

STATUTORY INSTRUMENTS

**1991 No. 724**

**The High Court and County Courts Jurisdiction Order 1991**

**Jurisdiction**

2.—(1) [<sup>F1</sup>The County Court] shall have jurisdiction under—

- (a) sections <sup>F2</sup>... 146 and 147 of the Law of Property Act 1925 <sup>M1</sup>,
- <sup>F3</sup>(b) .....
- (c) section 26 of the Arbitration Act 1950 <sup>M2</sup>,
- (d) section 63(2) of the Landlord and Tenant Act 1954 <sup>M3</sup>,
- (e) section 28(3) of the Mines and Quarries (Tips) Act 1969 <sup>M4</sup>,
- (f) section 66 of the Taxes Management Act 1970 <sup>M5</sup>,
- (g) section 41 of the Administration of Justice Act 1970 <sup>M6</sup>,
- <sup>F4</sup>(h) .....
- (i) section 13 of the Torts (Interference with Goods) Act 1977 <sup>M7</sup>,
- (j) section 87 of the Magistrates' Courts Act 1980 <sup>M8</sup>,
- (k) sections 19 and 20 of the Local Government Finance Act 1982 <sup>M9</sup>,
- (l) sections 15, 16, 21, 25 and 139 of the County Courts Act 1984 <sup>M10</sup>,
- (m) section 39(4) of, and paragraph 3(1) of Schedule 3 to, the Legal Aid Act 1988 <sup>M11</sup>,
- (n) sections 99, 102(5), 114, 195, 204, 230, 231 and 235(5) of the Copyright, Designs and Patents Act 1988 <sup>M12</sup>, <sup>F5</sup>...
- (o) section 40 of the Housing Act 1988 <sup>M13</sup>, [<sup>F6</sup>and
- (p) sections 13 and 14 of the Trusts of Land and Appointment of Trustees Act 1996,]
- <sup>F7</sup>(q) the EOP Regulation,
- (r) the ESCP Regulation,]

whatever the amount involved in the proceedings and whatever the value of any fund or asset connected with the proceedings <sup>F8</sup>... .

(2) [<sup>F1</sup>The County Court] shall have jurisdiction under—

- (a) section 10 of the Local Land Charges Act 1975 <sup>M14</sup>, and
- (b) section 10(4) of the Rentcharges Act 1977 <sup>M15</sup>,

where the sum concerned or amount claimed does not exceed £5,000.

(3) [<sup>F1</sup>The County Court] shall have jurisdiction under the following provisions of the Law of Property Act 1925 <sup>M16</sup> where the capital value of the land or interest in land which is to be dealt with does not exceed £30,000:

- (a) sections 3, 49, 66, 181, and 188;

*Status: Point in time view as at 22/04/2014. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the The High Court and County Courts Jurisdiction Order 1991, Section 2. (See end of Document for details)*

- (b) proviso (iii) to paragraph 3 of Part III of Schedule 1;
- (c) proviso (v) to paragraph 1(3) of Part IV of Schedule 1;
- (d) provisos (iii) and (iv) to paragraph 1(4) of Part IV of Schedule 1.

(4) [F1The County Court] shall have jurisdiction under sections 89, 90, 91 and 92 of the Law of Property Act 1925 <sup>M17</sup> where the amount owing in respect of the mortgage or charge at the commencement of the proceedings does not exceed £30,000.

(5) [F1The County Court] shall have jurisdiction under the proviso to section 136(1) of the Law of Property Act 1925 <sup>M18</sup> where the amount or value of the debt or thing in action does not exceed £30,000.

(6) [F1The County Court] shall have jurisdiction under section 1(6) of the Land Charges Act 1972 <sup>M19</sup>—

- (a) in the case of a land charge of Class C(i), C(ii) or D(i), if the amount does not exceed £30,000;
- (b) in the case of a land charge of Class C(iii), if it is for a specified capital sum of money not exceeding £30,000 or, where it is not for a specified capital sum, if the capital value of the land affected does not exceed £30,000;
- (c) in the case of a land charge of Class A, Class B, Class C(iv), Class D(ii), Class D(iii) or Class E, if the capital value of the land affected does not exceed £30,000;
- (d) in the case of a land charge of Class F, if the land affected by it is the subject of an order made by the court under section 1 of the Matrimonial Homes Act 1983 <sup>M20</sup> or an application for an order under that section relating to that land has been made to the court;
- (e) in a case where an application under section 23 of the Deeds of Arrangement Act 1914 <sup>M21</sup> could be entertained by the court.

(7) [F1The County Court] shall have jurisdiction under sections 69, 70 and 71 of the Solicitors Act 1974 <sup>M22</sup> where a bill of costs relates wholly or partly to contentious business done in [F9the County Court] and the amount of the bill does not exceed £5,000.

[F10(7A) [F11The County Court] shall have jurisdiction under the following provisions of the Trade Marks Act 1994—

- (a) sections 15, 16, 19, 23(5), 25(4)(b), 30, 31, 46, 47, 64, 73 and 74;
- (b) paragraph 12 of Schedule 1; and
- (c) paragraph 14 of Schedule 2,

to include jurisdiction to hear and determine any claims or matters ancillary to, or arising from proceedings brought under such provisions.

[F12(7B) The County Court has jurisdiction in respect of any contentious probate matter arising in connection with an application for the grant or revocation of probate or administration where—

- (a) the grant or application is made through the principal registry of the Family Division or a district probate registry under section 105 of the Senior Courts Act 1981; and
- (b) it is shown to the satisfaction of the County Court that the value of the deceased’s net estate at the date of death does not exceed £30,000.

