

1999 No. 1014

**COUNTY COURTS
SUPREME COURT OF ENGLAND AND WALES**

**The High Court and County Courts Jurisdiction
(Amendment) Order 1999**

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|-------------------------------|------------------------|
| <i>Made</i> - - - - | <i>30th March 1999</i> |
| <i>Laid before Parliament</i> | <i>30th March 1999</i> |
| <i>Coming into force</i> | <i>26th April 1999</i> |

The Lord Chancellor, in exercise of the powers conferred on him by sections 1 and 120 of the Courts and Legal Services Act 1990(a), having consulted as required by section 1(9), makes the following Order.

1. This Order may be cited as the High Court and County Courts Jurisdiction (Amendment) Order 1999 and shall come into force on 26th April 1999.
2. In this Order an article referred to by number alone means the article so numbered in the High Court and County Courts Jurisdiction Order 1991(b).

Amendments to the High Court and County Courts Jurisdiction Order 1991

3. For “plaintiff”, wherever it appears, substitute “claimant”.
4. In article 4, after “articles”, insert “4A,”.
5. After article 4, insert—

“4A. Except for proceedings to which article 5 applies, a claim for money in which county courts have jurisdiction may only be commenced in the High Court if the financial value of the claim is more than £15,000.”
6. In article 5:—
 - (a) for paragraph (1), substitute:—

“(1) Proceedings which include a claim for damages in respect of personal injuries may only be commenced in the High Court if the financial value of the claim is £50,000 or more.”;
 - (b) after paragraph (2), insert:—

“(3) This article does not apply to proceedings which include a claim for damages in respect of an alleged breach of duty of care committed in the course of the provision of clinical or medical services (including dental or nursing services).”.
7. Omit article 7.

(a) 1990 c. 41. Section 120 was amended by the Civil Procedure Act 1997 (c.12) Schedule 2, paragraph 4.

(b) S.I. 1991/724. Article 4 was amended by the Access to Neighbouring Land Act 1992 (c. 23), section 7(3): the relevant amending instruments are S.I. 1993/1407, 1995/205 and 1996/3141.

8. In sub-paragraph (1)(b) of article 8, for “£1,000”, substitute “£600”.

9. For article 9, substitute:–

“Financial value of claim

9. For the purposes of Articles 4A and 5, the financial value of the claim shall be calculated in accordance with rule 16.3(6) of the Civil Procedure Rules 1998(a).”.

10. Omit article 10.

11. Omit article 12(b).

Dated 30th March 1999

Irvine of Lairg, C.

(a) S.I. 1998/3132 amended by S.I. 1999/1008.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments to the High Court and County Court Jurisdiction Order 1991 as a result of the implementation of the Civil Procedure Rules 1998 on 26th April 1999. The effects of the amendments are as follows:

- To restrict commencement of claims for money in the High Court to claims for more than £15,000. As at present, a personal injury claim, other than a claim for clinical negligence, may not be brought in the High Court unless the claim is for £50,000 or more.
- To omit article 7 dealing with allocation of trial as there are provisions governing this in the Civil Procedure Rules.
- To change the limit of a judgment or order of a county court that may be enforced only in a county court from £1,000 to £600.
- To provide that the financial value of a claim is to be calculated in accordance with the Civil Procedure Rules.

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£1.50

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WO 4627 4/99 ON (MFK)