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STATUTORY INSTRUMENTS

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**1991 No. 724**

**The High Court and County Courts Jurisdiction Order 1991**

**Jurisdiction**

2.—(1) A county court shall have jurisdiction under—

- (a) sections <sup>F1</sup>... 146 and 147 of the Law of Property Act 1925 <sup>M1</sup>,
- <sup>F2</sup>(b) .....
- (c) section 26 of the Arbitration Act 1950 <sup>M2</sup>,
- (d) section 63(2) of the Landlord and Tenant Act 1954 <sup>M3</sup>,
- (e) section 28(3) of the Mines and Quarries (Tips) Act 1969 <sup>M4</sup>,
- (f) section 66 of the Taxes Management Act 1970 <sup>M5</sup>,
- (g) section 41 of the Administration of Justice Act 1970 <sup>M6</sup>,
- <sup>F3</sup>(h) .....
- (i) section 13 of the Torts (Interference with Goods) Act 1977 <sup>M7</sup>,
- (j) section 87 of the Magistrates' Courts Act 1980 <sup>M8</sup>,
- (k) sections 19 and 20 of the Local Government Finance Act 1982 <sup>M9</sup>,
- (l) sections 15, 16, 21, 25 and 139 of the County Courts Act 1984 <sup>M10</sup>,
- (m) section 39(4) of, and paragraph 3(1) of Schedule 3 to, the Legal Aid Act 1988 <sup>M11</sup>,
- (n) sections 99, 102(5), 114, 195, 204, 230, 231 and 235(5) of the Copyright, Designs and Patents Act 1988 <sup>M12</sup>, <sup>F4</sup>...
- (o) section 40 of the Housing Act 1988 <sup>M13</sup>, [<sup>F5</sup>and
- (p) sections 13 and 14 of the Trusts of Land and Appointment of Trustees Act 1996,]
- <sup>F6</sup>(q) the EOP Regulation,
- (r) the ESCP Regulation,]

whatever the amount involved in the proceedings and whatever the value of any fund or asset connected with the proceedings [<sup>F7</sup>except as provided in relation to a patents county court by article 3 of the Patents County Court (Financial Limits) (No.2) Order 2011].

(2) A county court shall have jurisdiction under—

- (a) section 10 of the Local Land Charges Act 1975 <sup>M14</sup>, and
- (b) section 10(4) of the Rentcharges Act 1977 <sup>M15</sup>,

where the sum concerned or amount claimed does not exceed £5,000.

(3) A county court shall have jurisdiction under the following provisions of the Law of Property Act 1925 <sup>M16</sup> where the capital value of the land or interest in land which is to be dealt with does not exceed £30,000:

- (a) sections 3, 49, 66, 181, and 188;

- (b) proviso (iii) to paragraph 3 of Part III of Schedule 1;
- (c) proviso (v) to paragraph 1(3) of Part IV of Schedule 1;
- (d) provisos (iii) and (iv) to paragraph 1(4) of Part IV of Schedule 1.

(4) A county court shall have jurisdiction under sections 89, 90, 91 and 92 of the Law of Property Act 1925 <sup>M17</sup> where the amount owing in respect of the mortgage or charge at the commencement of the proceedings does not exceed £30,000.

(5) A county court shall have jurisdiction under the proviso to section 136(1) of the Law of Property Act 1925 <sup>M18</sup> where the amount or value of the debt or thing in action does not exceed £30,000.

(6) A county court shall have jurisdiction under section 1(6) of the Land Charges Act 1972 <sup>M19</sup>—

- (a) in the case of a land charge of Class C(i), C(ii) or D(i), if the amount does not exceed £30,000;
- (b) in the case of a land charge of Class C(iii), if it is for a specified capital sum of money not exceeding £30,000 or, where it is not for a specified capital sum, if the capital value of the land affected does not exceed £30,000;
- (c) in the case of a land charge of Class A, Class B, Class C(iv), Class D(ii), Class D(iii) or Class E, if the capital value of the land affected does not exceed £30,000;
- (d) in the case of a land charge of Class F, if the land affected by it is the subject of an order made by the court under section 1 of the Matrimonial Homes Act 1983 <sup>M20</sup> or an application for an order under that section relating to that land has been made to the court;
- (e) in a case where an application under section 23 of the Deeds of Arrangement Act 1914 <sup>M21</sup> could be entertained by the court.

(7) A county court shall have jurisdiction under sections 69, 70 and 71 of the Solicitors Act 1974 <sup>M22</sup> where a bill of costs relates wholly or partly to contentious business done in a county court and the amount of the bill does not exceed £5,000.

[<sup>F8</sup>(7A) A patents county court and the county courts listed in paragraph (7B) shall have jurisdiction under the following provisions of the Trade Marks Act 1994—

- (a) sections 15, 16, 19, 23(5), 25(4)(b), 30, 31, 46, 47, 64, 73 and 74;
- (b) paragraph 12 of Schedule 1; and
- (c) paragraph 14 of Schedule 2,

to include jurisdiction to hear and determine any claims or matters ancillary to, or arising from proceedings brought under such provisions.

