



# Courts Act 2003

## 2003 CHAPTER 39

### PART 8

#### MISCELLANEOUS

##### *Register of judgments etc. and execution of writs*

#### **98 Register of judgments and orders etc.**

- (1) A register is to be kept, in accordance with regulations, of—
  - (a) judgments entered in the High Court;
  - (b) judgments entered in [<sup>F1</sup>the county court];
  - (c) administration orders made under section 112 of the County Courts Act 1984 (c. 28) (power of county [<sup>F2</sup>court] to make administration orders);
  - (d) orders restricting enforcement made under section 112A of that Act (power of county [<sup>F2</sup>court] to restrict enforcement of debts in lieu of administration order);
  - (e) sums which are, for the purposes of the 1980 Act, sums adjudged to be paid by a conviction or order of a magistrates' court.
  - [<sup>F3</sup>(f) a decision or award of—
    - (i) the First-tier Tribunal,
    - (ii) the Upper Tribunal,
    - (iii) an employment tribunal, or
    - (iv) the Employment Appeal Tribunal,in pursuance of which any sum is payable.]
- (2) “Regulations” means regulations made by the Lord Chancellor for the purposes of this section.
- (3) The regulations may—
  - (a) provide for prescribed classes of judgments, orders[<sup>F4</sup>, decisions, awards] or adjudged sums to be exempt from registration;

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- (b) prescribe circumstances in which judgments, orders<sup>[F4]</sup>, decisions, awards] or adjudged sums (or classes of them) are to be exempt from registration;
  - (c) prescribe circumstances in which an entry in the register is to be cancelled;
  - (d) in the case of sums adjudged to be paid by conviction of a magistrates' court <sup>[F5]</sup> or in the case of sums payable in pursuance of decisions or awards of a tribunal mentioned in subsection (1)(f)], provide for sums to be registered only in prescribed circumstances or subject to prescribed conditions.
- (4) The Lord Chancellor may fix charges to be made for—
- (a) making information in an entry in the register available for inspection;
  - (b) carrying out an official search of the register;
  - (c) supplying a certified copy of information in an entry in the register.
- (5) The proceeds of those charges are to be applied in paying the expenses incurred in maintaining the register; and any surplus is to be paid into the Consolidated Fund.
- (6) If there is in force an agreement between the Lord Chancellor and a body corporate relating to the keeping by that body corporate of the register the register is to be kept by that body corporate.
- (7) If, under subsection (6), the register is kept by a body corporate—
- (a) the Lord Chancellor may recover from the body corporate any expenses incurred by the Lord Chancellor in connection with the supply of information to that body for the purposes of the register,
  - (b) subsection (4) applies as if it enabled the Lord Chancellor to fix the maximum charges to be made (instead of the charges to be made), and
  - (c) subsection (5) does not apply.
- (8) If subsection (6) ceases to apply to a body corporate as a result of the termination (for any reason) of the agreement, the Lord Chancellor may require the information contained in the entries in the register to be transferred to such person as he may direct.

#### Textual Amendments

- F1** Words in s. 98(1)(b) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 40\(a\)](#); S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F2** Word in s. 98(1)(c)(d) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 40\(c\)](#); S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F3** S. 98(1)(f) inserted (1.4.2009) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), ss. 48(1), 148(5), [Sch. 8 para. 55\(2\)](#); S.I. 2008/2696, [art. 6\(b\)\(ii\)](#) (with art. 3)
- F4** Words in s. 98(3)(a)(b) inserted (1.4.2009) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), ss. 48(1), 148(5), [Sch. 8 para. 55\(3\)\(a\)](#); S.I. 2008/2696, [art. 6\(b\)\(ii\)](#) (with art. 3)
- F5** Words in s. 98(3)(d) inserted (1.4.2009) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), ss. 48(1), 148(5), [Sch. 8 para. 55\(3\)\(b\)](#); S.I. 2008/2696, [art. 6\(b\)\(ii\)](#) (with art. 3)

#### Modifications etc. (not altering text)

- C1** S. 98 modified by 2006 c. 13, s. 18(1D) (as substituted (28.7.2014) by [Immigration Act 2014 \(c. 22\)](#), ss. 45, 75(3); S.I. 2014/1820, art. 3(q) (with art. 6))
- C2** S. 98 modified (1.12.2014 for specified purposes, 1.2.2016 for E. in so far as not already in force) by [Immigration Act 2014 \(c. 22\)](#), ss. 31(5)(a), 75(3) (with ss. 35, 36); S.I. 2014/2771, art. 6(1)(l); S.I. 2016/11, art. 2(l)

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- C3** S. 98 modified (temp. until 31.3.2022) (31.3.2015) by [The Passenger, Crew and Service Information \(Civil Penalties\) Regulations 2015 \(S.I. 2015/961\)](#), regs. 1(2), **8(5)(a)**
- C4** S. 98 modified (temp. until 31.3.2022) (31.3.2015) by [The Authority to Carry Scheme \(Civil Penalties\) Regulations 2015 \(S.I. 2015/957\)](#), regs. 1(2), **7(5)(a)**
- C5** S. 98 applied (temp. until 15.4.2022) (15.4.2015) by [The Aviation Security Act 1982 \(Civil Penalties\) Regulations 2015 \(S.I. 2015/930\)](#), reg. 1(2)(3), **8(5)(a)**
- C6** S. 98 modified (15.1.2018) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), **Sch. 10 para. 5(10)(a)**; S.I. 2017/1241, reg. 2(c) (with Sch.) (as amended by S.I. 2018/31, reg. 2)
- C7** S. 98 applied (10.5.2018) by [The Network and Information Systems Regulations 2018 \(S.I. 2018/506\)](#), regs. 1(1), **20(5)(a)** (with reg. 1(5)(6))
- C8** S. 98 modified (20.5.2018) by [The Motorcycles \(Type-Approval\) Regulations 2018 \(S.I. 2018/235\)](#), reg. 1(b), **Sch. 1 para. 8(5)(a)** (with reg. 1(c), Sch. 1 paras. 16, 17)
- C9** S. 98 modified (20.5.2018) by [The Agricultural and Forestry Vehicles \(Type-Approval\) Regulations 2018 \(S.I. 2018/236\)](#), reg. 1(b), **Sch. 1 para. 8(5)(a)** (with reg. 1(c), Sch. 1 paras. 16, 17)

#### Commencement Information

- I1** S. 98 partly in force at 6.4.2006; s. 98 not in force at Royal Assent see s. 110(1)(2); s. 98(1)(e)(2)(3)(c)(d)(4)-(8) in force at 26.1.2004 by [S.I. 2003/3345](#), **art. 2(c)(i)**; s. 98(1)(a)-(c)(3)(a)(b) in force at 6.4.2006 by [S.I. 2005/3518](#), **art. 3(a)**

## 99 High Court writs of execution

- (1) Schedule 7 contains provisions about High Court writs of execution [<sup>F6</sup>and about warrants issued in connection with the compulsory acquisition of land] .
- (2) Any rule of law requiring a writ of execution issued from the High Court to be directed to a sheriff is abolished.

#### Textual Amendments

- F6** Words in s. 99(1) inserted (1.4.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), **ss. 140(10)(a)**, 148; S.I. 2007/2709, **art. 5(a)**

#### Commencement Information

- I2** S. 99 wholly in force at 15.3.2004; s. 99 not in force at Royal Assent see s. 110(1)(2); s. 99 in force at 15.3.2004 by [S.I. 2004/401](#), **art. 2(a)** (with art. 3)

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