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STATUTORY INSTRUMENTS

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**1993 No. 712 (L.11)**

**COUNTY COURTS**

**PROCEDURE**

**The County Court (Forms)(Amendment) Rules 1993**

*Made* - - - - *5th March 1993*

*Coming into force*

*As to all provisions except  
Rules 2 and 3*

*31st March 1993*

*Rules 2 and 3*

*1st April 1993*

1.—(1) These Rules may be cited as the County Court (Forms) (Amendment) Rules 1993.

(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. In—

- (a) section 2(e) of form N.9,
- (b) section 7 of form N.9A,
- (c) section 7 of form N.9A(SPC),
- (d) section 2(e) of form N.10 (HP/CCA) and
- (e) section 6 of form N.56

for the words “Community charge” there shall be substituted the words “Council tax”(2).

3. In—

- (a) section 8 of form N.9A,
- (b) section 8 of form N.9A(SPC) and
- (c) section 7 of form N.56

for the words “Community charge arrears” there shall be substituted the words “Council tax/Community charge arrears”.

4. Form N.9(SPC) in the main Schedule shall be omitted.

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(1) S.I. 1982/586; the relevant amending instruments are S.I. 1984/879, 1985/567, 1988/279, 1989/1918, 1990/517, 1991/1132 and 1992/2040.

(2) Council tax under the Local Government Finance Act 1992 (c. 14) replaces community charge with effect from 1st April 1993.

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5. There shall be substituted in the main Schedule, for forms N.42(c), N.92, N.94, N.95 and N.95A, the forms contained in the Schedule to these Rules.

6. Paragraph 1 of Form N.79 shall be amended by substituting, for the words “attached notice to show good reason dated”, the words “attached notice to show good reason”.

We, the undersigned members of the Rule Committee appointed by the Lord Chancellor under section 75 of the County Courts Act 1984<sup>(3)</sup>, 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.

*Frank J. White*  
*C. S. Stuart-White*  
*R. H. Hutchinson*  
*Eifion Roberts*  
*J. H. Wroath*  
*R. Greenslade*  
*Margaret Wilby*  
*Henrietta Manners*  
*E. C. Gee*  
*Robert Winstanley*

I allow these Rules, which shall come into force on 31st March 1993, except for Rules 2 and 3 which shall come into force on 1st April 1993.

Dated 5th March 1993

*Mackay of Clashfern, C.*

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(3) 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.





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## APPLICATION FOR AN ADMINISTRATION ORDER

(Order 39, rule 2(1))

### APPLICATION FOR AN ADMINISTRATION ORDER

(Order 39, rule 2(1))

1

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### Application for an administration order

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**Applicant's full name and address**

**Please complete all details in black ink**

**In the**

County Court

Application No.	<i>For court use only</i>
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**Do I qualify for an administration order?**

Please read the notes for guidance (form N270) before completing this form.

To qualify for an administration order:

- you must have two or more outstanding debts. At least one of these debts must be a High Court or county court judgment.
- the total of your debts must not be more than £5000.

If you do not qualify, or think that you may qualify but need further advice, you should contact your local citizens advice bureau or money advice centre.

**If an administration order is made it will be registered in the Register of County Court Judgments.**

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**Please read this before completing the list of creditors on page 2**

- you must give the name of the court and case number for all debts that are the subject of a county court or High Court case (see example 1 below) and provide a copy of the judgment or order, summons or writ.
- you must list all your debts (you may be required to provide proof of each debt) and say what each debt is for (see examples 1 and 2 below)
- you should list only arrears for the following:  
rent, mortgage (see example 2 below), maintenance, community charge/council tax, hire purchase/consumer credit agreement (regular weekly or monthly instalments (not including arrears) should be entered under expenses on page 4)

Keep a copy of the completed application for your reference. You may need to refer to it.

**Example list of creditors**

Name of creditor if known, and address to which payment should be sent. Give reference account number. If judgment debt, state court and court case number.	Amount outstanding		Name of creditor if known, and address to which payment should be sent. Give reference account number. If judgment debt, state court and court case number.	Amount outstanding	
	£	p		£	p
1. Brasscard (credit card debt) a/c 2131 472 985 2440 payable to E.M. Wentworth (solicitors) 15 High St, Barchester, Barsestshire. ref: EMW / DF / ZL Case no. 9210144, Barchester County Court	140	86	brought forward		
2. Cathedral House Finances (mort. arrears) ref: 843279567981123 payable to Cathedral House Finances plc Cathedral House, 17-19 Priory Walk, Barchester, Barsestshire.	900	00			

**N92 Request for an administration order (Order 39, rule 2(1))**

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### Application for an administration order list of creditors

Applicant's full name and address

Application No. For court use only

**Please read the notes and see the examples on page 1 before completing this list**

Name of creditor if known and address to which payment should be sent. Give reference/account number. If judgment debt also, state court and case number.	Amount outstanding		Name of creditor if known and address to which payment should be sent. Give reference/account number. If judgment debt also, state court and case number.	Amount outstanding	
	£	p		£	p
			<b>brought forward</b>		
<b>carry forward</b>			<b>Total</b>		
<b>continue on a separate sheet if necessary</b>					

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**Statement of means (administration order)**  
 Please complete the following statement of means as fully as possible. Continue on a separate sheet if necessary.

