
STATUTORY INSTRUMENTS

1996 No. 2811 (L. 9)

COUNTY COURTS

PROCEDURE

The County Court (Forms) (Amendment) Rules 1996

Made - - - - - *7th November 1996*

Coming into force - - - - - *2nd December 1996*

- 1.—(1) These Rules may be cited as the County Court (Forms) (Amendment) Rules 1996.
(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. There shall be substituted in the main Schedule, for Forms N.18, N.18A, N.60, N.65 and N.90, the forms contained in Schedule 1 to these Rules.
3. There shall be inserted in the main Schedule, after Form N.65, the Form N.65A (Attachment of Earnings Arrears Order (Priority Maintenance)) contained in Schedule 2 to these Rules.
4. In Form N.9, for the word “your” where that word first appears in Section 5 of the said Form, there shall be substituted the word “the”.
5. In Forms N.112 and N.112A, the words “I certify that the order of which this is a true copy was served by me on the defendant personally at the address stated in the order, or at on the day of 19 ” where those words appear in the Certificate of Service section of each of the said Forms, shall be omitted.

The undersigned members of the Rule Committee, appointed by the Lord Chancellor under section 75 of the County Courts Act 1984(2), having made these Rules, certify them and submit them to the Lord Chancellor.

Frank White
Neil Butter
W A Vincent

(1) S.I.1982/586; the relevant amending instruments are S.I. 1990/517, 1991/1132, 1992/794, 2040, 1993/712, 1994/2110 and 1995/2839.
(2) 1984 c. 28; section 75 was amended by the Courts and Legal Services Act 1990 (c. 41), sections 2(4), 16, and 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Status: This is the original version (as it was originally made).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 2nd December 1996.

Dated 7th November 1996

Mackay of Clashfern, C.

SCHEDULE 1

Rule 2

**Notice of Preliminary
(Arbitration) Appointment
Small Claims Procedure**

Plaintiff

Defendant

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

To the plaintiff and defendant

1. Date of Preliminary Appointment

Your case is to be dealt with by arbitration under the small claims procedure. Before that hearing takes place there will be a preliminary appointment. It will take place at



on _____ at _____ o'clock

If you do not attend, the district judge may make a decision in your absence. This could include your case being struck out or an order for payment being made.

If you do not wish your case to be dealt with under the informal small claims procedure, you may apply to the court. You should use form N244 which you can get free from the court office. You must say why you object to your case being dealt with as a small claims case.

The court will give you an appointment at which the district judge will consider your objections. If your case is not dealt with under the small claims procedure, costs may be allowed. That means, if you lose the case you may have to pay the other party's costs which may include the costs of help from a legal representative.

2. Notes on Preliminary Appointment

This hearing is informal and in private.

Its purpose is to:-

- make sure all parties and the court know what the case is about
- see if there is any possibility of settling the dispute, and if not
 - decide how it is going to be dealt with
 - how long the arbitration will last
 - what documents or other evidence you must provide
- You may bring someone with you to the hearing to

• speak for you. They cannot come to the hearing alone. This person is called a 'lay representative' and can be anyone you choose, for example, your husband or wife, a relative or friend or an advice worker.

- Some lay representatives may want to be paid for helping you. You should make sure you know exactly how much this will be. Consider carefully whether you think it is worth paying that amount. Remember, you will have to pay this yourself.
- If the district judge thinks your lay representative is behaving badly, he can tell him or her to leave.

• **Witness(es) are not needed at the preliminary appointment**

3. After the Preliminary Appointment

You will be sent a form N18A (notice of arbitration hearing).

The notice will tell you:

- What was decided at the preliminary appointment and what you have to do to get ready for the arbitration hearing;
- the date, time and place of the arbitration hearing and how long it will last.

Leaflet number 6 ("A defence to my claim - what happens now?") and leaflet number 7 (An arbitration hearing - how do I prepare?) will give more information about the arbitration hearing and what you should do.

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

Notice of Arbitration Hearing Small Claims Procedure

Plaintiff

Defendant

In the

County Court

Case No. Always quote this

Plaintiff's Ref.

