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SCHEDULES

SCHEDULE 2

AMENDMENTS OF OTHER ENACTMENTS

PART V

MISCELLANEOUS AMENDMENTS

19 F1

Textual Amendments

F1 Sch. 2 Pt. V para. 19 repealed by [Insolvency Act 1985 \(c. 65, SIF 66\)](#), s. 235, [Sch. 10](#)

Settled Land Act 1925 (c. 18)

20 In section 113 of the Settled Land Act 1925 (jurisdiction and procedure)—

(a) for subsection (3) there shall be substituted the following—

“(3) The powers of the court may, as regards land not exceeding in capital value the county court limit, or in net annual value for rating the county court limit, and, as regards capital money arising under this Act, and securities in which the same is invested, not exceeding in amount or value the county court limit, and as regards personal chattels settled or to be settled, as in this Act mentioned, not exceeding the county court limit, be exercised by any county court. Section 147(2) and (3) of the County Courts Act 1984 (construction of references to net annual value for rating) shall apply for the purposes of this subsection as it applies for the purposes of that Act.”

(b) in subsection (3A) for the words “section 192 of the ^{M1}County Courts Act 1959” there shall be substituted the words “section 145 of the County Courts Act 1984”.

Marginal Citations

M1 1959 c. 22.

Crown Proceedings Act 1947 (c. 44)

21 In subsection (3) of section 24 of the Crown Proceedings Act 1947 (interest on debts, damages and costs) for the words “section 97A of the County Courts Act

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1959” there shall be substituted the words “section 69 of the County Courts Act 1984”.

Arbitration Act 1950 (c. 27)

- 22 In section 26 of the Arbitration Act 1950 (enforcement of award)—
- (a) in subsection (2)(a), for the words from “current” to “1959” there shall be substituted the words “county court limit”; and
 - (b) the following subsection shall be added after subsection (3)—
 - “(4) In subsection (2)(a) above ”the county court limit’ means the amount which for the time being is the county court limit for the purposes of section 16 of the County Courts Act 1984 (money recoverable by statute).”

Landlord and Tenant Act 1954 (c. 56)

- 23 In section 53(1) of the Landlord and Tenant Act 1954 (jurisdiction of county court where lessor refuses licence or consent) for the words from “the like jurisdiction” to “1959” there shall be substituted the words “the like jurisdiction whatever the net annual value for rating of the demised property is to be taken to be for the purposes of the County Courts Act 1984”.

Mental Health (Scotland) Act 1960 (c. 61)

- 24 In subsection (3) of section 76 of the Mental Health (Scotland) Act 1960 (position of nearest relative on removal to Scotland) for the words “section twenty-six of the County Courts Act 1959” there shall be substituted the words “section 12 of the County courts Act 1984”.

Administration of Justice Act 1960 (c. 65)

- 25 In subsection (5) of section 13 of the Administration of Justice Act 1960 (appeal in cases of contempt of court)—
- (a) in paragraph (b) for the words from “section”, in the first place where it occurs, to “1959” there shall be substituted the words “section 14, 92 or 118 of the County Courts Act 1984”;
 - (b) for “1959” in the second place where it occurs, there shall be substituted “1984”;
 - (c) for the words “sections seventy-four and one hundred and ninety-five” there shall be substituted the words “sections 38 and 142”.

26 F2

Textual Amendments

F2 Sch. 2 Pt. V para. 26 repealed by Building Societies Act 1986 (c. 53, SIF 15), s. 120, Sch. 19 Pt. I

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27, 28. F3

Textual Amendments

F3 Sch. 2 Pt. V paras. 27, 28 repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, Sch. 1 Pt. I

Industrial and Provident Societies Act 1965 (c. 12)

29 In subsection (3)(b) of section 42 of the Industrial and Provident Societies Act 1965 (duty of officers of society to account) for the words “section 108 of the County Courts Act 1959” there shall be substituted the words “section 77 of the County Courts Act 1984”.

Hire-Purchase Act 1965 (c. 66)

30 In subsection (3)(b) of section 42 of the Hire-Purchase Act 1965 (powers of court on non-compliance with order for specific delivery of goods) for the words “section 99 of the County Courts Act 1959” there shall be substituted the words “section 71 of the County Courts Act 1984”.

