
 STATUTORY INSTRUMENTS

1986 No. 1505 (L. 14)**COUNTY COURTS****PROCEDURE****The County Court (Forms) (Amendment) Rules 1986**

Made - - - - - 28th August 1986

Coming into Operation

—as to Rules 1, 3 and 4 1st October 1986

as to Rules 2, 5 and 6 1st January 1987

1.—(1) These Rules may be cited as the County Court (Forms) (Amendment) Rules 1986.

(2) In these Rules a form referred to by number means the form so numbered in the Schedule to the County Court (Forms) Rules 1982 (a) and “the main Schedule” means that Schedule.

2. There shall be substituted in the main Schedule, for forms N1 and N2, the forms contained in the Schedule to these Rules.

3. Form N27(1) shall be amended by substituting—

(a) for the words “Section 191 of the County Courts Act 1959” the words “section 138 of the County Courts Act 1984”; and

(b) for the words in the first paragraph of the notice the following words—

“If you pay the rent arrears and costs in full by the date specified at (2) above (or within such further time as the court may allow) you will be entitled to retain possession of the property under the existing lease. However, if you fail to pay the rent arrears and costs, your landlord may take further proceedings to evict you.”.

4. Form N27(2) shall be amended by substituting for the words in the first paragraph of the notice the following words—

“If you pay the rent arrears and costs in full by the date specified at (2) above (or within such further time as the court may allow) you will be entitled to retain possession of the property under the existing lease. Furthermore, if you comply with the terms mentioned in the final paragraph above, execution of this order for possession and payment will be suspended. If you become ill or out of work, ask your landlord to suspend the order until you are better or back at work. If he will not do so, you should ask the court officials to help you prepare an application to the Judge.”.

5. Forms N3, N4, N5, N6, N7, N22, N23, N25, N26, N27, N27(1), N27(2), N28, N29, N30, N31, N32, N32(1), N32(2), N32(3), N32(5), N33, N34, N36 and N94, respectively, shall be amended as follows.

(a) S.I. 1982/586; the relevant amending instruments are S.I. 1982/1141 and 1985/567.

- (1) In the General Information notes in forms N3, N4, N5, N6 and N7, there shall be substituted for the words from “If this summons” to “fully satisfied” the following words—

“If the summons results in a judgment being given against you and £10 or more is unpaid one month after the date of the judgment, your name and address will be entered in the Register of County Court Judgments. This may make it difficult for you to get credit. When the money is paid in full you can ask the court to mark the entry in the register as satisfied and for a certificate proving payment. There is a small fee for this.”

- (2) In the part of forms N22, N23, N25, N26, N27, N27(1), N27(2), N28, N29, N30, N31, N32, N32(1), N32(2), N32(3), N32(5), N33, N34 and N36 headed “TAKE NOTICE” there shall be substituted for the words from “This judgment” to “fully satisfied” the following words—

“This judgment will be registered in the Register of County Court Judgments if £10 or more is unpaid one month after the date of the judgment. This may make it difficult for you to get credit. When the money is paid in full you can ask the court to mark the entry in the register as satisfied and for a certificate proving payment. There is a small fee for this.”

- (3) In form N94 the words from “TAKE NOTICE” to “in the future” shall be omitted.

6. In forms N3, N4, N5, N6, N7, N22, N23, N25, N26, N27, N27(1), N27(2), N29, N30, N32, N32(1), N32(2), N32(3), N32(4), N32(5), N33, N34, N35, N36, N37, N38, N39, N41, N55, N58, N64, N67, N72, N73, N85, N85(1), N96, N97, N98, N99, N108 and N109 there shall be substituted for the words contained in the box headed in bold type “METHOD OF PAYMENT” the following words—

“HOW TO PAY

By calling at the Court Office which is open 10am to 4pm Monday to Friday.

You must pay by:

- cash,
- banker’s or giro draft,
- cheque supported by a cheque card,
- other cheques may be accepted, subject to clearance, if the Chief Clerk agrees.

Cheques and drafts must be payable to HM Paymaster General and crossed.
Please bring this form with you.

By Post

You may pay by:

- postal order,
- banker’s or giro draft,
- cheques may be accepted, subject to clearance, if the Chief Clerk agrees.

The payment must be made out to HM Paymaster General and crossed. This method of payment is at your own risk. And you must:

- pay the postage,
- **enclose this form,**
- enclose a self addressed envelope so that the court can return this form with a receipt.

The court cannot accept

stamps or payments by bank and giro credit transfers.

We, the undersigned members of the Rule Committee appointed by the Lord Chancellor under section 75 of the County Courts Act 1984 (a), having by virtue of the powers vested in us in this behalf made the foregoing Rules, do hereby certify the same under our hands and submit them to the Lord Chancellor accordingly.

