
STATUTORY INSTRUMENTS

1980 No. 397

County Courts (Northern Ireland) Order 1980

PART III

ORIGINAL CIVIL JURISDICTION

Funds in Court

Lodgment in court of legacies, etc., of infants and absentees

18. Where—

- (a) a person who under a decree becomes entitled to a legacy or any sum of money or securities, is an infant or is out of the United Kingdom; or
- (b) the court is satisfied that the address of any person so entitled cannot be ascertained without undue expense or delay;

the court may order that the legacy, sum or securities be lodged, in accordance with rules made under section 82 of the Judicature (Northern Ireland) Act 1978 , either in the High Court or in the county court.

Payment into court under Trustee Act

19. Subject to rules made under section 82 of the Judicature (Northern Ireland) Act 1978 , a county court shall have the like jurisdiction as the High Court under section 63 of the Trustee Act (Northern Ireland) 1958 , to receive lodgments of money or securities in the hands or under the control of trustees where the amount or value thereof does not exceed^[F1] £45,000], and the said section 63 shall have effect accordingly.

F1 SR 1993/282

Payment into court in administration suits, etc.

20.—(1) In any proceedings for the administration of or otherwise relating to the estate of a deceased person, or relating to any money or securities, in the hands or under the control of trustees, the court may at any time order money or securities to be lodged in court in accordance with rules made under section 82 of the Judicature (Northern Ireland) Act 1978.

(2) Paragraph (1) shall not prejudice or affect the operation of sections 38(5) and 43(2) of the Administration of Estates Act (Northern Ireland) 1955 , or any other statutory provision authorising the lodgment of any moneys in a county court.

Changes to legislation: County Courts (Northern Ireland) Order 1980, Cross Heading: Funds in Court is up to date with all changes known to be in force on or before 14 June 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

Transfer to county court of money recovered in High Court by infants, etc.

21.—(1) Where in any cause or matter in the High Court money is in any manner recovered by or on behalf of, or adjudged or ordered to be paid to or for the benefit of, a person who is an infant or of unsound mind, the High Court may order the money or any part thereof to be paid into or transferred to [F2such] county court as the High Court may order.

(2) On the making of any such order, the money or the part thereof to which the order relates shall be paid or transferred according to the order, and shall, subject to any special order or direction of the High Court and to rules made under section 82 of the Judicature (Northern Ireland) Act 1978 be invested, applied or otherwise dealt with for the benefit of the person to whom the order relates in such manner as the county court in its discretion thinks fit.

F2 Word in art. 21(1) substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 80(7) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)

Changes to legislation:

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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](#)