Draft Order laid before Parliament under section 145 of the County Courts Act 1984, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2014 No. XXX (L.X)

THE COUNTY COURT, ENGLAND AND WALES

The County Court Jurisdiction Order 2014

Made - - - - ***

Coming into force in accordance with article 1

At the Court at Buckingham Palace, the *** day of ***

Present,

The Queen's Most Excellent Majesty in Council

A draft of this Order has been approved by resolution of each House of Parliament in accordance with section 145 of the County Courts Act 1984(**a**).

Accordingly, Her Majesty, in exercise of the powers conferred by that section, is pleased, by and with the advice of Her Privy Council, to make the following Order in Council.

Citation and commencement

1. This Order may be cited as the County Court Jurisdiction Order 2014 and comes into force on 22nd April 2014 or, if made on or after that date, the day after the day on which it is made.

Revocation of the 1981 Order and transitional provision

2.—(1) The County Courts Jurisdiction Order 1981(**b**) ("the 1981 Order") is revoked.

(2) The 1981 Order shall continue to have effect in respect of proceedings commenced before the date on which this Order comes into force.

Monetary limits

3. For the purposes of the enactments in column 1 of the following table (each of which refers to the county court limit), the county court limit is the amount specified in column 2 opposite each such enactment—

(**a**) 1984 c.28. Section 145 was amended by sections 15(1) of, and paragraph 170 of Schedule 4 to, the Constitutional Reform Act 2005 (c.5).

(**b**) S.I. 1981/1123, which was amended by article 2 of, and Part II of the Schedule to, the High Court and County Courts Jurisdiction Order (S.I. 1991/724).

Column 1	*Column 2*
Settled Land Act 1925(**a**): section 113 (jurisdiction and procedure)	£30,000
Trustee Act 1925(**b**): those sections of the Act specified in subsections (1), (2) and (3)(c) and (d) of section 63A (jurisdiction of county court) as being subject to the county court limit	£30,000
Administration of Estates Act 1925(**c**)—	
(a) section 38 (right to follow property and powers of the court in relation thereto)	£30,000
(b) section 41 (powers of personal representative as to appropriation)	£30,000
(c) section 43 (obligations of personal representative as to giving possession of land and powers of the court)	£30,000
Charging Orders Act 1979(**d**): section 1 (charging orders)	£5,000
County Courts Act 1984: section 23 (equity jurisdiction)(**e**)	£350,000

Richard Tilbrook
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes and replaces the County Courts Jurisdiction Order 1981 (SI 1981/1123) ("the 1981 Order") and increases, from £30,000 to £350,000, the equity jurisdiction of the County Court. This Order does not affect the County Court's jurisdiction in respect of other proceedings which would otherwise have remained subject to the 1981 Order. However, a reference in the 1981 Order to section 52 of the repealed County Courts Act 1959 (c.22) ("the 1959 Act") has been replaced with a reference to the corresponding provision, namely section 23, in the County Courts Act 1984 (c.28). Further, provisions no longer subject to, but which remained on the face of, the 1981 Order, have not been replicated in this Order. In addition, those few provisions which remained subject to the 1981 Order, but which were only indentified in that order by reference to the First Schedule to the 1959 Act (namely certain proceedings under the Trustee Act 1925 (c.19) and the Administration of Estates Act 1925 (c.23)), are now specifically referred to in this Order.

(**a**) 1925 c.18, which was amended by section 56(4) of, and Part II of Schedule 11 to, the Courts Act 1971 (c.23), section 37 of, and paragraph 4 of Part II of Schedule 3 to, the Administration of Justice Act 1982 (c.53), section 148(1) of, and paragraph 20 in Part V of Schedule 2 to, the County Courts Act 1984 and section 59(5) of, and paragraph 4(1) and (3) in Part 2 of Schedule 11 to, the Constitutional Reform Act 2005 (c.4).

(**b**) 1925 c.19. Section 63A was inserted by section 148(1) of, and paragraph 1 in Part I of Schedule 2 to, the County Courts Act 1984.

(**c**) 1925 c.23, which was amended by section 148(1) of, and paragraphs 12, 13 and 14 in Part III of Schedule 2 to, the County Courts Act 1984. There are other amendments not relevant to this Order.

(**d**) 1979 c.53, which was amended by sections 34 and 37 of, and paragraphs 2, 3 and 6 in Part II of Schedule 3 to, the Administration of Justice Act 1982 and section 148(1) of, and paragraph 71 in Part V of Schedule 2 to, the County Courts Act 1984. There are other amendments not relevant to this Order.

(**e**) Section 23 is amended by section 17(5) of, and paragraphs 1 and 10(1)(a) in Part 1 of Schedule 9 to, the Crime and Courts Act 2013 (c.22).

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