of actions in personam in collision and other similar cases.**

- (1) The claims to which this section applies are claims for damage, loss of life or personal injury arising—
  - (a) out of a collision between ships;
  - (b) out of the carrying out of or omission to carry out a manoeuvre in the case of one or more of two or more ships; or
  - (c) out of the non-compliance, on the part of one or more of two or more ships [F1with safety regulations under section 85 of the Merchant Shipping Act 1995]
- (2) [F2The county court may not] entertain an action in personam to enforce a claim to which this section applies unless—
  - (a) the defendant has his habitual residence or a place of business within England and Wales; or
  - (b) the cause of action arose within inland waters of England and Wales or within the limits of a port of England and Wales; or
  - (c) an action arising out of the same incident or series of incidents is proceeding in the court or has been heard and determined in the court.
- (3) In subsection (2)—

“inland waters” includes any part of the sea adjacent to the coast of the United Kingdom certified by the Secretary of State to be waters falling by international law to be treated as within the territorial sovereignty of Her

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*Changes to legislation: County Courts Act 1984, Section 30 is up to date with all changes known to be in force on or before 26 February 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) View outstanding changes*

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Majesty apart from the operation of that law in relation to territorial waters;  
and

“port” means any port, harbour, river, estuary, haven, dock, canal or other place so long as a person or body of persons is empowered by or under an Act to make charges in respect of ships entering it or using the facilities in it, and “limits of a port” means the limits thereof as fixed by or under the Act in question or, as the case may be, by the relevant charter or custom;

“charges” means any charges with the exception of light dues, local light dues and any other charges in respect of lighthouses, buoys or beacons and of charges in respect of pilotage.

- (4) [<sup>F3</sup>The county court may not] entertain an action in personam to enforce a claim to which this section applies until any proceedings previously brought by the plaintiff in any court outside England and Wales against the same defendant in respect of the same incident or series of incidents have been discontinued or otherwise come to an end.
- (5) Subsections (1) to (4) shall apply to counterclaims (except counterclaims in proceedings arising out of the same incident or series of incidents) as they apply to actions in personam, but as if the references to the plaintiff and the defendant were respectively references to the plaintiff on the counterclaim and the defendant to the counterclaim.
- (6) Subsections (1) to (5) shall not apply to any action or counterclaim if the defendant submits or has agreed to submit to the jurisdiction of the court.
- (7) Nothing in this section shall prevent an action or counterclaim which is brought in accordance with the provisions of this section in [<sup>F4</sup>the county court] being transferred, in accordance with the enactments in that behalf, to some other court <sup>F5</sup>....
- (8) This section applies [<sup>F6</sup>generally in relation to the jurisdiction of the county court (and not only in relation to any jurisdiction that may be conferred on the county court in relation to Admiralty proceedings).]

#### Textual Amendments

- F1** Words in s. 30(1)(c) substituted (1.1.1996) by 1995 c. 21, ss. 314(2), 316(2), **Sch. 13 para. 72(3)**
- F2** Words in s. 30(2) substituted (22.4.2014) by **Crime and Courts Act 2013 (c. 22), s. 61(3), Sch. 9 para. 10(5)(a)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F3** Words in s. 30(4) substituted (22.4.2014) by **Crime and Courts Act 2013 (c. 22), s. 61(3), Sch. 9 para. 10(5)(a)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F4** Words in s. 30 substituted (22.4.2014) by **Crime and Courts Act 2013 (c. 22), s. 61(3), Sch. 9 para. 10(1)(b)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F5** Words in s. 30(7) omitted (22.4.2014) by virtue of **Crime and Courts Act 2013 (c. 22), s. 61(3), Sch. 9 para. 10(5)(b)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F6** Words in s. 30(8) substituted (22.4.2014) by **Crime and Courts Act 2013 (c. 22), s. 61(3), Sch. 9 para. 10(5)(c)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

**Changes to legislation:**

County Courts Act 1984, Section 30 is up to date with all changes known to be in force on or before 26 February 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.

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**Changes and effects yet to be applied to :**

- s. 30 words substituted by [2013 c. 22 Sch. 9 para. 10\(1\)\(a\)](#) (Not applied as words to be substituted do not appear)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 6A inserted by [2007 c. 15 s. 107\(1\)](#) (This affecting provision is amended (22.4.2014) by [2013 c. 22, Sch. 9 paras. 10\(53\), 48](#); [S.I. 2014/954, art. 2\(c\)](#))
- s. 60A inserted by [2007 c. 29 s. 191](#)
- s. 60A(2) words substituted by [2013 c. 22 Sch. 9 para. 10\(17\)](#) (Effect not applied as s. 60A has not been brought into force)
- s. 60A(3)(b) words substituted by [S.I. 2022/1166 reg. 10\(2\)\(a\)\(ii\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- s. 60A(3)(aa) inserted by [S.I. 2022/1166 reg. 10\(2\)\(a\)\(i\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- s. 60A(3)(bb) inserted by [S.I. 2022/1166 reg. 10\(2\)\(a\)\(iii\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- s. 60A(3)(cc) inserted by [S.I. 2022/1166 reg. 10\(2\)\(a\)\(iv\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- s. 60A(7) words inserted by [S.I. 2022/1166 reg. 10\(2\)\(b\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- s. 60A(7) words substituted by [S.I. 2010/844 Sch. 2 para. 2](#) (Effect not applied as s. 60A has not been brought into force)
- s. 112A112B inserted by [1990 c. 41 s. 13\(5\)](#)