Date:

To the plaintiff and defendant

1. Details of Hearing

This case is to be dealt with by arbitration under the small claims procedure. The notes overleaf tell you more about the hearing and what you need to do before it takes place.

The arbitration hearing will take place at

on _____ at _____ o'clock

The time allowed for the arbitration is _____ hour(s) _____ minutes

If you do not attend, the district judge (the arbitrator) may make decisions in your absence.

If you do not wish your case to be dealt with under the informal small claims procedure, you may apply to the court. You should use form N244 which you can get free from the court office. You must say why you object to your case being dealt with as a small claims case.

The court will give you an appointment at which the district judge will consider your objections. If your case is not dealt with under the small claims procedure, costs may be allowed. That means, if you lose the case you may have to pay the other party's costs which may include the costs of help from a legal representative.

Seal

2. District Judge's Directions (What you should do)

- (i) **Not less than 14 days before the hearing**, you must send the other party a copy of all the documents you have which you are going to use to prove your case.
- (ii) **Not less than 7 days before the hearing**, you must send the court and the other party:
 - (a) a copy of any expert report you are going to use to prove your case and
 - (b) if you intend to use any, the name(s) and address(es) of your witness(es).

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3. Help and advice

- You may find it helpful to get advice about your claim and the evidence you should produce at the hearing. You may be entitled to advice from a solicitor under the Legal Advice and Assistance Scheme. If expert evidence would help to prove your claim, your local Citizens Advice Bureau may be able to suggest the name of a suitable person to provide a report and possibly attend to give evidence. They also offer more general advice and assistance. In certain circumstances they may be able to refer you to a local solicitor for a free or low cost interview.
- You may take someone with you to the hearing to speak for you. They cannot come to the hearing alone. This person is called a 'lay representative' and can be anyone you choose, for example, your husband or wife, a relative, friend, or advice worker.
- Some lay representatives may want to be paid for helping you. You should make sure you know exactly how much this will be. Consider carefully whether your claim is worth paying that amount. Remember, you will have to pay this yourself.
- You should also remember that some lay representatives who charge for their services may not belong to any professional body. This means that if you are dissatisfied with the way they handle your case, there may be no one to whom you can complain.
- Small claims leaflet number 6 ('A defence to my claim - what happens now?') and leaflet number 7 ('An arbitration hearing - how do I prepare?') will give you more information about the hearing and what you have to do.

4. Notes on the arbitration hearing

- Arbitration is an informal way of dealing with a claim. The hearing is normally held in private.
- At the hearing the district judge (the arbitrator) will decide on the best way to:
 - identify the facts and matters in dispute, and
 - make sure you have a fair and equal opportunity to present your case.
- The strict rules of evidence will not apply. The arbitrator may take into account any evidence as long as it is fair to both parties to do so.
- If you do not attend the hearing, the arbitrator will normally deal with the case in your absence. But any documents you have sent to the court will be taken into account.
- If you do not have anyone to speak on your behalf, you can ask the arbitrator to help by putting questions for you.
- At the end of the hearing, the arbitrator will tell you the decision and the reasons for it.
- The decision ('award') made at the hearing is normally final. You can apply to have it set aside, but the grounds (reasons) for doing so are **very limited**.

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

<p>Centralised Attachment of Earnings Payment System (CAPS)</p> <p>Attachment of Earnings Order</p>	<i>Details of the court which made the order</i>	
	In the _____	
	County Court	
	Case No	<small>Always quote this</small>
	Application No	
	Plaintiff	
	Defendant	
Dated		

To the defendant's employer

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To the employer

Your employee who is employed by you at

as a _____ works no/pay ref _____ County Court is in arrears under a judgment/order of the _____

The court orders that you must deduct £ _____ per week/month (the normal deduction rate) from the defendant's earnings and send it to the address below until £ _____ (the amount payable under the judgment/order) has been paid.

You must not deduct any money which would reduce your employee's net pay below £ _____ per week/month (the protected earnings rate).

