
STATUTORY INSTRUMENTS

1993 No. 2131 (L.19)

COUNTY COURTS

APPEALS

The County Court Appeals (Amendment) Order 1993

Made - - - - *30th July 1993*
Laid before Parliament *8th September 1993*
Coming into force - - *1st October 1993*

The Lord Chancellor, in exercise of the powers conferred on him by section 77(2) of the County Courts Act 1984⁽¹⁾ hereby makes the following Order:—

1. This Order may be cited as the County Court Appeals (Amendment) Order 1993 and shall come into force on 1st October 1993.

2. Article 2 of the County Court Appeals Order 1991⁽²⁾ shall be amended as follows:

(a) for paragraph (2)(a), there shall be substituted the following—

“(a) in proceedings to which paragraph (3) applies, the value of the claim or the counterclaim, according to which is the subject of the appeal;”;

(b) after paragraph (2) there shall be inserted the following new paragraph—

“(2A) Where a party wishes to appeal against two or more parts of the determination in question, and leave to appeal would be required in respect of any of those parts, leave to appeal shall be required for the whole of the appeal.”.

30th July 1993

Mackay of Clashfern, C

(1) 1984 c. 28; section 77 was amended by the Courts and Legal Services Act 1990 (c. 41), Schedule 17, paragraph 15.

(2) S.I.1991/1877.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the County Court Appeals Order 1991 which prescribes classes of proceedings in which there is no right of appeal except with the leave of the judge of the county court or of the Court of Appeal.

Article 2(a) alters the meaning of “value of appeal” in relation to the proceedings to which article 2(3) of the Order applies, which include claims in tort, contract and money claims under statute. The value of the appeal is taken to be either the value of the claim or the value of the counterclaim, according to which is the subject of the appeal, rather than which is the larger.

Article 2(b) provides that, where leave would be required for any part of the decision appealed from, leave will be needed for the whole of the appeal.