
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the High Court and County Courts Jurisdiction Order 1991 (“the 1991 Order”) by—

- (a) substituting “the County Court” for references to “a county court”, following the coming into force of section 17 of, and Schedule 9 to, the Crime and Courts Act 2013 (c.22) (“the 2013 Act”), which establishes a single County Court for England and Wales, replacing the structure of individual county courts for specific districts which previously exercised jurisdiction;
- (b) conferring jurisdiction on the County Court in respect of contentious probate proceedings where the net value of the deceased’s estate does not exceed £30,000, jurisdiction having previously been revoked by the 2013 Act;
- (c) increasing from £25,000 to £100,000 the sum below which a claim for money (except for personal injury claims) must be started in the County Court);
- (d) specifying that, in those cases where a company’s registered office is in the London insolvency district, winding up proceedings under the Insolvency Act 1986 (c.45) may only be commenced in the High Court (consequential amendments are also made to section 117 of the Insolvency Act 1986 (c.45));
- (e) specifying that proceedings under section 1 of the Variation of Trusts Act 1958 (c.62) and section 98 and Part 17 Chapter 10 (reduction of share capital) of the Companies Act 2006 (c.46), in respect of which the High Court and County Court previously had concurrent jurisdiction, may only be commenced and taken in the High Court (consequential amendments are also made to section 23 of the County Courts Act 1984 (c.28) and sections 98 and 641 of the Companies Act 2006 (c.46));
- (f) making further consequential amendments, including omitting references to patents county courts, following the coming into force of the 2013 Act; and
- (g) amending Part II of the Schedule to the 1991 Order by omitting references to the County Courts Jurisdiction Order 1981 (SI 1981/1123), which was revoked by SI 2014/503.