Leasehold Reform Act 1967 (c. 88)

31 In subsection (4) of section 21 of the Leasehold Reform Act 1967 (jurisdiction of Land Tribunal) for the words “section 102 of the County Courts Act 1959” there shall be substituted the words “section 75 of the County Courts Act 1984”.

Hovercraft Act 1968 (c. 59)

32 In subsection (1) of section 2 of the Hovercraft Act 1968 (Admiralty jurisdiction etc.) for the words “sections 56, 57, 60, 61 and 70(6) of the ^{M2}County Courts Act 1959” there shall be substituted the words “sections 27 to 29, 30(1) and 31 of the County Courts Act 1984”.

Marginal Citations

M2 1959 c. 22.

Civil Evidence Act 1968 (c. 64)

33 In subsection (6) of section 8 of the Civil Evidence Act 1968 (rules of court)—
(a) for the words “section 102 of the County Courts Act 1959” there shall be substituted the words “section 75 of the County Courts Act 1984”;
(b) for the words “section 102(2) of the County Courts Act 1959” there shall be substituted the words “section 75(2) of the County Courts Act 1984”.

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- 34 In subsection (3) of section 10 of that Act (application to arbitrations etc.)—
 - (a) after the words “this Act”, in the second place where they occur, there shall be inserted the words “other than civil proceedings on a reference to arbitration under section 64 of the County Courts Act 1984”; and
 - (b) the following subsection shall be substituted for the proviso to that subsection—

“(3A) For the purposes of the application of this Part of this Act in relation to proceedings on an arbitration under section 64 of the County Courts Act 1984 any rules made for the purposes of this Act under section 75 of that Act shall (except in so far as their operation is excluded by agreement) apply, subject to such modifications as may be appropriate, in like manner as they apply in relation to proceedings in the county court.”

Mines and Quarries (Tips) Act 1969 (c. 10)

- 35 In section 28(3) of the Mines and Quarries (Tips) Act 1969 (meaning of “court” in England and Wales) for the words from “limit” to “1959” there shall be substituted the words “amount which for the time being is the county court limit for the purposes of section 16(b) of the County Courts Act 1984.”

Taxes Management Act 1970 (c. 9)

- 36 In section 66 of the Taxes Management Act 1970 (county courts)—
 - (a) in subsection (1), for the words from “limit” to “force” there shall be substituted the words “county court limit”;
 - (b) the following subsection shall be inserted after subsection (2)—

“(2A) In subsection (1) of this section “the county court limit” means the amount which for the time being is the county court limit for the purposes of section 16 of the County Courts Act 1984; and

- (c) in subsection (3), for the words form “section 40(1)(b)” to “a reference to” there shall be substituted the words “the county court limit there shall be substituted a reference to the limit specified in”

37 F4

Textual Amendments
F4 Sch. 2 Pt. V para. 37 repealed by Income and Corporation Taxes Act 1988 (c. 1, SIF 63:1),s. 844, Sch. 31

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Administration of Justice Act 1970 (c. 31)

38 In section 41 of the Administration of Justice Act 1970 (recovery of costs and compensation)—

- (a) in subsection (4), for the words from “limit” to “1959” there shall be substituted the words “county court limit”; and
- (b) the following subsection shall be inserted after that subsection—

“(4A) In subsection (4) above “the county court limit” means the amount which for the time being is the county court limit for the purposes of section 16 of the County Courts Act 1984”

Courts Act 1971 (c. 23)

39 In subsection (6) of section 45 of the Courts Act 1971 (matrimonial jurisdiction) for the words “section 76 of the ^{M3}County Courts Act 1959” there shall be substituted the words “section 45 of the County Courts Act 1984”.

Marginal Citations

M3 1959 c. 22.