N60 CAPS (employer) Attachment of earnings order (judgment debt) (Order 27, rule 10)

All payments must be sent to CAPS

Detach this payment slip and send it to CAPS. See overleaf for further information

To the Manager

Case No
Application No
Plaintiff
Defendant

Amount of payment

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

Notes

Further information

- **Do not send this order to CAPS. Detach the payment slip. See How to make payment to CAPS below.**
- The case and application numbers remain the same and should be quoted on all correspondence with CAPS.
- You should start deducting money from your employee's wages from the next pay day after you receive the order.
- Each time you make a deduction you must give your employee a written statement of the total amount deducted including your administrative charge, if any.
- Each time you make a deduction from your employee's wages you are entitled to deduct £1 to cover your administrative overheads.
- Money is required to be paid to the address below at monthly or weekly intervals.
- If your employee leaves your employment you should write to CAPS at the address below. Please give as much information as you have.
- **Failure to comply with the terms of the order can be an offence.**

How CAPS will help you

- CAPS provides you with one place to make all payments under county court attachment of earnings orders.
- If you require more information on how to operate an attachment of earnings order an explanatory booklet is available. Please phone the CAPS help line.

CAPS help line

- If you require further information please phone the CAPS helpline on

How to make payment to CAPS

- Payments should be made by crossed cheque or postal order made payable to HM Paymaster General.
- You should send your payment with the attached payment slip.
- If you would rather use a schedule instead of the payment slip you must ensure that the following information is included:
 - Case number and attachment of earnings number
 - The plaintiff's name
 - Your employee's name
 - Any pay reference
 - The amount of the payment.
- You should clearly show how much money has been deducted for each case.
- **The schedule will not be returned to you.**
- **A receipt will be sent to you for each payment.**
- **A new payment slip will be sent with the receipt.**
- The address for CAPS is

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

<p>Centralised Attachment of Earnings Payment System (CAPS)</p> <p>Attachment of Earnings Order</p>	<i>Details of the court which made the order</i>
	In the _____ County Court
	Case No <small>Always quote this</small> _____
	Application No _____
	Plaintiff _____
	Defendant _____
	Dated _____

To the defendant



This is a copy of an attachment of earnings order sent to your employer

To the defendant's employer

Your employee who is employed by you at

as a _____ works no/pay ref _____ County Court
 is in arrears under a judgment/order of the _____

The court orders that you must deduct £ _____ per week/month (the normal deduction rate) from the defendant's earnings and send it to the address below until £ _____ (the amount payable under the judgment/order) has been paid.

You must not deduct any money which would reduce your employee's net pay below £ _____ per week/month (the protected earnings rate).

Further information

If you change employer

- If you change your employer you must write to _____ County Court at _____ and not CAPS, within 7 days giving the following details:
 - the name and address of your new employer
 - the court case number
 - your new works number and or pay reference
 - your new rate of pay

If you do not tell the court you have changed your employer you may be fined or imprisoned or both

- Please note that case and application numbers remain the same and should be quoted on all correspondence.

If you wish to object to the order

- If you object to the rate of payment (the normal deduction rate or the protected earnings rate) you must write to the _____ County Court.
- You have 14 days from the date that you received this order do this. _____ County Court will arrange a hearing and will tell you when to come to court.

All correspondence relating to payment should be addressed to the Manager and should quote the case and application numbers. The Centralised Attachment of Earnings Payment System (CAPS) at _____ is available between 10 am to 4 pm Monday to Friday on _____

N60 CAPS (defendant) Attachment of earnings order (judgment debt) (Order 27, rule 10)

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

<p>Centralised Attachment of Earnings Payment System (CAPS)</p> <p>Attachment of Earnings Order</p>	<i>Details of the court which made the order</i>	
	In the	County Court
	Case No	<small>Always quote this</small>
	Application No	
	Plaintiff	
	Defendant	
	Dated	

To the plaintiff



This is a copy of an attachment of earnings order sent to the defendant's employer

To the defendant's employer

Your employee who is employed by you at

as a works no/pay ref County Court
is in arrears under a judgment/order of the

The court orders that you must deduct £ per week/month (the normal deduction rate) from the defendant's earnings and send it to the address below until £ (the amount payable under the judgment) has been paid.

You must not deduct any money which would reduce your employee's net pay below £ per week/month (the protected earnings rate).

