
STATUTORY INSTRUMENTS

1980 No. 397

County Courts (Northern Ireland) Order 1980

PART III

ORIGINAL CIVIL JURISDICTION

Equity Jurisdiction

Jurisdiction in equity matters

14. Without prejudice to any other provision of this Order, a county court shall have the like jurisdiction as the High Court to hear and determine any of the following proceedings, that is to say—

- (a) any suit for the administration of the estate of a deceased person where the estate so far as it consists of property other than land does not exceed^[F1] £45,000] in amount or value and so far as it consists of land does not exceed^[F2] the relevant valuation limits];
- (b) any suit for the administration of any trust (including a charitable trust) where the trust estate or fund so far as it consists of property other than land does not exceed^[F1] £45,000] in amount or value and so far as it consists of land does not exceed^[F2] the relevant valuation limits] ;
- (c) any suit for possession, sale or redemption of, or for enforcing any mortgage, charge or lien whatsoever upon, lands not exceeding^[F2] the relevant valuation limits];
- (d) any suit for the specific performance of an agreement for the sale, purchase or letting of any lands, or for the rectification, delivering up or cancelling of any such agreement, where as respects a sale the purchase money does not exceed^[F1] £45,000] or as respects a letting ^[F3]the value] of the land does not exceed^[F4]the relevant valuation limits];
- (e) any suit for relief against fraud or mistake, where the damage sustained or the value of the subject matter of the suit so far as it consists of property other than land does not exceed^[F1] £45,000] or ^[F3]the value] of such subject matter so far as it consists of land does not exceed^[F4]the relevant valuation limits];
- (f) any suit for the taking of any partnership account or for the dissolution or winding up of any partnership (whether or not the existence of the partnership is in dispute) where the whole assets of the partnership do not exceed^[F1] £45,000] in amount or value;
- (g) any proceedings for the partition of land not exceeding^[F2] the relevant valuation limits];
- (h) any proceedings by a landlord against a tenant to restrain waste (whether or not an account is sought) where the holding does not exceed^[F2] the relevant valuation limits];
- (i) any proceedings under the Settled Land Acts 1882 to 1890, where the property the subject thereof does not exceed in capital value^[F1] £45,000]^[F5].....;
- (j) applications under section 17 of the Married Women's Property Act 1882 ^[F6] or section 191 of the Civil Partnership Act 2004], irrespective of the value of the property in dispute;

Changes to legislation: County Courts (Northern Ireland) Order 1980, Cross Heading: Equity
 Jurisdiction is up to date with all changes known to be in force on or before 28 May 2023. 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

- (k) any proceedings under the Trustee Act (Northern Ireland) 1958 , where the trust property to which the proceedings relate so far as it consists of property other than land does not exceed^[F1] £45,000] in amount or value and so far as it consists of land does not exceed^[F2] the relevant valuation limits] ;
- (l) any proceedings relating to the maintenance or advancement or for the protection of the property of an infant where such property so far as it consists of property other than land does not exceed^[F1] £45,000] in amount or value and so far as it consists of land does not exceed^[F2] the relevant valuation limits];
- (m) any application by a person claiming to be interested under a deed, will or other written instrument, for the determination of any question of construction arising thereunder, and for a declaration of the rights of the persons interested, where the property to which the application relates so far as it consists of property other than land does not exceed^[F1] £45,000] in amount or value and so far as it consists of land does not exceed^[F2] the relevant valuation limits]
- (n) any such application or proceeding as is referred to in section 43(2) of the Administration of Estates Act (Northern Ireland) 1955 .

^[F7]and for the purposes of this Article—

- (aa) “the relevant valuation limits” means where the land has a net annual value, £4,060 and where the land has a capital value, £400,000;
- (bb) “value” means net annual value or, as the case may be, capital value.]

F1 SR 1993/282

F2 Words in art. 14(a)(b)(c)(g)(h)(k)(l)(m) substituted (1.4.2007) by Rates (Consequential Provisions) Order (Northern Ireland) 2007 (S.R. 2007/192), art. 2(1), **Sch. 1 para. 4(f)(i)**

F3 Words in art. 14(d)(e) substituted (1.4.2007) by Rates (Consequential Provisions) Order (Northern Ireland) 2007 (S.R. 2007/192), art. 2(1), **Sch. 1 para. 4(f)(ii)(aa)**

F4 Words in art. 14(d)(e) substituted (1.4.2007) by Rates (Consequential Provisions) Order (Northern Ireland) 2007 (S.R. 2007/192), art. 2(1), **Sch. 1 para. 4(f)(ii)(bb)**

F5 Words in art. 14(i) omitted (1.4.2007) by virtue of Rates (Consequential Provisions) Order (Northern Ireland) 2007 (S.R. 2007/192), art. 2(1), **Sch. 1 para. 4(f)(iii)**

F6 2004 c. 33

F7 Words in art. 14 substituted (1.4.2007) by Rates (Consequential Provisions) Order (Northern Ireland) 2007 (S.R. 2007/192), art. 2(1), **Sch. 1 para. 4(f)(iv)**

Changes to legislation:

County Courts (Northern Ireland) Order 1980, Cross Heading: Equity Jurisdiction is up to date with all changes known to be in force on or before 28 May 2023. 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.

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Changes and effects yet to be applied to :

- Instrument am (prosp) by [S.I. 1994/2795 \(N.I.\) art.3\(5\)Sch.1](#)