
STATUTORY INSTRUMENTS

1991 No. 1340 (L.16)

COUNTY COURTS

PROCEDURE

The County Court (Forms) (Amendment No. 3) Rules 1991

Made - - - - *6th June 1991*

Coming into force - - *1st July 1991*

- 1.—(1) These Rules may be cited as the County Court (Forms) (Amendment No. 3) Rules 1991.
(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(1) and “the main Schedule” means that Schedule.
2. Forms N.14 and N.57 in the main Schedule shall be omitted.
3. There shall be substituted in the main Schedule, for forms N.86 and N.87, the forms contained in Schedule 1 to these Rules.

We, the undersigned members of the Rule Committee appointed by the Lord Chancellor under section 75 of the County Courts Act 1984(2), having by virtue of the powers vested in us in that behalf made the foregoing Rules, do hereby certify the same under our hands and submit them to the Lord Chancellor accordingly.

C. S. Stuart-White
A. N. Fricker
R. H. Hutchinson
Eifion Roberts
Frank J. White
R. Greenslade
K. H. P. Wilkinson
Tim Stow
R. C. Newport
P. R. Bazley White

(1) S.I. 1982/586; the relevant amending instruments are S.I. 1984/879, 1985/567 and 1990/517.

(2) 1984 c. 28; section 75 was amended by the Courts and Legal Services Act 1990 (c. 41), sections 2(4), 16, Schedule 18, paragraph 47.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

I allow these Rules, which shall come into force on 1st July 1991.

Dated 6th June 1991

Mackay of Clashfern, C.

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SCHEDULE 1

SCHEDULE 1

Charging Order Nisi

Plaintiff

To the defendant

In the	
County Court	
Case No.	<i>Always quote this</i>
Plaintiff's Ref.	



On the application of
and on reading the affidavit of

it appears that by a judgment (or order) made on the day 19)
in this court ⁽¹⁾
the defendant ()⁽²⁾ was ordered
to pay to the plaintiff the sum of £ of which £ remains due and unpaid, and that
the defendant has (an interest as trustee)⁽³⁾ (a beneficial interest)⁽⁴⁾ in the asset specified in the schedule
below

⁽¹⁾ or as the case may be

⁽²⁾ insert name of defendant

⁽³⁾ delete unless asset (including asset which is land and jointly owned) held by one or more trustees and applicant relies on S.21(b) of Charging Orders Act 1979

⁽⁴⁾ delete as appropriate

⁽⁵⁾ where judgment entered for more than £5000 on or after 1 July 1991

It is ordered that unless sufficient reasons to the contrary are shown before the County Court
at
on the day of 19 o'clock, when this matter will be further
considered, the defendant's (interest as trustee) (beneficial interest)⁽⁴⁾ in the asset shall, and it is ordered
that in the meantime it do, stand charged with the payment of £ including
any interest⁽⁵⁾ due on the judgment (or order) together with the costs of this application

Dated

Take Notice

To the defendant

If you do not attend at the time and place shown above the court will make an order that it thinks fit

Schedule

(describe with full particulars the relevant land, securities, funds or trust, stating, in relation to securities, their full title, the amount of them and the name in which they stand and whether the beneficial interest charged is in the securities only or in the dividends or interest as well, and stating, in relation to funds in court, the number of the account)

The court office at

is open between 10 am and 4 pm Monday to Friday When corresponding with the court, please address forms or letters to the Chief Clerk and quote the case number.

N86 Charging order nisi (Order 31, rule 1(4))

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Charging Order Absolute

Plaintiff

To the defendant

In the	County Court
Case No. <small>Always quote this</small>	
Plaintiff's Ref.	



On the application of
and on reading the affidavits of
and
filed herein and the order nisi made on the day of 19

⁽¹⁾ delete as appropriate **It is ordered that the (interest as trustee) (beneficial interest) ⁽¹⁾ of the defendant**)⁽²⁾
(
⁽²⁾ insert name of defendant **in the asset specified in the schedule below stand charged with the payment of £**
the amount due from the defendant to the plaintiff on a judgment (or order) of this court ⁽³⁾ ,
⁽³⁾ or as the case may be **) dated the day**
⁽⁴⁾ where judgment entered for more than £5000 on or after 1 July 1991 **of 19 , together with any interest,⁽⁴⁾ and £ the**
costs of this application, the costs to be added to the judgment debt

Dated

Schedule

(describe with full particulars the relevant land, securities, funds or trust, stating, in relation to securities, their full title, the amount of them and the name in which they stand and whether the beneficial interest charged is in the securities only or in the dividends or interest as well, and stating, in relation to funds in court, the number of the account)

Stop Notice

To the Governor and Company of the Bank of England ()⁽³⁾

Take notice that, in relation to the securities specified in the schedule to this order, you may not, without notice to)⁽⁵⁾

(

register any transfer, or make any redemption payment, or in the case of a unit trust deal with the units, or, where dividends or interest are included in the order, pay any dividend or interest

The court office at

is open between 10 am and 4 pm. When corresponding with the court, please address forms and letters to the Chief Clerk and quote the case number.

N87 Charging order absolute (Order 31, rule 2(1))

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the County Court (Forms) Rules 1982 so as to revoke forms N.14 (request for entry of judgment in default action) and N.57 (notice of proposal to make attachment of earnings order). These changes are made following the County Court (Amendment No. 2) Rules 1991 (S.I.1991/1126). Consequential upon changes made by the County Court (Amendment No. 3) Rules 1991 (S.I. 1991/1328), these Rules also provide new forms of charging order nisi and charging order absolute, forms N.86 and N.87.