Attachment of Earnings Act 1971 (c. 32)

40 In section 4 of the Attachment of Earnings Act 1971 (extension of power to make administration order)—

- (a) in subsection (2), for the words “for the time being specified in section 148(1)(b) of the County Courts Act 1959” there shall be substituted the words “which for the time being is the county court limit for the purposes of section 112 of the County Courts Act 1984”;
- (b) the following subsection shall be substituted for the second paragraph of that subsection—

“(2A) Subsection (2) above is subject to section 112(3) and (4) of the County Courts Act 1984 (which require that, before an administration order is made, notice is to be given to all the creditors and thereafter restricts the right of any creditor to institute bankruptcy proceedings).”; and

- (c) in subsection (4) for the words “section 148 of the County Courts Act 1959” there shall be substituted the words “section 112 of the County Courts Act 1984”.

41 In subsection (8) of section 23 of that Act (enforcement provisions) for the words “section 179 of the ^{M4}County Courts Act 1959” there shall be substituted the words “section 129 of the County Courts Act 1984”.

Marginal Citations

M4 1959 c. 22.

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- 42 In section 25 of that Act (general interpretation), in the definition of “administration order” in subsection (1), for the words “Part VII of the County Courts Act 1959” there shall be substituted the words “Part VI of the County Courts Act 1984”.

Civil Evidence Act 1972 (c. 30)

- 43 In subsection (8) of section 2 of the Civil Evidence Act 1972 (rules of court with respect to expert reports and oral expert evidence)—
- (a) for the words “section 102 of the County Courts Act 1959” there shall be substituted the words “section 75 of the County Courts Act 1984”;
 - (b) for the words “section 102(2) of the County Courts Act 1959” there shall be substituted the words “section 75(2) of the County Courts Act 1984”.

Matrimonial Causes Act 1973 (c. 18)

- 44 In section 50 of the Matrimonial Causes Act 1973 (matrimonial causes rules)—
- (a) in subsection (1) for “1959” there shall be substituted “1984”;
 - (b) in subsection (3) for “1959” in both places where it occurs there shall be substituted “1984”.

Legal Aid Act 1974 (c. 4)

- 45 In subsection (3) of section 23 of the Legal Aid Act 1974 (proceedings for misrepresentation etc.) for the words “allowed under section 39 of the County Courts Act 1959” there shall be substituted the words “which for the time being is the county court limit for the purposes of section 15 of the County Courts Act 1984”.
- 46 In subsection (3) of section 35 of that Act (enforcement provisions) for the words from “the limit” to the end there shall be substituted the words “the amount which for the time being is the county court limit for the purposes of section 16 of the County Courts Act 1984”.

Consumer Credit Act 1974 (c. 39)

- 47 In subsection (5A) of section 139 of the Consumer Credit Act 1974 (re-opening of extortionate agreements) for the words “section 192 of the County Courts Act 1959” there shall be substituted the words “section 145 of the County Courts Act 1984”.

Friendly Societies Act 1974 (c. 46)

- 48 In subsection (2)(b) of section 28 of the Friendly Societies Act 1974 (duty of officers of registered societies and branches to account) for the words “section 108 of the

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County Courts Act 1959 (appeals on question of law, etc.)” there shall be substituted the words “section 77 of the County Courts Act 1984 (appeals: general provisions)”.

Solicitors Act 1974 (c. 47)

- 49 In subsection (2) of section 19 of the Solicitors Act 1974 (rights of practising and rights of audience) for the words “section 29 or 89 of the ^{M5}County Courts Act 1959” there shall be substituted the words “section 13 or 60 of the County Courts Act 1984”.

Marginal Citations

M5 1959 c. 22.

- 50 In subsection (4) of section 69 of that Act (action to recover solicitor’s costs) for the words “section 192 of the County Courts Act 1959” there shall be substituted the words “section 145 of the County Courts Act 1984”.

House of Commons Disqualification Act 1975 (c. 24)

- 51 In Part III of Schedule 1 of the House of Commons Disqualification Act 1975 (disqualifying offices) for the entry beginning “Registrar or Assistant Registrar appointed under section 18” there shall be substituted the following—

“Registrar or Assistant Registrar appointed under section 6 or section 7 of the County Courts Act 1984”

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 52 In Part III of Schedule 1 to the Northern Ireland Assembly Disqualification Act (disqualifying offices) for the entry beginning “Registrar or Assistant Registrar appointed under section 18” there shall be substituted the following—

“Registrar or Assistant Registrar appointed under section 6 or section 7 of the County Courts Act 1984”

Evidence (Proceedings in other Jurisdictions) Act 1975 (c. 34)

- 53 In subsection (2) of section 9 of the Evidence (Proceedings in other Jurisdictions) Act 1975 (interpretation) for the words “section 85 of the County Courts Act 1959” there shall be substituted the words “section 56 of the County Courts Act 1984”.

