STATUTORY INSTRUMENTS

1974 No. 1273 (L.17)

COUNTY COURTS

The County Courts Jurisdiction Order 1974

Laid before Parliament in Draft
Made - - - - *25th July* 1974
Coming into Operation *1st October* 1974

At the Court of Buckingham Palace, the 25th day of July 1974

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)**, as amended by section 10 of the Administration of Justice Act 1969**(b)**, is pleased, by and with the advice of Her Privy Council to order, and it is hereby ordered, as follows:—

1.—(1) This Order may be cited as the County Courts Jurisdiction Order 1974 and shall come into operation on 1st October 1974.

(2) The Interpretation Act 1889**(c)** shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(3) In this Order, a section or Schedule referred to by number only means the section or Schedule so numbered in the County Courts Act 1959.

2.—(1) Subject to the transitional provisions set out in the Schedule to this Order, the enactments specified in the next following paragraph shall be amended by the substitution, for the references therein to sums of £750, £500, £100 and £75, of references to sums of £1,000, £650, £150 and £100 respectively.

(2) The said enactments are sections 39, 40, 41, 44(i), 45, 47, 68, 80, 102(3)(*c*)(iii) and 146; the entry in the First Schedule relating to section 136 of the Law of Property Act 1925**(d)**; section 73(2) of the Solicitors Act 1957**(e)**.

N. E. Leigh.

(a) 1959 c. 22. **(b)** 1969 c. 58. **(c)** 1889 c. 63.
(d) 1925 c. 20. **(e)** 1957 c. 27.

SCHEDULE

TRANSITIONAL PROVISIONS

1. The amendments made by this Order in sections 44, 45, 68 and 146 shall apply to proceedings begun before, as well as to proceedings begun on or after, 1st October 1974.

2. In relation to proceedings begun before 1st October 1974—

(*a*) the amendment made by this Order in section 47 shall not apply;

(*b*) the High Court, or a judge thereof, shall have the same powers under section 54 as it or he would have had the proceedings been begun after that date; and

(*c*) a judge may, if he sees fit, refuse to make an order under section 66 if the proceedings are within the jurisdiction of a county court as extended by this Order.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order raises from £750 to £1,000 the jurisdiction of the county courts in actions founded on contract or tort, in actions for money recoverable by statute and in proceedings under section 73(2) of the Solicitors Act 1957; increases from £500 to £650 the amount which a plaintiff proceeding in the High Court must recover in order to be entitled to costs on the High Court scale and from £100 to £150 the amount which such a plaintiff must recover in order to be entitled to any costs. The Order also raises the jurisdiction of county court registrars from £75 to £100.

SI 1974/1273
ISBN 0-11-041273-7

