



# County Courts Act 1984

## 1984 CHAPTER 28

### PART III

#### PROCEDURE

##### *Mode of trial*

#### **64 Reference to arbitration.**

(1) [<sup>F1</sup>Rules of court]—

- (a) may prescribe cases in which proceedings [<sup>F2</sup>in the county court] are (without any order of the court) to be referred to arbitration, and
- (b) may prescribe the manner in which and the terms on which cases are to be so referred, and
- (c) may, where cases are so referred, require other matters within the jurisdiction of the court in dispute between the parties also to be referred to arbitration.

(2) [<sup>F1</sup>Rules of court]—

- (a) may prescribe cases in which proceedings [<sup>F3</sup>in the county court] may be referred to arbitration by order of the court, and
- (b) may authorise the court also to order other matters in dispute between the parties and within the jurisdiction of the court to be so referred.

[<sup>F4</sup>(2A) [<sup>F1</sup>Rules of court] may prescribe the procedures and rules of evidence to be followed on any reference under subsection (1) or (2).

(2B) Rules made under subsection (2A) may, in particular, make provision with respect to the manner of taking and questioning evidence.]

- (3) On a reference under subsection (1) or (2) the award of the arbitrator, arbitrators or umpire shall be entered as the judgment in the proceedings and shall be as binding and effectual to all intents, subject to subsection (4), as if it had been given by the [<sup>F5</sup>court] .

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**Changes to legislation:** County Courts Act 1984, Section 64 is up to date with all changes known to be in force on or before 29 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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- (4) The [<sup>F5</sup>court] may, if [<sup>F6</sup>it] thinks fit, on application made to [<sup>F6</sup>it] within such time as may be prescribed, set aside the award, or may, with the consent of the parties, revoke the reference or order another reference to be made in the manner specified in this section.
- (5) In this section “award” includes an interim award.

#### Textual Amendments

- F1** Words in s. 64 substituted (27.4.1997) by 1997 c. 12, s. 10, **Sch. 2 para. 2(2)**; S.I. 1997/841, **art. 3(b), 4(c)**
- F2** Words in s. 64(1)(a) inserted (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 9 para. 10(21)**; 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. 64(2)(a) inserted (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 9 para. 10(21)**; S.I. 2014/954, **art. 2(c)** (with **art. 3**) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F4** S. 64(2A),(2B) added by Courts and Legal Services Act 1990 (c. 41, SIF 37), **s. 6**
- F5** Word in s. 64(3)(4) substituted (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 9 para. 10(22)**; S.I. 2014/954, **art. 2(c)** (with **art. 3**) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F6** Word in s. 64(4) substituted (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 9 para. 10(23)**; 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:**

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**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\(5\)](#)