

1988 No. 2165

SUPREME COURT OF ENGLAND AND WALES
COUNTY COURTS
JURISDICTION

The Civil Courts (Amendment) Order 1988

Made - - - - - *9th December 1988*
Laid before Parliament *15th December 1988*
Coming into force *9th January 1989*

The Lord Chancellor, in exercise of the powers conferred on him by section 99(1) of the Supreme Court Act 1981(a); by section 29(1) of the Administration of Justice Act 1982(b); by section 33(1) of the Matrimonial and Family Proceedings Act 1984(c); by sections 2(1) and 26 of the County Courts Act 1984(d); by sections 117(4) and 374 of the Insolvency Act 1986(e); and by section 67(1) and (2) of the Race Relations Act 1976(f), hereby makes the following Order:—

1. This Order may be cited as the Civil Courts (Amendment) Order 1988 and shall come into force on the 9th January 1989.

District Registries of the High Court

2. The district of the district registry of the High Court established at Shrewsbury shall be defined by reference to the districts of the Market Drayton, Shrewsbury and Telford County Courts.

County Courts

3. The holding of the Wellington County Court shall be discontinued.

4.—(1) A county court shall be established at Telford and this court shall have jurisdiction in proceedings commenced in the Wellington County Court before this Order comes into force.

(2) No process shall be invalid only because the court is described therein by the name by which it was known before the coming into force of this Order.

(3) For the purposes of section 33(1) of the Matrimonial and Family Proceedings Act 1984 the Telford County Court shall be a divorce county court and a court of trial.

(4) For the purposes of section 26 of the County Courts Act 1984 the district of the Telford County Court shall be assigned for admiralty purposes to the Birmingham County Court.

(a) 1981 c.54.
(b) 1982 c.53.
(c) 1984 c.42.
(d) 1984 c.28.
(e) 1986 c.45.
(f) 1976 c.74.

(5) For the purposes of sections 117(4) and 374 of the Insolvency Act 1986 the Telford County Court shall be excluded from having jurisdiction under those provisions and the district of the Telford County Court shall be attached for bankruptcy and winding-up of companies purposes to the Shrewsbury County Court.

(6) For the purposes of section 67(1) and (2) of the Race Relations Act 1976 the district of the Telford County Court shall be assigned for race relations purposes to the Birmingham County Court.

5. The amendments set out in the schedule to this Order shall be made to the Civil Courts Order 1983(a), being amendments that are consequential upon the foregoing provisions of this Order.

Dated 9th December 1988

Mackay of Clashfern, C.

SCHEDULE

CONSEQUENTIAL AMENDMENTS

The Civil Courts Order 1983 shall be amended as follows:-

(1) in schedule 1:-

- (a) "Wellington" shall be deleted from its position in the second column opposite the entry for Shrewsbury in the first column; and
- (b) "Telford" shall be inserted in its appropriate alphabetical position in the second column opposite the entry for Shrewsbury in the first column.

(2) in schedule 3:-

- (a) after the entry relating to Taunton there shall be inserted the following new entry:

First Column	Second Column	Third Column	Fourth Column	Fifth Column
Telford	Divorce	Birmingham	Shrewsbury	Birmingham; and
- (b) the entry relating to Wellington shall be deleted.

(a) S.I. 1983/713. There are no relevant amending instruments.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Civil Courts Order 1983 by:

- (a) amending the definition of the district registry of the High Court at Shrewsbury so that it no longer refers to the county court district of the Wellington County Court, but refers instead to the county court district of the Telford County Court;
- (b) closing the county court at Wellington;
- (c) establishing a county court at Telford;
- (d) granting the Telford County Court jurisdiction in proceedings commenced in the Wellington County Court before the commencement of this Order;
- (e) designating the Telford County Court as a divorce court and court of trial;
- (f) assigning the district of the Telford County Court to the Birmingham County Court for admiralty purposes;
- (g) assigning the district of the Telford County Court to the Shrewsbury County Court for bankruptcy and winding-up purposes; and
- (h) assigning the district of the Telford County Court to the Birmingham County Court for race relations purposes.