



County Courts Act 1984

1984 CHAPTER 28

PART I

CONSTITUTION AND ADMINISTRATION

[^{F1}District judges and deputy district judges]

Textual Amendments

- F1** S. 6 cross-heading substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 5\(4\)](#); [S.I. 2014/954](#), art. 2(c) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

^{F26} **District judges.**

(1) Her Majesty may, on the recommendation of the Lord Chancellor, appoint district judges.

^{F3}(2)

(3) A reference in any enactment or other instrument to the district judge for a district or of a county court [^{F4}is—

- (a) if the context permits, a reference to the county court, and
- (b) otherwise is a reference to a judge of the county court.]

^{F5}(4)

(5) A district judge is to be paid such salary [^{F6}and such allowances] as may be determined by the Lord Chancellor with the concurrence of the Treasury.

(6) A salary payable under this section may be increased but not reduced by a determination or further determination under this section.

^{F7}(7)]

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Textual Amendments

- F2** S. 6 substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\), ss. 14, 148\(1\), Sch. 3 para. 1; S.I. 2006/1014, art. 2\(a\), Sch. 1 para. 9](#)
- F3** S. 6(2) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 5\(2\); S.I. 2014/954, art. 2\(c\) \(with art. 3\) \(with transitional provisions and savings in S.I. 2014/956, arts. 3-11\)](#)
- F4** Words in s. 6(3) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 5\(3\); S.I. 2014/954, art. 2\(c\) \(with art. 3\) \(with transitional provisions and savings in S.I. 2014/956, arts. 3-11\)](#)
- F5** S. 6(4) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 5\(2\); S.I. 2014/954, art. 2\(c\) \(with art. 3\) \(with transitional provisions and savings in S.I. 2014/956, arts. 3-11\)](#)
- F6** Words in s. 6(5) inserted (10.3.2022 for specified purposes, 10.5.2022 in so far as not already in force) by [Public Service Pensions and Judicial Offices Act 2022 \(c. 7\), s. 131\(1\)\(4\)\(b\)\(ii\), Sch. 2 para. 10](#)
- F7** S. 6(7) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 5\(2\); S.I. 2014/954, art. 2\(c\) \(with art. 3\) \(with transitional provisions and savings in S.I. 2014/956, arts. 3-11\)](#)

F87

Textual Amendments

- F8** S. 7 repealed (31.3.1995) by [1993 c. 8, s. 31\(3\)\(4\), Sch. 8 para. 17\(a\), Sch.9; S.I. 1995/631, art.2](#)

8 [^{F9}Deputy district judges].

[^{F10}(1) If it appears to the [^{F11}Lord Chief Justice] that it is expedient to do so in order to facilitate the disposal of business in the county [^{F12}court or any other court or tribunal to which a person appointed under this subsection may be deployed], he may appoint a person to be a deputy district judge.

(1ZA) A person is qualified for appointment under subsection (1) only if the person—

- (a) is qualified for appointment as a district judge, or
- (b) holds, or has held, the office of district judge.]

^{F13}(1ZB)

^{F13}(1ZC)

[^{F14}[^{F15}(1A) Any appointment of a person as a deputy district judge must not be such as to, or be extended so as to, extend beyond the day on which the person attains the age of 75.]

^{F16}[
^{F17}(1B)

(1C) A deputy district judge appointed under this section ^{F18}... has ^{F19}... the same powers as if he were a district judge [^{F20}other than a district judge's power to act in a district registry of the High Court].

^{F21}(1D)

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(2)

(3) The Lord Chancellor may pay to any person appointed under this section as [deputy district judge] such remuneration and allowances as he may, with the approval of the Treasury, determine.

[A person appointed under this section may be removed from office as a deputy district judge—

^{F22}(3A) judge—

(a) only by the Lord Chancellor with the agreement of the Lord Chief Justice, and

(b) only on—

(i) the ground of inability or misbehaviour, or

(ii) a ground specified in the person's terms of appointment.