(7B) For the purposes of paragraph (7A), the county courts at—

- (a) Birmingham;
- (b) Bristol;
- (c) Cardiff;
- (d) Leeds;
- (e) Liverpool;
- (f) Manchester; and
- (g) Newcastle upon Tyne,

shall have jurisdiction.]

(8) The enactments and statutory instruments listed in the Schedule to this Order are amended as specified therein, being amendments which are consequential on the provisions of this article.

### Textual Amendments

- F1** Word in art. 2(1)(a) omitted (1.1.1997) by virtue of [The High Court and County Courts Jurisdiction \(Amendment\) Order 1996 \(S.I. 1996/3141\)](#), arts. 1(1)(a), **2(1)**
- F2** Art. 2(1)(b) omitted (1.4.2005) by virtue of [The High Court and County Courts Jurisdiction \(Amendment\) Order 2005 \(S.I. 2005/587\)](#), arts. 1, **3(a)**
- F3** Art. 2(1)(h) revoked (6.4.2009) by [The High Court and County Courts Jurisdiction \(Amendment\) Order 2008 \(S.I. 2008/2934\)](#), arts. 1(5), **4**
- F4** Word in art. 2(1)(n) omitted (1.1.1997) by virtue of [The High Court and County Courts Jurisdiction \(Amendment\) Order 1996 \(S.I. 1996/3141\)](#), arts. 1(1)(a), **2(2)**
- F5** Art. 2(1)(p) and word inserted (1.1.1997) by [The High Court and County Courts Jurisdiction \(Amendment\) Order 1996 \(S.I. 1996/3141\)](#), arts. 1(1)(a), **2(3)**
- F6** Art. 2(1)(q)(r) inserted (12.12.2008 for specified purposes, 1.1.2009 in so far as not already in force) by [The High Court and County Courts Jurisdiction \(Amendment\) Order 2008 \(S.I. 2008/2934\)](#), art. 1(3)(4), **5**
- F7** Words in art. 2(1) inserted (1.10.2011) by [The Patents County Court \(Financial Limits\) \(No. 2\) Order 2011 \(S.I. 2011/2222\)](#), arts. 1, **5** (with art. 4)
- F8** Art. 2(7A)(7B) inserted (1.4.2005) by [The High Court and County Courts Jurisdiction \(Amendment\) Order 2005 \(S.I. 2005/587\)](#), arts. 1, **3(b)**

### Marginal Citations

- M1** 15 & 16 Geo. 5 c.20; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and Part II of Schedule 2.
- M2** 14 Geo. 6 c.27; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and paragraph 22 of Schedule 2.
- M3** 2 & 3 Eliz. 2 c.56; relevant amendments were made by the [Administration of Justice Act 1973 \(c.15\)](#), [section 6](#) and Part I of Schedule 2.
- M4** 1969 c.10; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and paragraph 35 of Schedule 2.
- M5** 1970 c.9; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and paragraph 36 of Schedule 2.
- M6** 1970 c.31; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and paragraph 38 of Schedule 2.
- M7** 1977 c.32; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and paragraph 66 of Schedule 2.
- M8** 1980 c.43; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and paragraph 73 of Schedule 2.
- M9** 1982 c.32.
- M10** 1984 c.28.
- M11** 1988 c.34.
- M12** 1988 c.48.
- M13** 1988 c.50.
- M14** 1975 c.76; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and paragraph 57 of Schedule 2.
- M15** 1977 c.30; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and paragraph 63 of Schedule 2.
- M16** 15 & 16 Geo. 5 c.20; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and Part II of Schedule 2.
- M17** 15 & 16 Geo. 5 c.20; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and Part II of Schedule 2.
- M18** 15 & 16 Geo. 5 c.20; relevant amendments were made by the [County Courts Act 1984 \(c.28\)](#), [section 148\(1\)](#) and Part II of Schedule 2.

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*Status: Point in time view as at 01/10/2011. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the The High Court and County Courts Jurisdiction Order 1991, Section 2. (See end of Document for details)*

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- M19** 1972 c.61; relevant amendments were made by the County Courts Act 1984 (c.28), **section 148(1)** and Part IV of Schedule 2.
- M20** 1983 c.19.
- M21** 4 & 5 Geo. 5 c.47.
- M22** 1974 c.47; relevant amendments were made by the Administration of Justice Act 1982 (c.53), **section 37** and Part II of Schedule 3, and by the County Courts Act 1984 (c.28), **section 148(1)** and paragraph 50 of Schedule 2.

**Status:**

Point in time view as at 01/10/2011. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The High Court and County Courts Jurisdiction Order 1991, Section 2.