

Status: Point in time view as at 06/03/1992.

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1982, Cross Heading: Interest on debts and damages. (See end of Document for details)

SCHEDULES

SCHEDULE 7

INTEREST ON DEBTS AND DAMAGES—NORTHERN IRELAND

PART II

ARTICLE INSERTED IN COUNTY COURTS NORTHERN IRELAND) ORDER 1980

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 III paras 2, 3, Sch. 8, Sch. 9 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Interest on debts and damages

- 45A (1) Subject to county court rules, in proceedings (whenever instituted) before a county court for the recovery of a debt or damages there may be included in any sum for which judgment is given simple interest, at such rate as the court thinks fit or as county court rules may provide, on all or any part of the debt or damages in respect of which judgment is given, or payment is made before judgment, for all or any part of the period between the date when the cause of action arose and—
- (i) in the case of any sum paid before judgment, the date of the payment; and
 - (ii) in the case of the sum for which judgment is given, the date of the judgment.
- (2) Subject to county court rules, where—
- (a) there are proceedings (whenever instituted) before a county court for the recovery of a debt; and
 - (b) the defendant pays the whole debt to the plaintiff (otherwise than in pursuance of a judgment in the proceedings).
- the defendant shall be liable to pay the plaintiff simple interest at such rate as the court thinks fit or as county court rules may provide on all or any part of the debt for all or any part of the period between the date when the cause of action arose and the date of the payment.
- (3) Interest in respect of a debt shall not be awarded under this Article for a period during which, for whatever reason, interest on the debt already runs.
- (4) Interest under this Article may be calculated at different rates in respect of different periods.

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- (5) In this Article “plaintiff” means the person seeking the debt or damages and “defendant” means the person from whom the plaintiff seeks the debt or damage.
- (6) Nothing in this Article affects the damages recoverable for the dishonour of a bill of exchange.

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