



# County Courts Act 1984

## 1984 CHAPTER 28

### PART V

#### ENFORCEMENT OF JUDGMENTS AND ORDERS

##### *Miscellaneous provisions as to enforcement of judgments and orders*

#### **110 Penalty for non-attendance on judgment summons.**

- (1) If a debtor summoned to attend [<sup>F1</sup>the county court] by a judgment summons fails to attend on the day and at the time fixed for any hearing of the summons, the [<sup>F2</sup>court] may adjourn or further adjourn the summons to a specified time on a specified day and order the debtor to attend at that time on that day.
- (2) If—
  - (a) a debtor, having been ordered under subsection (1) to attend at a specified time on a specified day, fails to do so; <sup>F3</sup> . . .
  - (b) <sup>F4</sup> .....the [<sup>F2</sup>court] may make an order committing him to prison for a period not exceeding 14 days in respect of the failure or refusal.
- (3) In any case where the [<sup>F2</sup>court] has power to make an order of committal under subsection (2) for failure to attend, he may in lieu of or in addition to making that order, order the debtor to be arrested and brought before the court either forthwith or at such time as the [<sup>F2</sup>court] may direct.
- (4) A debtor shall not be committed to prison under subsection (2) for having failed to attend as required by an order under subsection (1) unless there was paid to him at the time of the service of the judgment summons, or paid or tendered to him at the time of the service of the order, such sum in respect of his expenses as may be prescribed for the purposes of this section.
- (5) The [<sup>F2</sup>court] may at any time revoke an order committing a person to prison under this section and, if he is already in custody, order his discharge.

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*Changes to legislation: County Courts Act 1984, Cross Heading: Miscellaneous provisions as to enforcement of judgments and orders is up to date with all changes known to be in force on or before 13 May 2024. 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*

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#### Textual Amendments

- F1** Words in ss. 36-147 substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 10\(1\)\(b\)](#); S.I. 2014/954, [art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F2** Word in s. 110 substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 10\(50\)](#); S.I. 2014/954, [art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F3** Word in s. 110(2)(a) omitted (25.3.2002) by virtue of [The Civil Procedure \(Modification of Enactments\) Order 2002 \(S.I. 2002/439\)](#), [art. 8\(a\)](#)
- F4** S. 110(2)(b) omitted (25.3.2002) by virtue of [The Civil Procedure \(Modification of Enactments\) Order 2002 \(S.I. 2002/439\)](#), [art. 8\(b\)](#)

### 111 Provisions as to warrants of possession.

- (1) For the purpose of executing a warrant to give possession of any premises, it shall not be necessary to remove any goods from those premises.
- (2) The duration of any warrant of possession issued by [<sup>F1</sup>the county court] to enforce a judgment or order for the recovery of land or for the delivery of possession of land shall be such as may be fixed by or in accordance with [<sup>F5</sup>rules of court].

#### Textual Amendments

- F1** Words in ss. 36-147 substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 10\(1\)\(b\)](#); S.I. 2014/954, [art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F5** Words in s. 111 substituted (27.4.1997) by [1997 c. 12](#), s. 10, [Sch. 2 para. 2\(2\)](#); S.I. 1997/841, [art. 3\(b\)](#), 4(c)

**Changes to legislation:**

County Courts Act 1984, Cross Heading: Miscellaneous provisions as to enforcement of judgments and orders is up to date with all changes known to be in force on or before 13 May 2024. 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.

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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\(5\)](#)