(7C) In paragraph (7B), “net estate”, in relation to a deceased person, means the estate of that person exclusive of any property the deceased was possessed of or entitled to as a trustee and not beneficially, and after making allowances for funeral expenses and for debts and liabilities.]]

<sup>F13</sup>(8) .....

### Textual Amendments

- F1** Words in Order substituted (22.4.2014) by [The High Court and County Court Jurisdiction \(Amendment\) Order 2014 \(S.I. 2014/821\)](#), arts. 1, **2(3)(a)**
- F2** Word in art. 2(1)(a) omitted (1.1.1997) by virtue of [The High Court and County Courts Jurisdiction \(Amendment\) Order 1996 \(S.I. 1996/3141\)](#), arts. 1(1)(a), **2(1)**
- F3** Art. 2(1)(b) omitted (1.4.2005) by virtue of [The High Court and County Courts Jurisdiction \(Amendment\) Order 2005 \(S.I. 2005/587\)](#), arts. 1, **3(a)**
- F4** Art. 2(1)(h) revoked (6.4.2009) by [The High Court and County Courts Jurisdiction \(Amendment\) Order 2008 \(S.I. 2008/2934\)](#), arts. 1(5), **4**
- F5** Word in art. 2(1)(n) omitted (1.1.1997) by virtue of [The High Court and County Courts Jurisdiction \(Amendment\) Order 1996 \(S.I. 1996/3141\)](#), arts. 1(1)(a), **2(2)**
- F6** Art. 2(1)(p) and word inserted (1.1.1997) by [The High Court and County Courts Jurisdiction \(Amendment\) Order 1996 \(S.I. 1996/3141\)](#), arts. 1(1)(a), **2(3)**
- F7** Art. 2(1)(q)(r) inserted (12.12.2008 for specified purposes, 1.1.2009 in so far as not already in force) by [The High Court and County Courts Jurisdiction \(Amendment\) Order 2008 \(S.I. 2008/2934\)](#), art. 1(3)(4), **5**
- F8** Words in art. 2(1) omitted (22.4.2014) by virtue of [The High Court and County Court Jurisdiction \(Amendment\) Order 2014 \(S.I. 2014/821\)](#), arts. 1, **2(5)(a)**
- F9** Words in Order substituted (22.4.2014) by [The High Court and County Court Jurisdiction \(Amendment\) Order 2014 \(S.I. 2014/821\)](#), arts. 1, **2(3)(b)**
- F10** Art. 2(7A)(7B) inserted (1.4.2005) by [The High Court and County Courts Jurisdiction \(Amendment\) Order 2005 \(S.I. 2005/587\)](#), arts. 1, **3(b)**
- F11** Words in art. 2(7A) substituted (22.4.2014) by [The High Court and County Court Jurisdiction \(Amendment\) Order 2014 \(S.I. 2014/821\)](#), arts. 1, **2(5)(b)**
- F12** Art. 2(7B)(7C) substituted for art. 2(7B) (22.4.2014) by [The High Court and County Court Jurisdiction \(Amendment\) Order 2014 \(S.I. 2014/821\)](#), arts. 1, **2(5)(c)**
- F13** Art. 2(8) omitted (22.4.2014) by virtue of [The High Court and County Court Jurisdiction \(Amendment\) Order 2014 \(S.I. 2014/821\)](#), arts. 1, **2(5)(d)**

### Marginal Citations

- M1** 15 & 16 Geo. 5 c.20; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and Part II of Schedule 2.
- M2** 14 Geo. 6 c.27; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and paragraph 22 of Schedule 2.
- M3** 2 & 3 Eliz. 2 c.56; relevant amendments were made by the [Administration of Justice Act 1973 \(c.15\)](#), [section 6](#) and Part I of Schedule 2.
- M4** [1969 c.10](#); relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and paragraph 35 of Schedule 2.
- M5** [1970 c.9](#); relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and paragraph 36 of Schedule 2.
- M6** [1970 c.31](#); relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and paragraph 38 of Schedule 2.
- M7** [1977 c.32](#); relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and paragraph 66 of Schedule 2.
- M8** [1980 c.43](#); relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and paragraph 73 of Schedule 2.
- M9** [1982 c.32](#).
- M10** [1984 c.28](#).
- M11** [1988 c.34](#).
- M12** [1988 c.48](#).
- M13** [1988 c.50](#).

---

*Status: Point in time view as at 22/04/2014. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the The High Court and County Courts Jurisdiction Order 1991, Section 2. (See end of Document for details)*

---

- M14** 1975 c.76; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and paragraph 57 of Schedule 2.
- M15** 1977 c.30; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and paragraph 63 of Schedule 2.
- M16** 15 & 16 Geo. 5 c.20; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and Part II of Schedule 2.
- M17** 15 & 16 Geo. 5 c.20; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and Part II of Schedule 2.
- M18** 15 & 16 Geo. 5 c.20; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and Part II of Schedule 2.
- M19** 1972 c.61; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and Part IV of Schedule 2.
- M20** 1983 c.19.
- M21** 4 & 5 Geo. 5 c.47.
- M22** 1974 c.47; relevant amendments were made by the [Administration of Justice Act 1982 \(c.53\)](#), [section 37](#) and Part II of Schedule 3, and by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and paragraph 50 of Schedule 2.

**Status:**

Point in time view as at 22/04/2014. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The High Court and County Courts Jurisdiction Order 1991, Section 2.