
STATUTORY INSTRUMENTS

1981 No. 1123 (L.9)

COUNTY COURTS

The County Courts Jurisdiction Order 1981

Laid before Parliament in draft

Made - - - - 31st July 1981

Coming into Operation 1st October 1981

At the Court at Buckingham Palace, the 31st day of July 1981

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of the following Order was laid before Parliament and approved by resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred by section 192 of the County Courts Act 1959(1) and all other powers enabling Her Majesty, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the County Courts Jurisdiction Order 1981 and shall come into operation on 1st October 1981.

2. Subject to the transitional provisions set out in the Schedule to this Order, the enactments specified in column 1 of the following table shall be amended by substituting for the sum specified in column 2 opposite each such enactment, wherever such sum appears therein, the sum so specified in column 3:—

TABLE

Column1	Column2	Column3
County Courts Act 1959:		
Section 39 (contract and tort)	£2,000	£5,000
Section 40 (money recoverable by statute)	£2,000	£5,000
Section 41 (abandonment of excess)	£2,000	£5,000
Section 45 (transfer from High Court to county court)	£2,000	£5,000

(1) , as amended by the Administration of Justice Act 1969 (c. 58), the Administration of Justice Act 1973 (c.15), the Consumer Credit Act 1974 (c. 39), the Solicitors Act 1974 (c. 47), the Administration of Justice Act 1977 (c. 38) and the Charging Orders Act 1979 (c. 53).

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Column1	Column2	Column3
Section 47(1)(a) and (1A)(a) (county court costs in High Court)	£1,200	£3,000
Section 47(1)(b) and (1A)(b) (no costs in High Court)	£350	£600
Section 52 (equity)	£15,000	£30,000
Section 62 (probate)	£15,000	£30,000
Section 68 (transfer of interpleader from High Court to county court)	£2,000	£5,000
Section 80 (action by minor for wages)	£2,000	£5,000
Section 102(3)(c) (registrars' jurisdiction)	£200	£500
Section 146 (attachment of debts)	£2,000	£5,000
First Schedule (miscellaneous jurisdiction)	£15,000	£30,000
	£2,000	£5,000
Settled Land Act 1925, section 113(3)	£15,000	£30,000
Solicitors Act 1974, section 69(3) (actions for solicitors' costs)	£2,000	£5,000
Consumer Credit Act 1974, section 139(5) (re-opening of extortionate credit agreements)	£2,000	£5,000
Charging Orders Act 1979, section 1(2)(c)	£2,000	£5,000

3. The County Courts Jurisdiction Order 1977 is hereby revoked.

N.E. Leigh
Clerk of the Privy Council

SCHEDULE

TRANSITIONAL PROVISIONS

1. The amendments made by this Order in sections 45, 68 and 146 of the County Courts Act 1959 (hereinafter referred to as “the Act”) shall apply to proceedings begun before, as well as to proceedings begun on or after, 1st October 1981.
2. In relation to proceedings begun before 1st October 1981—
 - (a) the amendments made by this Order in section 47 of the Act shall not apply;
 - (b) the High Court, or a judge thereof, shall have the same powers under section 54 of the Act as it or he would have if the proceedings had been begun after that date; and
 - (c) a judge may, if he sees fit, refuse to make an order under section 66 of the Act if the proceedings are within the jurisdiction of a county court as extended by this Order.

EXPLANATORY NOTE

This Order raises from £2,000 to £5,000 the jurisdiction of the county courts in actions founded on contract or tort, in actions for money recoverable by statute and in proceedings relating to solicitors' costs under section 69(3) of the Solicitors Act 1974. It raises from £2,000 to £5,000 the jurisdiction of those courts in respect of extortionate credit agreements under section 139 of the Consumer Credit Act 1974. It also raises from £15,000 to £30,000 the equity jurisdiction of the county courts; it increases from £1,200 to £3,000 the amount which a plaintiff proceeding in the High Court must recover in order to be entitled to costs on the High Court scale, and from £350 to £600 the amount which such a plaintiff must recover in order to be entitled to any costs. The Order also enables the trial jurisdiction of county court registrars to be raised from £200 to £500.