P. G. Hebbert
R. Lockett
A. W. Donaldson
Deirdre McKinney
Peter Crane

Norman Francis
C. S. Stuart-White
Christopher Oddie
Anthony Girling
J. F. Holt

I allow these Rules, of which Rules 1, 3 and 4 shall come into operation on 1st October 1986 and of which Rules 2, 5 and 6 shall come into operation on 1st January 1987.

Dated 28th August 1986.

Hailsham of St. Marylebone, C.

(a) 1984 c.28.

SCHEDULE

DEFAULT SUMMONS (FIXED AMOUNT) (Order 3, rule 3(2)(b))

[Royal Arms]

COUNTY COURT SUMMONS

Plaintiff's Full name Address

Plaintiff's solicitor Address

Ref/tel no.

Defendant's Name Address

Always quote this case number	
Case number	
In the	
County Court	

The Court office at

is open from 10am to 4pm Monday to Friday



This summons is only valid if sealed by the court. If it is not sealed it should be sent to the court.

<p>What the Plaintiff claims from you</p> <p>Give brief description of type of claim e.g. price of goods.</p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div> <p>Particulars of the plaintiff's claim against you</p> <div style="border: 1px solid black; height: 150px; width: 100%;"></div> <p>Signed Plaintiff('s solicitor) (or see attached form "Particulars of Claim")</p>	<p>If the defendant does not live within the district of the court, the plaintiff states that the cause of action arose:</p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 80%;">Plaintiff's claim</td> <td style="width: 20%;"></td> </tr> <tr> <td>Court fee</td> <td></td> </tr> <tr> <td>Solicitor's Costs</td> <td></td> </tr> <tr> <td style="text-align: right;">Total Amount</td> <td></td> </tr> </table> <p>Issued on _____</p> <p>What you should do</p> <p>Within 14 days from the date of service (which is explained overleaf), you should either</p> <ul style="list-style-type: none"> ● pay the Total Amount into court; or ● admit the claim and make an offer of payment, by filling in the front of the attached form and returning it to the court; or ● defend the claim by filling in the back of the attached form and returning it to the court. <p>If you do nothing judgment may be given against you, and enforcement proceedings may be commenced without further notice.</p> <p>For more information on what to do next, please read the back of the form.</p>	Plaintiff's claim		Court fee		Solicitor's Costs		Total Amount	
Plaintiff's claim									
Court fee									
Solicitor's Costs									
Total Amount									

Please read this page: it will help you deal with the summons

If you admit owing all the claim

Either pay the total amount into court— see 'How to pay' on this page;
Or fill in the part of the attached form for admitting the claim and return it to the court. Give details of how you propose to pay the claim. If your offer of payment is accepted the court will send an order telling you how to pay. If your offer is not accepted, the court will fix a hearing to decide how payments must be made. The court will tell you when the hearing will take place, which you should attend.

If you dispute all or part of the claim

You may be entitled to help with your legal costs. Ask about the legal aid scheme at any county court office, citizens' advice bureau, legal advice centre or firm of solicitors displaying the legal aid sign.

- Say how much you dispute in the part of the attached form for defending the claim and return it to the court. The court will arrange a hearing and will tell you when you should attend.
- If you dispute only part of the claim you should also fill in the part of the form for admitting the claim, and pay the amount admitted into court.
- If you have paid the amount of the plaintiff's claim since the summons was issued, fill in the part of the form for defending the claim. Say when you paid the claim. Then pay the costs into court unless you dispute having to pay them. Explain your reasons.
- If the court named on the summons is not your local county court, you may write to the court named requesting that the case be transferred to your local county court and explaining your reasons. However, if the case is transferred and you later lose the case, you may have to pay more in costs.
- A claim for less than £500 will normally be dealt with by arbitration under the Small Claims Procedure. A free booklet about the Small Claims Procedure is available from any county court office.

If you want to make a claim against the plaintiff

This is known as a counterclaim

Fill in the part of the attached form headed 'counterclaim'. If your claim is for more than the plaintiff's claim you may have to pay a fee—the court will let you know. Unless the plaintiff admits your counterclaim there will be a hearing. The court will tell you when to attend.

General information

- *If you received this summons through the post the date of service will be 7 days (for a company, 1 day) after the date of posting as shown by the postmark.*
- You can get help to complete the attached form at any county court office or citizens' advice bureau.
- If the summons results in a judgment being made against you and £10 or more is unpaid one month after the judgment, your name and address will be entered in the Register of County Court Judgments. This may make it difficult for you to get credit. When the money is paid in full you can ask the court to mark the entry in the register as satisfied and for a certificate proving payment. There is a small fee for this.
- If the total amount is not paid in full to the court within 14 days after the date of service of this summons, you may have to pay more in costs.
- Please address all forms or letters to the Chief Clerk.
- Always quote the whole of the case number which appears at the top right corner of the front of this form; the court is unable to trace this summons without it.