(3B) Subject to subsections (1A) and (3C), the term of a person's appointment under this section (including a term already extended under this subsection) must be extended by the Lord Chancellor before its expiry.

(3C) Extension under subsection (3B)—

(a) requires the person's agreement,

(b) is to be for such term as the Lord Chancellor thinks fit, and

(c) may be refused on—

(i) the ground of inability or misbehaviour, or

(ii) a ground specified in the person's terms of appointment,

but only with any agreement of the Lord Chief Justice, or a nominee of the Lord Chief Justice, that may be required by those terms.

(3D) Subject to the preceding provisions of this section, a person appointed under this section is to hold and vacate office as a deputy district judge in accordance with the terms of the person's appointment, which are to be such as the Lord Chancellor may determine.

(3E) The Lord Chief Justice may nominate a senior judge (as defined in section 109(5) of the Constitutional Reform Act 2005) to exercise the Lord Chief Justice's functions under subsection (1) or (3A)(a).]

[The Lord Chief Justice may nominate a judicial office holder (as defined in ^{F23}(4) section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection ^{F24}... (1B).]]

Textual Amendments

F9 Words substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF37\)](#), S. 125(3), **Sch. 18 para. 42**

F10 S. 8(1)-(1ZC) substituted (19.7.2007) for s. 8(1) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), ss. 56, 148(5), **Sch. 11 para. 7(2)** (with [Sch. 11 para. 10](#))

F11 Words in s. 8(1) substituted (1.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 13 para. 37(2)**; S.I. 2013/2200, art. 3(e) (with savings in S.I. 2013/2192, regs. 48, 49)

F12 Words in s. 8(1) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 9 para. 6(2)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

F13 S. 8(1ZB)(1ZC) omitted (10.3.2022 for specified purposes, 1.10.2022 in so far as not already in force) by virtue of [Public Service Pensions and Judicial Offices Act 2022 \(c. 7\)](#), s. 131(1)(4)(c), **Sch. 4 para. 6(3)**; S.I. 2022/1014, reg. 2(d) (with reg. 3)

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- F14** S. 8(1A) substituted (10.3.2022) by Public Service Pensions and Judicial Offices Act 2022 (c. 7), s. 131(1)(4)(a), **Sch. 1 para. 19(2)** (with Sch. 1 para. 43)
- F15** S. 8(1A) inserted (31.3.1995) by 1993 c. 8, s. 26, **Sch. 6 para. 17(1)** (with Sch. 7 paras. 2(2), 3(2), 4); S.I. 1995/631, **art.2**
- F16** S. 8(1B) omitted (22.4.2014) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 9 para. 6(3)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F17** S. 8(1B)-(1D) inserted (19.7.2007) by Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. 56, 148(5), **Sch. 11 para. 7(4)** (with Sch. 11 para. 10)
- F18** Words in s. 8(1C) omitted (22.4.2014) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 9 para. 6(4)(a)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F19** Words in s. 8(1C) omitted (22.4.2014) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 9 para. 6(4)(b)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F20** Words in s. 8(1C) substituted (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 9 para. 6(4)(c)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F21** S. 8(1D) omitted (22.4.2014) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 9 para. 6(3)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F22** S. 8(3A)-(3E) inserted (1.10.2013) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 13 para. 37(5)**; S.I. 2013/2200, art. 3(e) (with savings in S.I. 2013/2192, regs. 48, 49)
- F23** S. 8(4) inserted (19.7.2007) by Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. 56, 148(5), **Sch. 11 para. 7(5)** (with Sch. 11 para. 10)
- F24** Words in s. 8(4) omitted (1.10.2013) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 13 para. 37(6)**; S.I. 2013/2200, art. 3(e) (with savings in S.I. 2013/2192, regs. 48, 49)

Modifications etc. (not altering text)

