



Administration of Justice Act 1977

1977 CHAPTER 38

PART II

ENGLAND AND WALES

Circuit judges and county courts

17 County court jurisdiction in respect of arbitrations

- (1) The following shall be substituted, in section 92 of the County Courts Act 1959 (power of judge to refer to arbitration), for subsections (1) and (2) and the words from the beginning of subsection (3) to "reference", in the first place where it occurs:—

“92 Reference to arbitration.

(1) County court rules—

- (a) may prescribe cases in which proceedings are (without any order of the court) to be referred to arbitration, and
- (b) may prescribe the manner in which and the terms on which cases are to be so referred, and
- (c) may, where cases are so referred, require other matters within the jurisdiction of the court in dispute between the parties also to be referred to arbitration.

(2) County court rules—

- (a) may prescribe cases in which proceedings may be referred to arbitration by order of the court, and
- (b) may authorise the court also to order other matters in dispute between the parties and within the jurisdiction of the court to be so referred.

(3) On a reference under subsection (1) or (2) above”.

- (2) Section 26 of the Arbitration Act 1950 (which provides for the enforcement of arbitration awards in the High Court) shall be re-numbered so as to become

Status: This is the original version (as it was originally enacted).

section 26(1) of that Act; and at the end of the resulting subsection (1) there shall be added as subsections (2) and (3):—

“(2) If—

- (a) the amount sought to be recovered does not exceed the current limit on jurisdiction in section 40 of the County Courts Act 1959, and
- (b) a county court so orders,

it shall be recoverable (by execution issued from the county court or otherwise) as if payable under an order of that court and shall not be enforceable under subsection (1) above.

- (3) An application to the High Court under this section shall preclude an application to a county court and an application to a county court under this section shall preclude an application to the High Court.”.