



Jersey

**PETTY DEBTS COURT  
(MISCELLANEOUS PROVISIONS)  
(JERSEY) LAW 2000**

**Revised Edition**

07.615

Showing the law as at 1 January 2019

This is a revised edition of the law





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## PETTY DEBTS COURT (MISCELLANEOUS PROVISIONS) (JERSEY) LAW 2000

### Arrangement

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Jersey

## PETTY DEBTS COURT (MISCELLANEOUS PROVISIONS) (JERSEY) LAW 2000

A LAW to augment the jurisdiction of the Petty Debts Court, to provide for certain rights of appeal therefrom and for the transfer of actions between that Court and the Royal Court and for connected purposes

Commencement [[see endnotes](#)]

### 1 Jurisdiction of the Petty Debts Court

- (1) Subject to paragraphs (2) and (3), the Petty Debts Court shall have jurisdiction in all civil causes and matters where the claim (whether liquidated or unliquidated), net of any interest claimed in respect thereof, does not exceed £30,000.<sup>1</sup>
- (2) The Petty Debts Court shall have jurisdiction in respect of any proceedings which may be brought in the Royal Court to pronounce the cancellation (*résolution*) of a contract (other than a *contrat passé devant Justice*) of lease (*location*) of an immovable or any interest in an immovable if the rent payable in respect of the immovable assessed annually at the time of the institution of the proceedings does not exceed £45,000.<sup>2</sup>
- (3) When exercising its jurisdiction pursuant to paragraph (2) the Petty Debts Court shall have unlimited jurisdiction in respect of any claim for arrears of rent.
- (4) The States may by Regulations –
  - (a) amend the monetary amounts referred to in paragraph (1) or (2); and
  - (b) amend the monetary amounts referred to in Articles 1 and 5 of the Loi (1867) sur la Cour pour le recouvrement de menues dettes,<sup>3</sup> so as to reflect any amendment to the monetary amount referred to in paragraph (1) of this Article.
- (5) When exercising its jurisdiction in relation to any proceedings, the Petty Debts Court shall have the same powers to grant relief as the Royal Court would have had if those proceedings had been brought in the Royal Court.

- (6) Nothing in this Article shall derogate from any powers conferred on the Petty Debts Court by or under any other enactment.

## **2 Transfer of actions**

- (1) At any stage in any proceedings commenced in the Petty Debts Court, the Court may, either of its own motion or on the application of any party to the proceedings, order the transfer of the whole or any part of the proceedings to the Royal Court on such terms as to costs or otherwise as it thinks proper, if it considers that –
- (a) an important or complex question of law or a complex question of fact is likely to arise;
  - (b) the claim exceeds, or the damages claimed are likely to exceed, the jurisdiction of the Court; or
  - (c) it is otherwise in the public interest to do so.
- (2) At any stage in any proceedings commenced in the Royal Court, the Court may, either of its own motion or on the application of any party to the proceedings, order the transfer of the whole or any part of the proceedings to the Petty Debts Court on such terms as to costs or otherwise as it thinks proper, if it considers that the action is or is likely to be within the jurisdiction of the Petty Debts Court.

## **3 Appeal to the Royal Court**

- (1) If any party to any proceedings in the Petty Debts Court is dissatisfied with the decision of the Judge, he or she may, with the leave of the Petty Debts Court or the Bailiff, appeal to the Royal Court in such manner and subject to such conditions as may be prescribed by Rules of Court.
- (2) On hearing an appeal, the Royal Court may draw any inference of fact and may –
- (a) order a new hearing in the Petty Debts Court on such terms as it thinks just;
  - (b) order any judgment to be entered for any party; or
  - (c) make a final or other order on such terms as it thinks proper to ensure the determination on the merits of the real question in controversy between the parties.
- (3) The determination of an appeal by the Royal Court shall be final and conclusive, and shall not be subject to appeal to any other Court.
- (4) This Article is without prejudice to any right of appeal conferred by any other enactment or rule or law.

## **4 Citation and application**

- (1) This Law may be cited as the Petty Debts Court (Miscellaneous Provisions) (Jersey) Law 2000.
- (2) Subject to paragraph (3), nothing in this Law shall apply to any proceedings instituted prior to the commencement of this Law.

- (3) Where all the parties to any proceedings agree, Article 2 shall apply to those proceedings notwithstanding they were instituted prior to the commencement of this Law.

**ENDNOTES****Table of Legislation History**

<b>Legislation</b>	<b>Year and No</b>	<b>Commencement</b>	<b>Project No (where applicable)</b>
Petty Debts Court (Miscellaneous Provisions) (Jersey) Law 2000	L.29/2000	1 June 2004 (R&O.48/2004)	P.48/2000
Petty Debts Court (Miscellaneous Amendments) (Jersey) Regulations 2018	R&O.14/2018	9 April 2018	P.5/2018

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

**Table of Renumbered Provisions**

<b>Original</b>	<b>Current</b>
4	spent, omitted from this revised edition
5	4

**Table of Endnote References**

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- <sup>1</sup> Article 1(1)      amended by R&O.14/2018  
<sup>2</sup> Article 1(2)      amended by R&O.14/2018  
<sup>3</sup>                      chapter 07.175