



Administration of Justice Act 1970

1970 CHAPTER 31

PART IV

ACTIONS BY MORTGAGEES FOR POSSESSION

37 Exclusive jurisdiction of county court in certain mortgage actions

- (1) Where a mortgage of land consists of or includes a dwelling-house and no part of the land is situated in Greater London or the county palatine of Lancaster, then, subject to subsection (2) below, if a county court has jurisdiction by virtue of section 48 of the County Courts Act 1959 or section 38 of this Act to hear and determine an action in which the mortgagee under that mortgage claims possession of the mortgaged property, no court other than a county court shall have jurisdiction to hear and determine that action.
- (2) This section shall not apply to an action for foreclosure or sale in which a claim for possession of the mortgaged property is also made.
- (3) Nothing in this section shall be taken as affecting the jurisdiction of any court to hear and determine an action which is pending in that court at the date on which this section comes into force.