



# Judicature (Northern Ireland) Act 1978

## 1978 CHAPTER 23

### PART IX

#### INFERIOR COURTS

##### *County courts*

#### 97 Civil jurisdiction exercisable by circuit registrars

- (1) After section 61 of the County Courts Act (Northern Ireland) 1959 there shall be inserted the following section—

**“61A Civil jurisdiction exercisable by circuit registrars.**

- (1) Subject to subsection (3), any action in which the amount claimed, or the value of specific chattels claimed, does not exceed £300 shall, save as otherwise provided by county court rules, be heard and determined by a circuit registrar in accordance with those rules.
- (2) Any order, decision or determination made by a circuit registrar by virtue of subsection (1) shall for all purposes (including the right of appeal) have the like effect as a decree pronounced by a judge and shall be embodied in a decree accordingly.
- (3) Where in any action to which subsection (1) applies the amount claimed, or the value of specific chattels claimed, does not exceed £200 the circuit registrar shall, save as otherwise provided by county court rules, deal with the claim by way of arbitration in accordance with those rules.
- (4) Save as otherwise provided by county court rules, no costs shall be awarded in connection with an action which, in accordance with subsection (3), is dealt with by way of arbitration.

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*Status: This is the original version (as it was originally enacted).*

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- (5) In its application to an arbitration under subsection (3) the Arbitration Act (Northern Ireland) 1937 shall have effect with such modifications as may be prescribed by county court rules.
  - (6) References in subsections (1) and (3) to an amount claimed include references to a balance claimed in the circumstances mentioned in section 10(1)(a) (b) and (c).
  - (7) The power conferred by Article 8(2)(a) of the Administration of Justice (Northern Ireland) Order 1975 on the Lord Chancellor, after consultation with the Lord Chief Justice, by order to increase the sum specified in any of the statutory provisions set out in column 1 of Schedule 1 to that Order shall include power so to increase the sums specified in subsections (1) and (3).”
- (2) Her Majesty may by Order in Council—
- (a) direct that sections 71(1), (2) and (3), 76(1)(a) and 82(3) of the Magistrates' Courts Act (Northern Ireland) 1964 (which impose financial limits on the jurisdiction of courts of summary jurisdiction in debt and ejection proceedings) shall have effect with the substitution for the sums for the time being specified in those provisions of such higher sums as may be specified in the Order;
  - (b) abolish any civil jurisdiction exercisable by courts of summary jurisdiction;
  - (c) confer on circuit registrars any civil jurisdiction additional to that for the time being exercisable by them under or by virtue of any statutory provision.
- (3) An Order in Council under subsection (2) may make such incidental, consequential, transitional or supplementary provisions (including the amendment or repeal of any statutory provision) as appear to Her Majesty to be necessary or proper for giving full effect to the provisions of the Order.
- (4) No recommendation shall be made to Her Majesty in Council to make an Order under subsection (2) unless a draft of the Order has been approved by resolution of each House of Parliament.