
STATUTORY INSTRUMENTS

1980 No. 397

County Courts (Northern Ireland) Order 1980

PART III

ORIGINAL CIVIL JURISDICTION

Jurisdiction by Agreement in, and Transfer of, Civil Proceedings

Agreement conferring original civil jurisdiction

23.—(1) Where by any provision of this Order or any other statutory provision the jurisdiction of county courts is limited by reference to any amount of money or value, or annual value, a county court shall, notwithstanding any such limitation but subject to paragraph (3), have jurisdiction to hear and determine any proceedings to which this Article applies.

(2) This Article does not apply to proceedings under section 57 of the Trustee Act (Northern Ireland) 1958 but, save as aforesaid, this Article applies to proceedings on foot of any contract or agreement being proceedings for a liquidated amount and—

- (a) which but for such limitation as aforesaid would be within the jurisdiction of a county court; and
- (b) as respects which the parties and their respective solicitors have entered into, signed and lodged in the Office before the commencement of the proceedings an agreement that a county court therein specified is to have jurisdiction.

(3) Where an agreement is lodged under paragraph (2) the county court judge may refuse to determine the proceedings to which it relates if in his opinion they involve an important question of law or fact properly triable in the High Court, and where he so refuses shall on the application of any party certify the reason for such refusal.

(4) In any action heard in a county court under this Article the county court shall have the like jurisdiction as the High Court as to the giving of any relief claimed, including (but without prejudice to the generality of this paragraph) the amount of damages that may be awarded.

Changes to legislation:

County Courts (Northern Ireland) Order 1980, Section 23 is up to date with all changes known to be in force on or before 07 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Instrument am (prosp) by [S.I. 1994/2795 \(N.I.\) art.3\(5\)Sch.1](#)