### 1 Personal details

Full Name

Mr  Mrs  Miss  Ms

Married  Single  Other (specify)

Age

Telephone (where you can be contacted)  
 Home  Work

### 2 Dependants (people you look after financially)

Number of children in each age group

under 11  11-15  16-17  18 & over

Other dependants (give details)

### 3 Employment

I am employed as a   
 My employer is (include address)   
 My works number and/or pay reference is   
 Jobs other than main job (give details)

I am self employed as a   
 Annual turnover is  £

I am not in arrears with my national insurance contributions, income tax and/or VAT

I am in arrears and I owe (give details in the list of creditors)  £  
 Give details of:  
 (a) contracts and other work in hand   
 (b) any sums due for work done  £

I have been unemployed for   
 Give details of any outstanding interviews or prospects for employment

I am a pensioner

### 4 Bank account and savings

I have a bank account

The account is in credit by £   
 The account is overdrawn by £

I have a savings or building society account  
 The amount in the account is

I have other savings or investments  
 (give details)

### 5 Property

I live in  my own property  lodgings  
 jointly owned property  council property  
 rented property

### 6 Mortgage

I have a mortgage / home loan

Name of lender   
 Branch address   
 Account number

Total amount borrowed  £  
 Date mortgage taken out   
 I am in arrears by (details must be given in the list of creditors)  £

I have a second mortgage

Name of lender   
 Branch address   
 Account number

Total amount borrowed  £  
 Date mortgage taken out   
 I am in arrears by (details must be given in the list of creditors)  £

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**Important:** It will help the court if you can calculate all sums for income and expenditure as either monthly or weekly figures. Do not mix the two. If your partner contributes to or pays any of the expenses in box 7, you must include in box 8 the amount they pay.

**7 Expenses**

(please complete each entry: write 'n/a' if not applicable)  
Do not include repayments on arrears. These should have been listed on page 2.

	<i>specify weekly/ monthly</i>
Mortgage/home loan	£ .....
Second mortgage/secured loan	£ .....
Rent	£ .....
Council tax	£ .....
Water charges	£ .....
Ground rent	£ .....
House/contents insurance	£ .....
Life insurance/endorsement	£ .....
Gas	£ .....
Electricity	£ .....
Housekeeping	£ .....
TV rental/licence	£ .....
Magistrates' court fine(s)	£ .....
Travelling expenses (to work/school only)	£ .....
School meals / meals at work	£ .....
Clothing	£ .....
Laundry	£ .....
Telephone fixed charge for line rental	£ .....
Prescriptions	£ .....
Child minding	£ .....
Others (e.g. hire purchase)	£ .....
	£ .....
	£ .....

**7 Total expenses** £

**8 Income**

	<i>specify weekly / monthly</i>
My usual take home pay	£ .....
My partner contributes to the expenses listed in section 7	£ .....
Others living in my home give me	£ .....
Income Support	£ .....
Child benefit(s)	£ .....
Other state benefits (specify)	£ .....
	£ .....
My pension(s)	£ .....
Other income (give details below)	£ .....
	£ .....
	£ .....
<b>8 Total income</b>	£ <span style="border: 1px solid black; display: inline-block; width: 80px; height: 20px; vertical-align: middle;"></span>

**9 If you wish to make an offer of payment**

You do not have to make an offer as the court will fix a rate for you to pay based on the information you have given in your statement of means. If you do make an offer, it should be one you can afford to pay.

I offer to pay by instalments of £  week / month

If you wish the court to take anything else into account when making an order, please give details.

If you are employed the court can make an order for payments to be deducted from your earnings. Please tick if you do not object to the court making an attachment of earnings order.

**Declaration (to be signed and sworn or affirmed before an officer of the court)**

I request that an order be made for the administration of my estate under section 112 of the County Courts Act 1984.

I ..... (full name)  
of ..... (address)

declare on oath/affirm that to the best of my knowledge, the names of all my creditors, and the debts I owe them, are truly recorded in the list of creditors and that the information I have given in my application and the statement of means is true.

..... Signature

Sworn/affirmed at:  
in the  
this            day of            19  
before me

Officer of a court, appointed by the judge to take affidavits pursuant to s.58 of the County Courts Act 1984



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## ADMINISTRATION ORDER

(Order 39, rule 9)

## ADMINISTRATION ORDER

(Order 39, rule 9)

### Administration order

To the debtor and creditors (address for service)

<b>In the</b>
<b>County Court</b>
Administration Order Number
Debtor
Creditor
Creditor's ref



An order is made for the administration of the debtor's estate in the following terms:  
 It is ordered that the debtor pay into the office of the court the debts listed in the schedule below in full [or to the extent of pence in the pound] by monthly instalments of £ until this order is satisfied, the first instalment to be paid by (and it is directed that this order be subject to review after (or at intervals of )).

