



Administration of Justice Act 1982

1982 CHAPTER 53

PART V

COUNTY COURTS

29—^{F1}
33.

Textual Amendments

F1 Ss. 29–33, 36 repealed by County Courts Act 1984 (c. 28, SIF 34), s. 148(3), Sch. 4

34 Transfers from High Court to county court.

(1) The following section shall be substituted for section 139 of the County Courts Act 1959—

“139 Enforcement in county court of judgments and orders of High Court.

A judgment or order of the High Court for the payment of money to a person, and any judgment, order, decree or award (however called) of any court or arbitrator (including any foreign court or foreign arbitrator) being a judgment, order, decree or award for the payment of money to a person which is or has become enforceable (whether wholly or to a limited extent) as if it were a judgment or order of the High Court shall be enforceable in the county court as if it were a judgment of that court.”

(2) In section 148 of that Act (administration orders)—

(a) in subsection (1)—

(i) the words “in a county court” shall cease to have effect; and

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1982, Part V. (See end of Document for details)

- (ii) for the words “that court” there shall be substituted the words “ a county court ”; and
- (b) subsection (2) shall cease to have effect.
- (3) In section 1(2)(c) of the ^{M1}Charging Orders Act 1979 (by virtue of which certain High Court orders for an amount exceeding £5,000 must be enforced in the High Court) after the words “High Court” in the second place where they occur, there shall be inserted the words “ or a county court ”.

Modifications etc. (not altering text)

C1 The text of s. 4, 6(1)(2), 14(1)(2)(4), 15(1)(3)(6), 16–19, 28(7), 34, 35, 49–54, 56–59, 61, 63–67, 69(1)(2), 70, 72(1), 75, Sch. 1 Pts. I, III, IV, Sch. 3 Pt. III para. 7, Sch. 4 Pt. I, Sch. 6 paras. 2–9, Sch. 7 Pts. I, II, Sch. 7 Pt. III paras 2, 3, Sch. 8, Sch. 9 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M1 1979 c. 53.

35 Transfers from county court to High Court.

The following shall be inserted after section 139 of the ^{M2}County Courts Act 1959—

“139A Enforcement of High Court judgments and orders of county courts

- (1) If—
- (a) a judgment or order for the payment of a sum of money has been given or made by a county court; and
 - (b) an amount in respect of that sum exceeding the amount for the time being specified for the purposes of this section by an order under subsection (3) of this section has become recoverable by execution,
- the judgment or order may, subject to rules of court, be transferred to the High Court.
- (2) A judgment or order transferred to the High Court by virtue of subsection (1) above may be enforced in the High Court as if it were a judgment or order of that court and shall be treated as a judgment or order of the High Court for all purposes except—
- (a) that powers to set aside, correct, vary or quash a judgment or order of a county court shall continue to be exercisable in relation to it and powers to set aside, correct, vary or quash a judgment or order of the High Court shall not be exercisable; and
 - (b) that enactments relating to appeals from a judgment or order of a county court shall continue to apply to it and enactments relating to appeals from a judgment or order of the High Court shall not apply.
- (3) The Lord Chancellor may by order specify an amount for the purposes of subsection (1) of this section; and any such order may specify different amounts for different descriptions of judgment or order.

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Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1982, Part V. (See end of Document for details)

- (4) An order under subsection (3) of this section shall be made by statutory instrument and shall be subject to annulment in pursuance of a resolution of either House of Parliament.”.

Modifications etc. (not altering text)

C2 The text of s. 4, 6(1)(2), 14(1)(2)(4), 15(1)(3)(6), 16–19, 28(7), 34, 35, 49–54, 56–59, 61, 63–67, 69(1)(2), 70, 72(1), 75, Sch. 1 Pts. I, III, IV, Sch. 3 Pt. III para. 7, Sch. 4 Pt. I, Sch. 6 paras. 2–9, Sch. 7 Pts. I, II, Sch. 7 Pt. III paras 2, 3, Sch. 8, Sch. 9 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M2 1959 c. 22.

36 F2

Textual Amendments

F2 Ss. 29–33, 36 repealed by County Courts Act 1984 (c. 28, SIF 34), s. 148(3), Sch. 4

37 Limits of county court jurisdiction.

The enactments specified in Schedule 3 to this Act shall have effect subject to the amendments specified in that Schedule, being amendments to restate the limits of county court jurisdiction and to provide for the raising of those limits.

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Administration of Justice Act 1982, Part V.