How to pay

By calling at the Court Office which is open 10am to 4pm Monday to Friday.

You must pay by:

- cash,
- banker's or giro draft,
- cheque supported by a cheque card,
- other cheques may be accepted, subject to clearance, if the Chief Clerk agrees.

Cheques and drafts must be made payable to HM Paymaster General and crossed.

Please bring this form with you.

By Post

You may only pay by:

- postal order,
- banker's or giro draft,
- cheques may be accepted, subject to clearance, if the Chief Clerk agrees.

The payment must be made out to HM Paymaster General and crossed. This method of payment is at your own risk.

And you must:

- pay the postage,
- enclose this form,
- enclose a self addressed envelope so that the court can return this form with a receipt.

The court cannot accept stamps or payments by bank and giro credit transfers.

DEFAULT SUMMONS (AMOUNT NOT FIXED) (Order 3, rule 3(2)(b))

[Royal Arms]

COUNTY COURT SUMMONS

Always quote this case number	
Case number	
In the	
County Court	

Plaintiff's Full name Address

The Court office at

Plaintiff's solicitor Address

is open from 10am to 4pm Monday to Friday

Ref/tel no.



Defendant's Name Address

This summons is only valid if sealed by the court. If it is not sealed it should be sent to the court.

What the Plaintiff claims from you

Give brief description of type of claim.

If the defendant does not live within the district of the court, the plaintiff states that the cause of action arose:

Particulars of the plaintiff's claim against you

Plaintiff's claim: see particulars

Court fee	
Solicitor's Costs	
Total	

Issued on _____

What you should do

Within 14 days from the date of service (which is explained overleaf), you should either

- **admit the claim** and make an offer of payment, by filling in the front of the attached form and returning it to the court; *or*
- **defend the claim** by filling in the back of the attached form and returning it to the court.

If you do nothing judgment may be given against you.

For more information on what to do next, please read the back of the form.

Signed
Plaintiff ('s solicitor)
(or see attached form "Particulars of Claim")

Please read this page: it will help you deal with the summons

If you admit the claim or any part of it

you may pay an appropriate amount into court to compensate the plaintiff. If the plaintiff accepts the amount paid he is also entitled to apply for his costs. If you require more time to pay complete the attached form of admission and give details of how you propose to compensate the plaintiff. If your offer is accepted the court will send an order telling you how to pay. If your offer is not accepted the court will fix a hearing to decide how much you must pay to compensate the plaintiff and how payments must be made. The court will tell you when the hearing will take place, which you should attend.

If you dispute all or part of the claim

You may be entitled to help with your legal costs. Ask about the legal aid scheme at any county court office, citizens' advice bureau, legal advice centre or firm of solicitors displaying the legal aid sign.

- Say how much of the claim you dispute in the part of the attached form for defending the claim and return it to the court. The court will arrange a hearing and will tell you when you should attend.
- If you dispute only part of the claim you should also fill in the part of the form for admitting the claim.
- If the court named on the summons is not your local county court, you may write to the court named requesting that the case be transferred to your local county court and explaining your reasons. However, if the case is transferred and you later lose the case, you may have to pay more in costs.
- A claim for £500 or less will normally be dealt with by arbitration under the Small Claims Procedure. A free booklet about the Small Claims Procedure is available from any county court office.

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This is known as a counterclaim
Fill in the part of the attached form headed 'counterclaim'. If your claim is for more than the plaintiff's claim you may have to pay a fee—the court will let you know. Unless the plaintiff admits your counterclaim there will be a hearing. The court will tell you when to attend.

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And you must:

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- *enclose this form,*
- enclose a self addressed envelope so that the court can return this form with a receipt.

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EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the County Court (Forms) Rules 1982 so as—

- (a) to substitute simpler and clearer forms of default summons (Rule 2);
- (b) to make minor amendments to forms N27(1) and (2) consequent on the coming into operation of section 55 of the Administration of Justice Act 1985 (1985 c.61) (relief against forfeiture) on 1st October 1986, and to change a reference in form N27(1) from the County Courts Act 1959 (1959 c.22) to the County Courts Act 1984 (Rules 3 and 4);
- (c) to amend the information on forms dealing with satisfaction of judgments as a result of the new procedure provided in the Register of County Court Judgments Regulations 1985 (S.I. 1985/1807) (Rule 5);
- (d) to give effect to section 73 of the County Courts Act 1984 as amended by section 54 of the Administration of Justice Act 1985 which dispenses with the need to register administration orders (Rule 5(3));
- (e) to amend the “method of payment” instructions and revise the instructions to facilitate payment by cheque (Rule 6).

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