Dated

**Schedule of debts**

Name of creditor	Amount £ p	Name of creditor	Amount £ p
		<i>Brought forward</i>	
<i>Carried forward</i>			
Fee due to the court for carrying out this order			
<b>TOTAL</b>			£

**To the debtor**

- If you do not keep up your payments this order may be revoked. This means that your creditors will be able to pursue the money owed to them separately.
- If you cannot pay as ordered or you change your address, you should contact the court immediately.

**You must make payments into court**

You can pay the court by calling at the court office which is open 10 am to 4 pm Monday to Friday  
 You may only pay by:

- cash
- banker's or giro draft
- cheque supported by a cheque card
- cheque (unsupported 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.*

**This administration order has been registered in the Register of County Court Judgments. When the order is paid in full you can ask the court to mark the entry in the register as satisfied and for a certificate proving payment. You will need to pay a fee for this.**

**By post**  
 You may only pay by:

- postal order
- banker's or giro draft
- cheque (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.*

The court office is open from 10 am till 4 pm Monday to Friday

When corresponding with the court, please address forms and letters to the Chief Clerk and quote the above administration order number.

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# ORDER REVOKING AN ADMINISTRATION ORDER

(Order 39, rule 14(2))

## ORDER REVOKING AN ADMINISTRATION ORDER

(Order 39, rule 14(2))

### Order revoking an administration order

To the debtor and creditors (address for service)

<b>In the</b>
<b>County Court</b>
<b>Administration Order Number</b>
<b>Debtor</b>
<b>Creditor</b>
<b>Creditor's ref</b>



**It is ordered that the administration order made on in favour of the above named debtor be revoked (because) (unless)**

**Dated**

- \* If you (the debtor or any of his creditors) object to the making of this order, you must write to the court with your reasons. You have 16 days from the date of the postmark to do this. A hearing will be arranged and you will be told when to come to court.

*\*delete where order made by district judge at hearing*

**To the debtor**

The instructions below tell you how to pay your creditors after the administration order has been revoked

**How to Pay**

- **PAYMENT(S) MUST NOW BE MADE TO THE CREDITORS OR THEIR REPRESENTATIVES** quoting their reference (and the court case number if applicable).
- **DO NOT** bring or send payments to the court. **THEY WILL NOT BE ACCEPTED.**
- You should allow at least 4 days for your payment to reach the creditor or his representative.
- Make sure that you keep records and can account for all payments made. Proof may be required if there is any disagreement. It is not safe to send cash unless you use registered post.
- A leaflet giving further advice about payment of court judgments can be obtained from the court.
- If you need more information you should contact the creditor or his representative.

*\*delete if not applicable*

**\* To the creditor**

The court has declared a dividend on the amount of money paid by the debtor.

Enclosed is a payable order for £

The court office 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 administration order number.

**N95** Order revoking an administration order (Order 39, rule 14(2))

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# ORDER SUSPENDING OR VARYING AN ADMINISTRATION ORDER

(Order 39, rule 14(2))

## ORDER SUSPENDING OR VARYING AN ADMINISTRATION ORDER (Order 39, rule 14(2))

**Order suspending or varying an administration order**

To the debtor and creditors (address for service)

<b>In the</b>
<b>County Court</b>
<b>Administration Order Number</b>
<b>Debtor</b>
<b>Creditor</b>
<b>Creditor's ref</b>



**It is ordered that the administration order made on in favour of the above named debtor be (suspended) (varied) as follows**

**Dated**

*\* delete where order made by district judge at hearing*

\* If you (the debtor or any of his creditors) object to the making of this order, you must write to the court with your reasons. You have 16 days from the date of the postmark to do this. A hearing will be arranged and you will be told when to come to court.

*\* delete if not applicable*

\* **To the creditor**

The court has declared a dividend on the amount of money paid by the debtor.

Enclosed is a payable order for £

The court office 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 administration order number.

**N95A** Order suspending or varying an administration order (Order 39, rule 14(2))

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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 to—

- (a) amend references to the community charge (*rules 2 and 3*);
- (b) revoke one of the defence forms used by the summons production centre, form N.9(SPC) (*rule 4*);
- (c) make an adjustment to the computerised form of warrant, form N.42(c) (*rule 5*);
- (d) substitute new forms of administration order and related forms, forms N.92, N.94, N.95 and N.95A (*rule 5*) and
- (e) make a minor amendment to the committal order, form N.79 (*rule 6*).

The new forms N.92, N.94, N.95 and N.95A complement the changes to the administration order procedure which are introduced by the County Court (Amend-ment) Rules 1993 (S.I.1993/711(C.10)).