
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes new arrangements for the distribution of proceedings between the High Court and the county courts.

Article 2 abolishes many of the financial limitations on the jurisdiction of the county courts. In place of those limitations, articles 4 to 8 provide new criteria for determining where proceedings are to be commenced and tried and where judgments are to be enforced.

In particular, actions in respect of personal injuries must be commenced in a county court unless the claim is worth £50,000 or more (article 5) and certain proceedings under the Local Government Finance Act 1982 must be commenced in the High Court (article 6).

The Order provides (article 7) that actions worth less than £25,000 must normally be tried in a county court, and those worth £50,000 or more must normally be tried in the High Court, with those in between going either way, subject to the criteria laid down in article 7(5) for determining which level of court is the more appropriate for a particular case.

The value of an action for the purposes of these provisions as to commencement and trial is defined by articles 9 and 10.

For enforcement, article 8 provides that county court judgments for the payment of a sum of money of £5,000 or more must be enforced in the High Court, and may be enforced in the High Court if they are for £2,000 or more. Below that they must be enforced in a county court.

Several statutory provisions relating to county court jurisdiction limits are consequentially amended or repealed by the Schedule to the Order.

The Order does not affect family or Admiralty proceedings.