
STATUTORY INSTRUMENTS

2014 No. 821

**The High Court and County Court
Jurisdiction (Amendment) Order 2014**

Amendment of the 1991 Order

2.—(1) The High Court and County Courts Jurisdiction Order 1991⁽¹⁾ (“the 1991 Order”) is amended in accordance with this article.

(2) In the table of contents, in the entry for article 3, omit “— Commencement of proceedings”;

(3) Unless otherwise amended by this Order—

(a) for “A county court”, in each place, substitute “The County Court”; and

(b) for “a county court”, in each place, substitute “the County Court”.

(4) In article 1A—

(a) in paragraph (a), at the end, omit “and”;

(b) in paragraph (b), at the end, for “.” substitute “; and”; and

(c) after paragraph (b) insert—

“(c) “the London insolvency district” means the insolvency district designated by the London Insolvency District (County Court at Central London) Order 2014⁽²⁾.”.

(5) In article 2—

(a) in paragraph (1), in the words which follow subparagraph (r), omit the words from “except as provided” to the end;

(b) in paragraph (7A) for “A patents county court and the county courts listed in paragraph (7B)” substitute “The County Court”; and

(c) for paragraph (7B) substitute—

“(7B) The County Court has jurisdiction in respect of any contentious probate matter arising in connection with an application for the grant or revocation of probate or administration where—

(a) the grant or application is made through the principal registry of the Family Division or a district probate registry under section 105 of the Senior Courts Act 1981⁽³⁾; and

(b) it is shown to the satisfaction of the County Court that the value of the deceased’s net estate at the date of death does not exceed £30,000.

(7C) In paragraph (7B), “net estate”, in relation to a deceased person, means the estate of that person exclusive of any property the deceased was possessed of or entitled to as

(1) S.I. 1991/724, which has been amended by the Access to Neighbouring Land Act 1992 (c.23), section 7(2) and the Audit Commission Act 1998 (c.18), section 54(2) and Schedule 4, paragraph 4(1) and S.I. 1993/1407, 1995/205, 1996/3141, 1999/1014, 2001/1387, 2001/2685, 2005/587, 2008/2934, 2009/577 and 2011/2222.

(2) S.I. 2014/818.

(3) 1981 c.54.

a trustee and not beneficially, and after making allowances for funeral expenses and for debts and liabilities.”; and

- (d) omit paragraph (8).
- (6) In article 4—
- (a) in the heading to the article, omit “— Commencement of proceedings”;
- (b) for “and 6B” substitute “to 6E.”; and
- (c) for “county courts” substitute “County Court”.
- (7) In article 4A—
- (a) for “county courts have” substitute “County Court has”; and
- (b) for “£25,000” substitute “£100,000”.
- (8) After article 6B, insert—

6C. Proceedings for the exercise of the jurisdiction to wind up a company registered in England and Wales may be commenced only in the High Court if the place which has longest been the company’s registered office during the 6 months immediately preceding the presentation of the petition for winding up is in the district that is the London insolvency district for the purposes of the second Group of Parts of the Insolvency Act 1986(4).

6D. Proceedings under section 1 of the Variation of Trusts Act 1958(5) may be commenced and taken only in the High Court.

6E. Proceedings under sections 98, 641(1)(b) and 645 to 651 of the Companies Act 2006(6) may be commenced and taken only in the High Court.

6F. The enactments listed in Part 1 of the Schedule to this Order are amended as specified therein, being amendments which are consequential on the amendments in articles 6C to 6E.”.

- (9) In article 8A, in paragraph (1), for “Northampton” substitute “the”.
- (10) In the Schedule—
- (a) in Part I—
- (i) for “Article 2(8)” substitute “Article 6F”; and
- (ii) under the subheading “Acts” insert—

<i>Chapter</i>	<i>Short title</i>	<i>Amendment</i>
1984 c.28	The County Courts Act 1984	In section 23(b)—
		(a) in sub-paragraph (ii) omit “or”; and
		(b) omit sub-paragraph (iii).
1986 c.45	The Insolvency Act 1986	In section 117, after subsection (2) insert—
		“(2A) Despite subsection (2), proceedings for the exercise of the jurisdiction to wind up a company registered in England and Wales may be commenced only in the High

- (4) 1986 c.45, which was amended by the Crime and Courts Act 2013 (c.22), section 17(5), Part 3, paragraphs 52(2) and 93. There are other amendments not relevant to this Order.
- (5) 1958 c.62, to which there are amendments not relevant to this Order.
- (6) 2006 c.46, which was amended by the Crime and Courts Act 2013, section 17(5), Part 2, paragraph 43 and Part 3, paragraph 52(2). There are other amendments not relevant to this Order.

<i>Chapter</i>	<i>Short title</i>	<i>Amendment</i>
		Court if the place which has longest been the company's registered office during the 6 months immediately preceding the presentation of the petition for winding up is in the district that is the London insolvency district for the purposes of the second Group of Parts of this Act.”
2006 c.26	The Companies Act 2006	(1) In section 98, after subsection (6) insert— “ <i>(7)</i> In this section and section 99(3) “the court”, in England and Wales, means the High Court”.
		(2) In section 641, after subsection (6) insert— “ <i>(7)</i> In subsection (1)(b), section 91(5)(b) (iii), sections 645 to 651 (except in the phrase “sanctioned by the court under Part 26”) and 653(1) “the court” means, in England and Wales, the High Court.”.”; and
		(b) in Part II omit the entries for S.I. 1981/1123 (the County Court Jurisdiction Order 1981(7)).