STATUTORY INSTRUMENTS

1977 No. 600 (L. 15)

COUNTY COURTS

The County Courts Jurisdiction Order 1977

Laid before Parliament in draft

Made - - - - 30*th March* 1977

Coming into operation in accordance with Article 1

At the Court of Saint James, the 30th day of March 1977

Present,

The Counsellors of State in Council

Whereas a draft of the following Order was laid before Parliament and approved by resolution of each House of Parliament:

And Whereas Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 3rd day of February 1977, to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

Now, therefore, Her Majesty Queen Elizabeth The Queen Mother and Her Royal Highness The Princess Margaret, Countess of Snowdon, being authorised thereto by the said Letters Patent, and in pursuance of the powers conferred by section 192 of the County Courts Act 1959(**a**), as amended by section 10 of the Administration of Justice Act 1969(**b**), section 192 of, and paragraph 19 of Schedule 4 to, the Consumer Credit Act 1974(**c**) (which come into operation on 30th March 1977 by virtue of the Consumer Credit Act 1974 (Commencement No. 2) Order 1977(**d**)), and section 89 of, and paragraph 6 of Schedule 3 to, the Solicitors Act 1974(**e**), and all other powers enabling Her Majesty, and by and with the advice of Her Majesty's Privy Council, do on Her Majesty's behalf order, and it is hereby ordered, as follows:—

1.—(1) This Order may be cited as the County Courts Jurisdiction Order 1977 and, subject to paragraph (2), shall come into operation on 19th April 1977.

(**a**) 1959 c. 22. (**b**) 1969 c. 58. (**c**) 1974 c. 39.
(**d**) S.I. 1977/325 (1977 I, p. 921). (**e**) 1974 c. 47.

(2) Article 2, so far as it relates to section 139(5) of the Consumer Credit Act 1974, shall come into operation on 16th May 1977, being the date on which that section will come into operation by virtue of the Consumer Credit Act 1974 (Commencement Order No. 2) Order 1977.

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

2. Subject to the transitional provisions set out in the Schedule to this Order, the enactments specified in column 1 of the following table shall be amended by substituting for the sums specified in column 2 opposite each such enactment, wherever such sums appear therein, the sums specified respectively in column 3:—

TABLE

Column 1	*Column* 2	*Column* 3
County Courts Act 1959:		
Section 39	£1,000	£ 2,000
Section 40	£1,000	£ 2,000
Section 41	£1,000	£ 2,000
Section 44	£ 150	£ 300
Section 45	£1,000	£ 2,000
Section 47(1)(*a*) and (1A)(*a*)	£ 650	£ 1,200
Section 47(1)(*b*) and (1A)(*b*)	£ 150	£ 350
Section 52	£5,000	£15,000
Section 68	£1,000	£ 2,000
Section 80	£1,000	£ 2,000
Section 102(3)(*c*)	£ 100	£ 200
Section 146	£1,000	£ 2,000
First Schedule	£5,000	£15,000
	£1,000	£ 2,000
	£ 300	£ 900
Settled Land Act 1925(**b**), section 113(3)	£5,000	£15,000
	£ 300	£ 900
Solicitors Act 1974, section 69(3)	£1,000	£ 2,000
Consumer Credit Act 1974, section 139(5)	£ 750	£ 2,000

N. E. Leigh,
Clerk of the Privy Council.

(a) 1889 c. 63. (b) 1925 c. 18.

SCHEDULE

TRANSITIONAL PROVISIONS

1. The amendments made by this Order in sections 44, 45, 68 and 146 of the County Courts Act 1959 (hereinafter referred to as "the Act") shall apply to proceedings begun before, as well as to proceedings begun on or after, 19th April 1977.

2. In relation to proceedings begun before 19th April 1977—

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

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

(*c*) a judge may, if he sees fit, refuse to make an order under section 66 of the Act 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 £1,000 to £2,000 the jurisdiction of the county courts in actions founded on contract or tort, in actions for money recoverable by statute and in proceedings relating to solicitors' costs under section 69(3) of the Solicitors Act 1974. It raises from £750 to £2,000 the jurisdiction of those courts in respect of extortionate credit agreements under section 139 of the Consumer Credit Act 1974. It also raises from £5,000 to £15,000 the equity jurisdiction of the county courts; it increases from £650 to £1,200 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 £150 to £350 the amount which such a plaintiff must recover in order to be entitled to any costs. The Order also enables the jurisdiction of county court registrars to be raised from £100 to £200.

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