

Changes to legislation: Courts Act 2003, Cross Heading: County Courts Act 1984 (c. 28) is up to date with all changes known to be in force on or before 11 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

SCHEDULES

SCHEDULE 8

MINOR AND CONSEQUENTIAL AMENDMENTS

County Courts Act 1984 (c. 28)

- 271 In—
- (a) section 66(4) (fees payable in respect of trial with jury proceedings in a county court),
 - (b) section 80(2) (judge’s note on appeal—fee etc.), and
 - (c) section 95(4) (fees payable in respect of duties of brokers and appraisers),
- for “the fees orders” substitute “ an order under section 92 of the Courts Act 2003 (fees) ”.
- 272 Omit—
- (a) section 73 (register of judgments and orders), and
 - (b) section 73A (provision for register to be kept by body under contract to Lord Chancellor).

Commencement Information

- II** Sch. 8 para. 272 in force at 6.4.2011 by S.I. 2010/2921, art. 3(b)

- 273 In section 98(1) (protection of district judge of county court selling goods under execution without notice of claim by third party), for the words from “(b) no person” to “execution debtor” substitute—
- “(b) no person shall be entitled to recover against the district judge or other officer, or anyone lawfully acting under his authority—
 - (i) for any sale of the goods, or
 - (ii) for paying over the proceeds prior to the receipt of a claim to the goods,unless it is proved that the person from whom recovery is sought had notice, or might by making reasonable inquiry have ascertained, that the goods were not the property of the execution debtor.”
- 274 (1) Amend section 99 (effect of warrants of execution) as follows.
- (2) In subsection (2)(b)—
- (a) after “to” insert “ an enforcement officer or other officer charged with the execution of the writ ”, and
 - (b) for “the sheriff” substitute “ that person ”.
- (3) In subsection (4)—
- (a) before paragraph (a) insert—

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“(za) “enforcement officer” means an individual who is authorised to act as an enforcement officer under the Courts Act 2003;”, and

(b) omit paragraph (b).

275 For section 104 (information as to writs and warrants of execution), substitute—

“104 Information as to writs and warrants of execution

(1) Where a writ against the goods of any person issued from the High Court is delivered to an enforcement officer who is under a duty to execute the writ or to a sheriff, then on demand from the district judge of a county court that person shall—

(a) in the case of an enforcement officer, by writing signed by that officer or a person acting under his authority, and

(b) in the case of a sheriff, by writing signed by any clerk in the office of the under-sheriff,

inform the district judge of the precise time the writ was delivered to him.

(2) A bailiff of a county court shall on demand show his warrant to any enforcement officer, any person acting under the authority of an enforcement officer and any sheriff’s officer.

(3) Any writing purporting to be signed as mentioned in subsection (1) and the endorsement on any warrant issued from a county court shall respectively be sufficient justification to any district judge, or enforcement officer or sheriff, acting on it.

(4) In this section “enforcement officer” means an individual who is authorised to act as an enforcement officer under the Courts Act 2003.”

276 Omit section 128 (fees).

.277 In section 147(1) (interpretation), omit the definition of “fees orders”.

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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):

- s. 75(6) inserted by [2022 c. 35 Sch. 4 para. 3\(2\)](#)
- s. 76(2B) inserted by [2010 c. 26 Sch. 3 para. 14](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22](#), s. 17(4) ; S.I. 2013/2200 art. 2(a))
- s. 81(6) inserted by [2022 c. 35 Sch. 4 para. 3\(3\)](#)
- s. 85EA(5) words substituted by [2022 c. 32 Sch. 11 para. 29](#)
- Sch. 5 para. 13(1)(ca) inserted by [2013 c. 22 s. 26\(3\)](#)

Commencement Orders yet to be applied to the Courts Act 2003

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2005/547 art. 2](#) commences ([2003 c. 39](#))