Further information

How CAPS will help you

- CAPS will collect payments under this attachment of earnings order.
- CAPS will deal with all your enquiries about payments under this order.
- CAPS will monitor for payments. If a payment is not received on time CAPS will find out why.
- Please make all your enquiries about payment to CAPS at the address below and not to the court which made the order.
- CAPS will tell you if it is necessary to ask the court which made this order to take steps to enforce it against either the defendant or the employer.
- Please note that the case and application number remain the same and should be quoted on any correspondence.

If you wish to object to the order

- If you object to the rate of payment (the normal deduction rate or the protected earnings rate) you must write to the County Court.
- You have 14 days from the date that you received this order to do this. County Court will arrange a hearing and will tell you when to come to court.

All correspondence relating to payment should be sent to the Manager and should quote the case and application numbers. The Centralised Attachment of Earnings Payment System (CAPS) at is available between 10 am to 4 pm Monday to Friday on

N60 CAPS (plaintiff) Attachment of earnings order (judgment debt) (Order 27, rule 10)

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

<p>Centralised Attachment of Earnings Payment System (CAPS)</p> <p>Attachment of Earnings Order</p> <p>Priority Maintenance</p>	<i>Details of the court which made the order</i>	
	In the _____	
	County Court	
	Case No	<small>Always quote this</small>
	Application No _____	
	Plaintiff _____	
	Defendant _____	
Dated _____		

To the defendant's employer



To the defendant's employer

Your employee who is employed by you at

as a _____ works no/pay ref _____ is required to make payments under a court maintenance order.

The court orders that you must deduct £ _____ per week/month (the normal deduction rate) from the defendant's earnings and send it to the address below until further order. You must not deduct any money which would reduce your employee's net pay below £ _____ per week/month (the protected earnings rate).

The normal deduction and protected earnings rates may vary from time to time. This is because the Attachment of Earnings Act allows any shortfall to be carried forward from pay day to pay day until it is cleared.

N65 CAPS (employer) Attachment of earnings order (priority maintenance) (Order 27, rule 17(8))

All payments must be sent to CAPS

Detach this payment slip and send it to CAPS. See overleaf for further information

Case No _____

Application No _____

Plaintiff _____

Defendant _____

To the Manager

Amount of payment

SCHEDULE 2

Rule 3

Notes

Further information

- *Do not send this order to CAPS. Detach the payment slip. See How to make payment to CAPS below.*
- The case and application numbers remain the same and should be quoted on all correspondence with CAPS.
- You should start deducting money from your employee's wages from the next pay day after you receive the order.
- Each time you make a deduction you must give your employee a written statement of the total amount deducted including your administrative charge, if any.
- Each time you make a deduction from your employee's wages you are entitled to deduct £1 to cover your administrative overheads.
- Money is required to be paid to the address below at monthly or weekly intervals.
- If your employee leaves your employment you should write to CAPS at the address below. Please give as much information as you have.
- **Failure to comply with the terms of the order can be an offence.**

How CAPS will help you

- CAPS provides you with one place to make all payments under county court attachment of earnings orders.
- If you require more information on how to operate an attachment of earnings order an explanatory booklet is available. Please phone the CAPS help line.

CAPS help line

- If you require further information please phone the CAPS helpline on

How to make payment to CAPS

- Payments should be made by crossed cheque or postal order made payable to HM Paymaster General.
- You should send your payment with the attached payment slip.
- If you would rather use a schedule instead of the payment slip you must ensure that the following information is included:
 - Case number and attachment of earnings number
 - The plaintiff's name
 - Your employee's name
 - Any pay reference
 - The amount of the payment.
- You should clearly show how much money has been deducted for each case.
- **The schedule will not be returned to you.**
- **A receipt will be sent to you for each payment.**
- **A new payment slip will be sent with the receipt.**
- The address for CAPS is

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

<p>Centralised Attachment of Earnings Payment System (CAPS)</p> <p>Attachment of Earnings Order</p> <p>Priority Maintenance</p>	<i>Details of the court which made the order</i>	
	In the _____	
	County Court	
	Case No	<i>Always quote this</i>
	Application No	
	Plaintiff	
	Defendant	
Dated		

To the defendant



This is a copy of an attachment of earnings order sent to your employer

To the defendant's employer

Your employee who is employed by you at

as a _____ works no/pay ref _____ is required to make payments under a court maintenance order.