- C1** Ss. 6-9, 11, 12, amended by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 125(3), **Sch. 18 para. 42** which provides that: "(a) for the word "registrar" in each place where it occurs, except where it is in the context of assistant registrar or deputy registrar, there shall be substituted "district judge"; (b) for the words "assistant district judge"; and (c) for the words "deputy county court registrar" and "deputy registrar" in each place where they occur there shall be substituted "deputy district judge".
- C2** S. 8 restricted (31.3.1995) by 1993 c. 8, s. 26(7)(g) (with Sch. 7 paras. 2(2), 3(2), 4); S.I. 1995/631, **art.2**

9 Qualifications [^{F25}for appointment as district judge].

No person shall be appointed a [^{F26}district judge], ^{F27} . . . ^{F28} . . . unless [^{F29}he satisfies the judicial-appointment eligibility condition on a 5-year basis.]

Textual Amendments

- F25** Words in s. 9 heading inserted (19.7.2007) by Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. 56, 148(5), **Sch. 11 para. 8(b)**
- F26** Words substituted by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 125(3), **Sch. 18 para. 42**
- F27** Words in s. 9 repealed (31.3.1995) by 1993 c. 8, s. 31(3)(4), Sch. 8 para. 17(b), **Sch.9**; S.I. 1995/631, **art.2**
- F28** Words in s. 9 omitted (19.7.2007) by virtue of Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. 56, 148(5), **Sch. 11 para. 8(a)**

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F29 Words in s. 9 substituted (21.7.2008) by Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. 50(6), 148(5), **Sch. 10 para. 15**; S.I. 2008/1653, **art. 2(d)** (with arts. 3, 4)

Modifications etc. (not altering text)

C3 Ss. 6–9, 11, 12 amended by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 125(3), **Sch. 18 para. 42** which provides that: “(a)for the word “registrar” in each place where it occurs, except where it is in the context of assistant registrar or deputy registrar, there shall be substituted “district judge”; (b)for the words “assistant registrar” in each place where they occur there shall be substituted “assistant district judge”; and(c)for the words “deputy county court registrar” and “deputy registrar” in each place where they occur there shall be substituted “deputy district judge”.”

10 **F30**

Textual Amendments

F30 S. 10 repealed by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), s. 125(7), **Sch. 20**

11 Tenure of office.

[^{F31}(1) This subsection applies to the office of district judge.

(2) Subject to the following provisions of this section ^{F32}..., a person who holds an office to which subsection (1) applies shall vacate his office on the day on which he attains the age of [^{F33}75].]

^{F34}(3)

(4) A person appointed to an office to which subsection (1) applies shall hold that office during good behaviour.

(5) The power to remove such a person from his office on account of misbehaviour shall be exercisable by the Lord Chancellor [^{F35}, but only with the concurrence of the Lord Chief Justice].

(6) The Lord Chancellor may [^{F36}, with the concurrence of the Lord Chief Justice,] also remove such a person from his office on account of inability to perform the duties of his office.

Textual Amendments

F31 S. 11(1)(2) substituted (31.3.1995) by 1993 c. 8, s. 26, **Sch. 6 para. 17(3)** (with Sch. 7 paras. 2(2), 3(2), 4); S.I. 1995/631, **art.2**

F32 Words in s. 11(2) omitted (10.3.2022) by virtue of Public Service Pensions and Judicial Offices Act 2022 (c. 7), s. 131(1)(4)(a), **Sch. 1 para. 19(3)(a)** (with Sch. 1 para. 43)

F33 Word in s. 11(2) substituted (10.3.2022) by Public Service Pensions and Judicial Offices Act 2022 (c. 7), s. 131(1)(4)(a), **Sch. 1 para. 19(3)(b)** (with Sch. 1 para. 43)

F34 S. 11(3) repealed and superseded (31.3.1995) by 1993 c. 8, **ss. 26(4)-(6)**(10), 31(4), Sch. 6 para. 17(4), Sch.9 (with Sch. 7 paras. 2(2), 3(2), 4); S.I. 1995/631, **art.2**

