



County Courts Act 1984

1984 CHAPTER 28

PART III

PROCEDURE

Judgments and orders.

74 Interest on judgment debts etc.

- (1) The Lord Chancellor may by order made with the concurrence of the Treasury provide that any sums to which this subsection applies shall carry interest at such rate and between such times as may be prescribed by the order.
- (2) The sums to which subsection (1) applies are—
 - (a) sums payable under judgments or orders given or made in [F¹the county court] , including sums payable by instalments; and
 - (b) sums which by virtue of any enactment are, if the county court so orders, recoverable as if payable under an order of that court, and in respect of which the county court has so ordered.
- (3) The payment of interest due under subsection (1) shall be enforceable as a sum payable under the judgment or order.
- (4) The power conferred by subsection (1) includes power—
 - (a) to specify the descriptions of judgment or order in respect of which interest shall be payable;
 - (b) to provide that interest shall be payable only on sums exceeding a specified amount;
 - (c) to make provision for the manner in which and the periods by reference to which the interest is to be calculated and paid;
 - (d) to provide that any enactment shall or shall not apply in relation to interest payable under subsection (1) or shall apply to it with such modifications as may be specified in the order; and

Changes to legislation: County Courts Act 1984, Section 74 is up to date with all changes known to be in force on or before 14 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (e) to make such incidental or supplementary provisions as the Lord Chancellor considers appropriate.
- (5) Without prejudice to the generality of subsection (4), an order under subsection (1) may provide that the rate of interest shall be the rate specified in section 17 of the ^{M1}Judgments Act 1838 as that enactment has effect from time to time.
- ^{F2}[(5A) The power conferred by subsection (1) includes power to make provision enabling [^{F1}the county court] to order that the rate of interest applicable to a sum expressed in a currency other than sterling shall be such rate as the court thinks fit (instead of the rate otherwise applicable).]
- [^{F3}(5B) This section applies in relation to the family court as it applies in relation to the county court.]
- (6) The power to make an order under subsection (1) shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F1** Words in ss. 36-147 substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 10\(1\)\(b\)](#); S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F2** S. 74(5A) inserted (1.11.1996) by [1995 c. 42, s.2](#); S.I. 1996/2515, [art.2](#)
- F3** S. 74(5B) inserted (4.7.2014) by [The Crime and Courts Act 2013 \(County Court and Family Court Consequential Provision\) Order 2014 \(S.I. 2014/1773\)](#), arts. 1, [2](#)

Modifications etc. (not altering text)

- C1** S. 74: power to exclude conferred (26.4.1999) by S.I. 1998/3132, [rule 47.8\(3\)\(ii\)](#), [47.14\(5\)\(ii\)](#)
- C2** S. 74 applied (with modifications) (1.7.2013) by [The Tribunal Procedure \(First-tier Tribunal\) \(Property Chamber\) Rules 2013 \(S.I. 2013/1169\)](#), rules [1\(1\)](#), [13\(8\)](#) (with rule 2)
- C3** S. 74 applied (with modifications) by S.I. 2010/2600, rule 51A (as inserted (1.7.2013) by [The Tribunal Procedure \(Amendment No. 3\) Rules 2013 \(S.I. 2013/1188\)](#), rules [1](#), [8](#) (with rule 10))
- C4** S. 74 applied (with modifications) (20.10.2014) by [The Tribunal Procedure \(First-tier Tribunal\) \(Immigration and Asylum Chamber\) Rules 2014 \(S.I. 2014/2604\)](#), [rule 9\(9\)\(a\)](#)

Marginal Citations

- M1** [1838 c. 110](#).

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 6A inserted by [2007 c. 15 s. 107\(1\)](#) (This affecting provision is amended (22.4.2014) by [2013 c. 22, Sch. 9 paras. 10\(53\), 48](#); [S.I. 2014/954, art. 2\(c\)](#))
- s. 60A inserted by [2007 c. 29 s. 191](#)
- s. 60A(2) words substituted by [2013 c. 22 Sch. 9 para. 10\(17\)](#) (Effect not applied as s. 60A has not been brought into force)
- s. 60A(3)(b) words substituted by [S.I. 2022/1166 reg. 10\(2\)\(a\)\(ii\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- s. 60A(3)(aa) inserted by [S.I. 2022/1166 reg. 10\(2\)\(a\)\(i\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- s. 60A(3)(bb) inserted by [S.I. 2022/1166 reg. 10\(2\)\(a\)\(iii\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- s. 60A(3)(cc) inserted by [S.I. 2022/1166 reg. 10\(2\)\(a\)\(iv\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- s. 60A(7) words inserted by [S.I. 2022/1166 reg. 10\(2\)\(b\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- s. 60A(7) words substituted by [S.I. 2010/844 Sch. 2 para. 2](#) (Effect not applied as s. 60A has not been brought into force)
- s. 112A112B inserted by [1990 c. 41 s. 13\(5\)](#)