STATUTORY INSTRUMENTS

1965 No. 2141

COUNTY COURTS

The County Courts Jurisdiction Order 1965

Laid before Parliament in draft

Made - - - - 17*th December* 1965

Coming into Operation 1*st January* 1966

At the Court at Buckingham Palace, the 17th day of December 1965

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 on Her by section 192 of the County Courts Act 1959(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1.—(1) Subject to the transitional provisions set out in the Schedule to this Order, the enactments referred to in the next following paragraph shall have effect with the substitution for the references to three hundred pounds, to four hundred pounds and to four hundred and fifty pounds of references to four hundred pounds, to five hundred pounds and to five hundred and fifty pounds respectively.

(2) The said enactments are sections 39, 40, 41, 44, 45, 47, 80 and 146 of the County Courts Act 1959, the entry in the First Schedule to that Act relating to section 136 of the Law of Property Act 1925(b), and section 73(2) of the Solicitors Act 1957(c).

2. This Order may be cited as the County Courts Jurisdiction Order 1965 and shall come into operation on 1st January 1966.

W. G. Agnew.

(a) 7 & 8 Eliz. 2. c. 22. (b) 15 & 16 Geo. 5. c. 20. (c) 5 & 6 Eliz. 2. c. 27.

SCHEDULE

TRANSITIONAL PROVISIONS

1. In paragraphs 2, 3 and 4 of this Schedule a section referred to by number means the section so numbered in the County Courts Act 1959.

2. The amendments made by this Order in section 44 shall apply to proceedings begun before, as well as on or after, 1st January 1966, and in relation to proceedings begun before that date a county court judge may, if he sees fit, refuse to make an order under section 66 if the proceedings are within the jurisdiction of the court as extended by this Order; but nothing in this Order shall be taken to affect any order made under section 66 before 1st January 1966.

3. The amendments made by this Order in sections 45 and 146 shall apply to proceedings begun before, as well as on or after, 1st January 1966, and in relation to proceedings begun before that date the High Court or a judge thereof shall have the same powers under sections 50, 54, 59 and 63 as he would have if the proceedings had been begun after that date.

4. The amendment made by this Order in section 47 shall not apply to proceedings begun before 1st January 1966.

5. In relation to proceedings begun before 1st January 1966 nothing in this Order shall affect the operation of section 19 of the City of London (Courts) Act 1964(a).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order increases from £400 to £500 the jurisdiction of the county courts in actions founded on contract or tort and actions for money recoverable by statute, and makes the necessary consequential amendments in the County Courts Act 1959 and the Solicitors Act 1957.

(a) 1964 c. iv.