F35 Words in s. 11(5) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(1), 148(1), **Sch. 4 para. 164(2)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 11(r)

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F36 Words in s. 11(6) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148(1), [Sch. 4 para. 164\(3\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(r)

Modifications etc. (not altering text)

C4 Ss. 6–9, 11, 12 amended by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\)](#), s. 125(3), [Sch. 18 para. 42](#) which provides that: “(a)for the word “registrar” in each place where it occurs, except where it is in the context of assistant registrar or deputy registrar, there shall be substituted “district judge”; (b)for the words “assistant registrar” in each place where they occur there shall be substituted “assistant district judge”; and(c)for the words “deputy county court registrar” and “deputy registrar” in each place where they occur there shall be substituted “deputy district judge”.”

12 Records of proceedings to be kept ^{F37}....

[^{F38}(1) The Lord Chancellor may by regulations made by statutory instrument provide for the keeping of records of and in relation to proceedings of the county court.]

(2) Any entry in a book or other document required by the said regulations to be kept for the purposes of this section, or a copy of any such entry or document purporting to be signed and certified as a true copy by [^{F39}a judge of the county court], shall at all times without further proof be admitted in any court or place whatsoever as evidence of the entry and of the proceeding referred to by it and of the regularity of that proceeding.

[^{F40}(3) The Lord Chancellor must consult the Lord Chief Justice before making regulations under this section.

(4) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the [Constitutional Reform Act 2005](#)) to exercise his functions under this section.]

Textual Amendments

F37 Words in s. 12 title omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 7\(4\)](#); S.I. 2014/954, [art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

F38 S. 12(1) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 7\(2\)](#); S.I. 2014/954, [art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

F39 Words in s. 12(2) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 7\(3\)](#); S.I. 2014/954, [art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

F40 S. 12(3)(4) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148(1), [Sch. 4 para. 165](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(r)

Modifications etc. (not altering text)

C5 Ss. 6–9, 11, 12 amended by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\)](#), s. 125(3), [Sch. 18 para. 42](#) which provides that: “(a)for the word “registrar” in each place where it occurs, except where it is in the context of assistant registrar or deputy registrar, there shall be substituted “district judge”; (b)for the words “assistant registrar” in each place where they occur there shall be substituted “assistant district judge”; and(c)for the words “deputy county court registrar” and “deputy registrar” in each place where they occur there shall be substituted “deputy district judge”.”

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 6A inserted by [2007 c. 15 s. 107\(1\)](#) (This affecting provision is amended (22.4.2014) by [2013 c. 22, Sch. 9 paras. 10\(53\), 48](#); [S.I. 2014/954, art. 2\(c\)](#))
- s. 60A inserted by [2007 c. 29 s. 191](#)
- s. 60A(2) words substituted by [2013 c. 22 Sch. 9 para. 10\(17\)](#) (Effect not applied as s. 60A has not been brought into force)
- s. 60A(3)(b) words substituted by [S.I. 2022/1166 reg. 10\(2\)\(a\)\(ii\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- s. 60A(3)(aa) inserted by [S.I. 2022/1166 reg. 10\(2\)\(a\)\(i\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- s. 60A(3)(bb) inserted by [S.I. 2022/1166 reg. 10\(2\)\(a\)\(iii\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- s. 60A(3)(cc) inserted by [S.I. 2022/1166 reg. 10\(2\)\(a\)\(iv\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- s. 60A(7) words inserted by [S.I. 2022/1166 reg. 10\(2\)\(b\)](#) (This amendment comes into force immediately after [2007 c. 29, s. 191\(1\)](#) comes into force)
- s. 60A(7) words substituted by [S.I. 2010/844 Sch. 2 para. 2](#) (Effect not applied as s. 60A has not been brought into force)
- s. 112A112B inserted by [1990 c. 41 s. 13\(5\)](#)