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STATUTORY INSTRUMENTS

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**1998 No. 2400 (L.9)**

**COUNTY COURTS**

**The County Courts (Interest on Judgment Debts) (Amendment) Order 1998**

<i>Made</i>	- - - -	<i>23rd September</i> <i>1998</i>
<i>Laid before Parliament</i>		<i>28th September 1998</i>
<i>Coming into force</i>	- -	<i>1st November 1998</i>

The Lord Chancellor, in exercise of the powers conferred on him by section 74 of the County Courts Act 1984(1), and with the concurrence of the Treasury, makes the following Order:

**Citation and commencement**

1. This Order may be cited as the County Courts (Interest on Judgment Debts) (Amendment) Order 1998 and shall come into force on 1st November 1998.

**Amendment to County Courts (Interest on Judgment Debts) Order 1991**

2. In article 1(2) of the County Courts (Interest on Judgment Debts) Order 1991(2) the following definition of “relevant judgment” shall be substituted:

““relevant judgment” means a judgment or order of a county court for the payment of a sum of money (a) of not less than £5,000 or (b) in respect of a debt which is a qualifying debt for the purposes of the Late Payment of Commercial Debts (Interest) Act 1998(3) and, in relation to a judgment debt, means the judgment or order which gives rise to the judgment debt.”.

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(1) 1984 c. 28. Section 74 has been amended by section 2 of the Private International Law (Miscellaneous Provisions) Act 1995 (c. 42).

(2) S.I.1991/1184; amended by S.I. 1996/2516.

(3) 1998 c. 20. “Qualifying debt” is defined in sections 16(1) and 3(1) of the Act. Since a qualifying debt is a debt created by virtue of an obligation under a contract to which the Act applies, a debt will not be a qualifying debt, and therefore will not be within the ambit of item (b) of the new definition of “relevant judgment”, if it arises under a description of contract for which the Act has not yet been brought into force under section 17(2) of the Act.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Signed by authority of the Lord Chancellor

Dated 6th September 1998

*G.W. Hoon*  
Minister of State,  
Lord Chancellor's Department

We concur,

Dated 23rd September 1998

*Bob Ainsworth*  
*Jim Dowd*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order extends the award of interest on county court judgments and orders, currently applicable only to sums not less than £5,000, to include all judgments and orders, of whatever amount, in respect of qualifying debts for the purposes of the Late Payment of Commercial Debts (Interest) Act 1998. A qualifying debt, for the purposes of the 1998 Act, is a debt to pay the contract price, created by virtue of an obligation under a contract for the supply of goods or services where both purchaser and supplier are acting in the course of a business.