



Rent Act 1977

1977 CHAPTER 42

PART XI

GENERAL

Jurisdiction and procedure

141 County court jurisdiction.

- (1) A county court shall have jurisdiction, either in the course of any proceedings relating to a dwelling or on an application made for the purpose by the landlord or the tenant, to determine any question—
- (a) as to whether a tenancy is a protected tenancy or whether any person is a statutory tenant of a dwelling-house, . . . ^{F1} or
 - (b) as to the rent limit; or
 - (c) ^{F2}
 - (d) as to the application of Part V and sections 103 to 106 of this Act to a contract; or
 - (e) as to whether a protected, statutory or regulated tenancy is a protected, statutory or regulated furnished tenancy;
- or as to any matter which is or may become material for determining any such question.

(2) ^{F3}

- (3) A county court shall have jurisdiction to deal with any claim or other proceedings arising out of any of the provisions of this Act specified in subsection (5) below, notwithstanding that by reason of the amount of the claim or otherwise the case would not, apart from this subsection, be within the jurisdiction of a county court.

[^{F4}(4) If, under any of the provisions of this Act specified in subsection (5) below, a person takes proceedings in the High Court which he could have taken in the county court, he shall not be entitled to recover any costs.]

[^{F4}(5) The provisions referred to in subsections (3) and (4) above are—

Status: Point in time view as at 01/04/1993.

Changes to legislation: There are currently no known outstanding effects for the Rent Act 1977, Cross Heading: Jurisdiction and procedure. (See end of Document for details)

- (a) F5
 (b) in Part III, section 57;
 (c) Part VII, except sections 98(2) and 101;
 (d) in Part IX, sections 125 and 126;
 (e) in Part X, sections 133(1), 134 and 135; and
 (f) in this Part of this Act, sections 145 and 147.]

Textual Amendments

- F1** Words repealed by [Housing Act 1980 \(c. 51, SIF 61\)](#), **Sch. 26**
F2 [S. 141\(1\)\(c\)](#) repealed by [Housing Act 1980 \(c. 51, SIF 61\)](#), **Sch. 26**
F3 [Ss. 15\(6\), 17, 18\(3\)\(4\), 24\(1\)\(2\), 27–43, 50, 53, 67\(6\), 70\(5\), 76, 79\(4\), 86\(5\), 91, 92\(6\)\(7\), 108–113, 115, 117, 130, 133–135, 141\(2\), 155\(1\), Sch. 1 para. 8, Schs. 3, 4, 6, Sch. 7 para. 4, Sch. 10 para. 10, Sch. 11 paras. 13, 14 and 15–25, Sch. 13, Sch. 14 para. 6, Sch. 17 paras. 10, 11, Sch. 19, Sch. 20 paras. 1\(6\)\(7\), 4, Schs. 21, 22, Sch. 23 paras. 1, 4\(g\)–\(i\), 37, 38](#) repealed by [Housing Act 1980 \(c. 51, SIF 61\)](#), **Sch. 26**
F4 [S. 141\(4\)\(5\)](#) repealed (*prosp.*) by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\)](#), [ss. 123\(3\)\(4\), 125\(7\)](#), **Sch. 20**
F5 [S. 141\(5\)\(a\)](#) repealed by [Housing Act 1980 \(c. 51, SIF 61\)](#), **Sch. 26**

142 Rules as to procedure.

- (1) The Lord Chancellor may make such rules and give such directions as he thinks fit for the purpose of giving effect to the provisions of this Act and may, by those rules or directions, provide for the conduct so far as desirable in private of any proceedings for the purposes of those provisions and for the remission of any fees.
- (2) The power vested in the Lord Chancellor by subsection (1) above may, when the Great Seal is in commission, be exercised by any Lord Commissioner.
- (3) The power conferred by subsection (1) above shall not be exercisable in relation to the following provisions of this Act:—
 - (a) Part IV, except section 75(2);
 - (b) Part V;
 - (c) Part VI;
 - (d) sections 103 to 106, except subsection (4).
- (4) Any rules made under this section shall be contained in a statutory instrument.

Status:

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