
STATUTORY INSTRUMENTS

1995 No. 206 (L.2)

COUNTY COURTS

The County Court Remedies (Amendment) Regulations 1995

Made - - - - - *31st January 1995*

Coming into force - - - - - *1st February 1995*

The Lord Chancellor, in exercise of the powers conferred on him by section 38 of the County Courts Act 1984⁽¹⁾, hereby makes the following Regulations, a draft of which has, in accordance with section 38(7) of that Act, been laid before and approved by resolution of each House of Parliament:—

1. These Regulations may be cited as the County Court Remedies (Amendment) Regulations 1995 and shall come into force on the day after the day on which they are made.

2. Regulation 3 of the County Court Remedies Regulations 1991⁽²⁾ shall be amended as follows—

(a) in paragraph (3)—

(i) at the end of sub-paragraph (b), the word “or” shall be omitted;

(ii) at the end of sub-paragraph (c) there shall be inserted the word “or”; and

(iii) after sub-paragraph (c) there shall be inserted the following new sub-paragraph—

“(d) where the proceedings are to be or are included in the Central London County Court Business List and the application is made to a Circuit judge nominated by the Senior Presiding Judge.”;

(b) after paragraph (3) there shall be inserted the following new paragraph—

“(3A) In paragraph (3)(d)—

‘the Central London County Court Business List’ means the business list established at the Central London County Court by Order 48C of the County Court Rules 1981⁽³⁾; and

‘the Senior Presiding Judge’ means the judge appointed as such under section 72(2) of the Courts and Legal Services Act 1990⁽⁴⁾.”.

(1) 1984 c. 28; section 38 was substituted by the Courts and Legal Services Act 1990 (c. 41), section 3.

(2) S.I.1991/1222.

(3) S.I. 1981/1687; Order 48C was inserted by S.I. 1994/1288.

(4) 1990 c. 41.

Status: This is the original version (as it was originally made).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

Dated 31st January 1995

Mackay of Clashfern, C.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the County Court Remedies Regulations 1991 so as to provide that, where proceedings are to be or are included in the Central London County Court Business List, a Circuit judge nominated by the Senior Presiding Judge may grant an interlocutory injunction (commonly known as a Mareva injunction) restraining a party from removing assets from the jurisdiction of the High Court or dealing with assets.