

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) .....
- <sup>F7</sup>(r) .....

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;

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- (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 M17 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 M18 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 M19—

- (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 M20 or an application for an order under that section relating to that land has been made to the court;

F9(e) .....

(7) [F1The County Court] shall have jurisdiction under sections 69, 70 and 71 of the Solicitors Act 1974 M21 where a bill of costs relates wholly or partly to contentious business done in [F10the County Court] and the amount of the bill does not exceed £5,000.

[F11(7A) [F12The 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.

[F13(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.]]

F14(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) omitted (31.12.2020) by virtue of [The European Enforcement Order, European Order for Payment and European Small Claims Procedure \(Amendment etc.\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1311\)](#), regs. 1, **4(3)** (with Pt. 5) (as substituted by S.I. 2020/1493, regs. 1(1), 3); 2020 c. 1, Sch. 5 para. 1(1)
- 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** Art. 2(6)(e) omitted (1.10.2015) by virtue of [The Deregulation Act 2015 \(Insolvency\) \(Consequential Amendments and Transitional and Savings Provisions\) Order 2015 \(S.I. 2015/1641\)](#), art. 3, **Sch. 3 para. 3(2)** (with art. 10)
- F10** 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)**
- F11** 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)**
- F12** 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)**
- F13** 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)**
- F14** 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.

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- M10** 1984 c.28.
- M11** 1988 c.34.
- M12** 1988 c.48.
- M13** 1988 c.50.
- 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** 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.

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