No domínio da justiça civil, os processos e procedimentos pendentes que tiverem tido início antes do final do período de transição continuarão a ser regidos pelo direito da UE. O Portal da Justiça, com base num acordo mútuo com o Reino Unido, manterá as informações relacionadas com este país até ao final de 2024.

Small claims

Inglaterra e País de Gales

Article 25 1 (a) Competent courts

The court(s) that have jurisdiction to give judgment in the European Small Claims Procedure in England and Wales are the county court and the High Court of Justice. In most cases the procedure will be before a District Judge in a county court.

The jurisdiction of the county courts is entirely statutory and covers almost the whole field of civil law. The general jurisdiction in civil law is mostly concurrent with that of the High Court, save that personal injury claims for less than £50,000 and money claims for less than £15,000 must be started in the county court. Further detail is to be found in the High Court and County Courts Jurisdiction Order 1991 (as amended). A number of statutes confer exclusive jurisdiction on the county courts - for example, virtually all cases under the Consumer Credit Act 1974, and most actions by mortgage lenders and landlords. A claim can be issued in any county court in England and Wales. The Court Service website has the addresses of all the county courts and details of the High Court.

Article 25 1 (b) Means of communication

The means of communication acceptable by courts in England and Wales for the purposes of commencing the European Small Claims Procedure is by post (due to the necessity to take a court fee to issue the process – Courts in England and Wales cannot at the moment accept payment of court fees by credit or debit cards). However, subsequent documents will be allowed to be sent to the court by post, facsimile or by e-mail in accordance with Part 5 of the Civil Procedure Rules which contains rules for filing and sending documents to court.

Article 25 1 (c) Authorities or organisations providing practical assistance

An appeal is available in England and Wales against a judgment given in the European Small Claims Procedure.

The Access to Justice Act 1999 (Destination of Appeals) Order 2000 (the 2000 Order) prescribes the destination of appeals from courts including the county courts. Under the 2000 Order, a Circuit Judge in the county court will deal with an appeal against a decision made by District Judge in the European Small Claim Procedure. Thereafter any appeal will lie in the High Court.

The provisions contained in Part 5.2 of the Civil Procedure Rules and its accompanying Practice Direction govern the procedure for any such appeal and specifies the times limits within which such appeal should be lodged.

Article 25 1 (d) Means of electronic service and communication and methods for expressing consent for thereof

The official language acceptable pursuant to Article 21(2)(b) is English.

Article 25 1(e) Persons or professions, obliged to accept service of documents or other written communications by electronic means

As is the case in our domestic small claims procedure it will be the responsibility of the successful party in the European Small Claims Procedure to arrange for enforcement of the court's order.

The competent authority for the purposes of enforcement, and for the purposes of Article 23 will be the county court and the High Court. Contact details are provided in a) above.

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