Sex Discrimination Act 1975 (c. 65)

- 54 In subsection (4) of section 59 of the Sex Discrimination Act 1975 (powers to obtain information) for the words “section 84 (penalty for neglecting witness summons) of the County Courts Act 1959” there shall be substituted the words “section 55

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(penalty for neglecting or refusing to give evidence) of the County Courts Act 1984”.

- 55 In subsection (6) of section 66 of that Act (claims under Part III)—
- (a) in paragraph (a), for the words “section 91(1) (power of judge to appoint assessors) of the County Courts Act 1959” there shall be substituted the words “section 63(1) (assessors) of the County Courts Act 1984”; and
 - (b) in paragraph (b), for “91(1)” there shall be substituted “63(1)”.

Children Act 1975 (c. 72)

- 56 In subsection (2)(c) of section 100 of the Children Act 1975 (courts) for the words “section 102 of the ^{M6}County Courts Act 1959” there shall be substituted the words “section 75 of the County Courts Act 1984”.

Marginal Citations

M6 1959 c. 22.

Local Land Charges Act 1975 (c. 76)

- 57 In section 10 of the Local Land Charges Act 1975 (compensation for non-registration or defective official search certificate)—
- (a) in subsection (8), for the words from “limit” to “statute)” there shall be substituted the words “county court limit”; and
 - (b) the following subsection shall be inserted after that subsection—

“(8A) In subsection (8) above ”the county court limit’ means the amount which for the time being is the county court limit for the purposes of section 16 of the County Courts Act 1984 (money recoverable by statute).”

Adoption Act 1976 (c. 36)

- 58 In subsection (2)(c) of section 62 of the Adoption Act 1976 (courts) for the words “section 102 of the County Courts Act 1959” there shall be substituted the words “section 75 of the County Courts Act 1984”.

Insolvency Act 1976 (c. 60)

- 59 In subsection (7) of section 11 of the Insolvency Act 1976 (power to replace administration order by receiving order) for the words “Part VII of the County Courts Act 1959” there shall be substituted the words “Part VI of the County Courts Act 1984”

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- 60 In subsection (1) of section 12 of that Act (administration order rules)—
- (a) for the words “section 102 of the County Courts Act 1959” there shall be substituted the words “section 75 of the County Courts Act 1984”; and
 - (b) for the words “Part VII” there shall be substituted the words “Part VI”.

Race Relations Act 1976 (c. 74)

- 61 In subsection (5) of section 50 of the Race Relations Act 1976 (power to obtain information)—
- (a) for the words “Section 84 of the County Courts Act 1959” there shall be substituted the words “Section 55 of the County Courts Act 1984”;
 - (b) for the words “said section 84” there shall be substituted the words “said section 55”.

Rent (Agriculture) Act 1976 (c. 80)

- 62 In subsection (2) of section 8 of the Rent (Agriculture) Act 1976 (restriction on levy of distress for rent) for the words “section 137 of the ^{M7}County Courts Act 1959” there shall be substituted the words “section 102 of the County Courts Act 1984”.

Marginal Citations

M7 1959 c. 22.

Rentcharges Act 1977 (c. 30)

- 63 In section 10 of the Rentcharges Act 1977 (provisions supplemental to section 9)—
- (a) in subsection (4)(a), for the words from “amount” to “debts)” there shall be substituted the words “county court limit”; and
 - (b) the following subsection shall be inserted after that subsection—
 - “(4A) In subsection (4) above “the county court limit” means the amount which for the time being is the county court limit for the purposes of section 15 of the County Courts Act 1984 (general jurisdiction in actions of contract and tort).”

