



Jersey

# **CIVIL PROCEEDINGS (JERSEY) LAW 1956**

## **Official Consolidated Version**

This is an official version of consolidated legislation compiled and issued under the authority of the Legislation (Jersey) Law 2021.

04.200

Showing the law from 1 January 2019 to Current





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## CIVIL PROCEEDINGS (JERSEY) LAW 1956

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## CIVIL PROCEEDINGS (JERSEY) LAW 1956

A LAW to revise the Law with regard to the awarding of costs in Civil Proceedings and to extend the jurisdiction of the Petty Debts Court

Commencement [[see endnotes](#)]

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### PART 1

#### COSTS IN CIVIL PROCEEDINGS

##### 1 Interpretation

In this Part of this Law, the expression “costs” includes recoverable costs and non-recoverable costs (*frais répétables* and *frais non-répétables*).

##### 2 Power of Royal Court to award costs

- (1) Subject to the provisions of this Part and to rules of court made under the [Royal Court \(Jersey\) Law 1948](#), the costs of and incidental to all proceedings in the Royal Court shall be in the discretion of the Court, and the Court shall have full power to determine by whom and to what extent the costs are to be paid.
- (2) On the hearing of any appeal from the Petty Debts Court, the Royal Court shall have full power to determine how and by whom the costs of the proceedings in the Royal Court and in the Petty Debts Court are to be paid.

##### 3 <sup>1</sup>

##### 4 Recovery of costs

Costs ordered to be paid under this Part shall be recoverable as a civil debt.

**5 Saving**

Nothing in this Part shall alter the practice in any criminal or quasi-criminal cause or matter.

**PART 2****EXTENSION OF JURISDICTION OF PETTY DEBTS COURT****6 Right to proceed in Royal Court in virtue of judgment obtained in Petty Debts Court**

A creditor who has obtained in the Petty Debts Court a judgment for a sum exceeding £25 may obtain from the Royal Court, sitting in or out of term, an order authorizing the Viscount to serve a notice on the judgment debtor requiring him or her to satisfy the judgment debt within 3 months from the date of the notice, and where, at the expiration of the said period, the judgment debtor has neither satisfied the judgment debt nor placed his or her property under the control of the Royal Court (*remis ses biens entre les mains de la Justice*) the Royal Court may, upon the application of the judgment creditor, adjudge the personal and real estate of the judgment debtor to be renounced.

**PART 3****CITATION****7 Citation**

This Law may be cited as the Civil Proceedings (Jersey) Law 1956.

## ENDNOTES

### Table of Legislation History

Legislation	Year and Number	Commencement	◦Projet No (where applicable)
Civil Proceedings Law 1956	<a href="#">L.30/1956</a>	1 April 1957 (R&O.3778)	
Court of Appeal Law 1961	<a href="#">L.17/1961</a>	15 June 1964 (R&O.4531)	
Civil Proceedings (Amendment) Law 1974	<a href="#">L.19/1974</a>	23 August 1974	
Petty Debts Court (Miscellaneous Provisions) (Jersey) Law 2000	<a href="#">L.29/2000</a>	1 June 2004	<a href="#">P.48/2000</a>
Petty Debts Court Rules 2018	<a href="#">R&amp;O.41/2018</a>	9 April 2018	

◦Projets available at [www.statesassembly.gov.je](http://www.statesassembly.gov.je)

### Table of Renumbered Provisions

Original	Current
PART I	PART 1
2(2)	repealed by <a href="#">L.17/1961</a>
(3)	2(2)
6	spent, omitted from this revised edition
PART II	PART 2
7	repealed by <a href="#">L.29/2000</a>
8	spent, omitted from this revised edition
9	6
PART III	PART 3
10	spent, omitted from this revised edition
11	7

### Table of Endnote References

<sup>1</sup> Article 3 *repealed by R&O.41/2018*