Torts (Interference with Goods) Act 1977 (c. 32)

- 64 In subsection (5) of section 4 of the Torts (Interference with Goods) Act 1977 (interlocutory relief where goods are detained) for the words “section 102 of the County Courts Act 1959” there shall be substituted the words “section 75 of the County Courts Act 1984”.
- 65 In subsection (3) of section 9 of that Act (concurrent actions) for the words “the County Courts Act 1959” there shall be substituted the words “the County Courts Act 1984”.
- 66 In subsection (1) of section 14 of that Act (interpretation), in the definition of “county court limit”, for the words “current limit on jurisdiction in section 39 of

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the County Courts Act 1959” there shall be substituted the words “amount which for the time being is the county court limit for the purposes of section 15 of the County Courts Act 1984.”.

Rent Act 1977 (c. 42)

- 67 In subsection (2) of section 147 of the Rent Act 1977 (restriction on levy of distress for rent) for the words “section 137 of the County Courts Act 1959” there shall be substituted the words “section 102 of the County Courts Act 1984”.

Interpretation Act 1978 (c. 30)

- 68 In Schedule 1 to the Interpretation Act 1978 (definitions) in paragraph (a) of the definition of “County court”, for the words “the County Courts Act 1959” there shall be substituted the words “the County Courts Act 1984”.

Merchant Shipping Act 1979 (c. 39)

- 69 In paragraph (b) of subsection (3) of section 22 of the Merchant Shipping Act 1979 (power to amend enactments passed before that Act) after the words “provisions” there shall be inserted the words “of the County Courts Act 1984 and”.

Arbitration Act 1979 (c. 42)

- 70 In subsection (3) of section 7 of the Arbitration Act 1979 (interpretation of certain provisions of Part I of the Arbitration Act 1950) for the words “section 92 of the ^{M8}County Courts Act 1959” there shall be substituted the words “section 64 of the County Courts Act 1984”.

Marginal Citations

M8 1959 c. 22.

Charging Orders Act 1979 (c. 53)

- 71 In subsection (2) of section 1 of the Charging Orders Act 1979 (charging orders) for the words “section 192 of the County Courts Act 1959” there shall be substituted the words “section 145 of the County Courts Act 1984”.
- 72 In subsection (3) of section 5 of that Act (stop orders and notices) for the words “section 102 of the County Courts Act 1959” there shall be substituted the words “section 75 of the County Courts Act 1984”.

Magistrates’ Courts Act 1980 (c. 43)

- 73 In section 87 of the Magistrates’ Courts Act 1980 (enforcement of payment of fines)
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- (a) in subsection (2), for the words from “limit” to the end of the subsection there shall be substituted the words “county court limit”; and

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(b) the following subsection shall be inserted after that subsection—

“(2A) In subsection (2) above ”the county court limit’ means the amount which for the time being is the county court limit for the purposes of section 16 of the County Courts Act 1984 (money recoverable by statute).”

74 At the end of Schedule 6A to that Act (fines that may be altered under section 143) there shall be added-

“County Courts Act 1984 (c 28) Section £400.
55(2) (penalty for neglecting or refusing
to give evidence)
Section 118 (contempt in face of court) £1,000.”.

Judicial Pensions Act 1981 (c. 20)

75 In subsection (2) of section 34 of the Judicial Pensions Act 1981 (county court registrars and assistant registrars) for the words “section 22 of the County Courts Act 1959” there shall be substituted the words “section 10 of the County Courts Act 1984”.

Contempt of Court Act 1981 (c. 49)

76 In subsection (1)(b) of section 13 of the Contempt of Court Act 1981 (legal aid) for the words “section 30, 127 or 157 of the County Courts Act 1959” there shall be substituted the words “section 14, 92 or 118 of the County Courts Act 1984”.

Supreme Court Act 1981 (c. 54)

77 In subsection (5) of section 100 of the Supreme Court Act 1981 (district registrars) for the words “section 22 of the ^{M9}County Courts Act 1959” there shall be substituted the words “section 10 of the County Courts Act 1984”.

Marginal Citations

M9 1959 c. 22.

Administration of Justice Act 1982 (c. 53)

78 In Part IV of Schedule 3 to the Administration of Justice Act 1982 in paragraph 8(1) (which makes provision as to sums recoverable under section 59 of the Highways Act 1980) for the words “section 40 of the County Courts Act 1959” there shall be substituted the words “section 16 of the County Courts Act 1984”.

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