The court orders that you must deduct £ _____ per week/month (the normal deduction rate) from the defendant's earnings and send it to the address below until further order. You must not deduct any money which would reduce your employee's net pay below £ _____ (the protected earnings rate).

The normal deduction and protected earnings rates may vary from time to time. This is because the Attachment of Earnings Act allows any shortfall to be carried forward from pay day to pay day until it is cleared.

Further information

- Please note that case and application numbers remain the same and should be quoted on all correspondence.
- Any applications to vary this order should be made to _____ County Court at _____

tel _____

If you change employer

- If you change your employer you must write to _____ County Court, and not CAPS, within 7 days giving the following details:
 - the name and address of your new employer
 - the court case number
 - your new works number and or pay reference
 - your new rate of pay

If you do not tell the court you have changed your employer you may be fined or imprisoned or both

All correspondence relating to payment should be addressed to the Manager and should quote the case and application numbers. The Centralised Attachment of Earnings Payment System (CAPS) at _____ is available between 10 am to 4 pm Monday to Friday on _____

N65 CAPS (defendant) Attachment of earnings order (priority maintenance) (Order 27, rule 17(8))

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

<p>Centralised Attachment of Earnings Payment System (CAPS)</p> <p>Attachment of Earnings Order</p> <p>Priority Maintenance</p>	<i>Details of the court which made the order</i>	
	In the	County Court
	Case No	<small>Always quote this</small>
	Application No	
	Plaintiff	
	Defendant	
	Dated	

To the plaintiff



This is a copy of an attachment of earnings order sent to the defendant's employer

To the defendant's employer

Your employee
who is employed by you at

as a _____ works no/pay ref _____
is required to make payments under a court maintenance order.

The court orders that you must deduct £ _____ per week/month (the normal deduction rate) from the defendant's earnings and send it to the address below until further order.

You must not deduct any money which would reduce your employee's net pay below £ _____ per week/month (the protected earnings rate).

The normal deduction and protected earnings rates may vary from time to time. This is because the Attachment of Earnings Act allows any shortfall to be carried forward from pay day to pay day until it is cleared.

Further information

- Please note that case and application numbers remain the same and should be quoted on all correspondence.
- Any applications to vary this order should be made to _____ County Court at _____

tel _____

How CAPS will help you

- CAPS will collect payments under this attachment of earnings order.
- CAPS will monitor for payments. If a payment is not received on time CAPS will find out why.
- CAPS will tell you if it is necessary to ask the court which made the order to take steps to enforce it against either the defendant or the employer.
- CAPS will deal with all your enquires about payments under this order.
- Please make all your enquiries about payment to CAPS at the address below and not to the court which made the order.

All correspondence relating to payment should be addressed to the Manager and should quote the case and application numbers. The Centralised Attachment of Earnings Payment System (CAPS) at _____ is available between 10 am to 4 pm Monday to Friday on _____

N65 CAPS (plaintiff) Attachment of earnings order (priority maintenance) (Order 27, rule 17(8))

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

Summons for assaulting an officer of the Court or rescuing goods
Order 34, rule 1(a)

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

To
of



You are summoned to appear at a Court to be held at
on the _____ at _____ o'clock
to answer a complaint made against you by
an Officer of this Court, and to show cause why an order should not be made against you
under the County Courts Act, 1984, for payment of a fine or for your committal to prison or both,
for an assault committed by you on the _____ day of _____ 19____,
upon the said Officer whilst in the execution of his duty [or for rescuing or attempting to rescue,
on the _____ day of _____ 19____, certain goods seized under process
of this Court.]

Dated

Note: to be served personally not less than eight days before the return date

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

<p>Centralised Attachment of Earnings Payment System (CAPS)</p> <p>Attachment of Earnings Arrears Order</p> <p>Priority Maintenance</p>	<i>Details of the court which made the order</i>	
	In the	County Court
	Case No	<small>Always quote this</small>
	Application No	
	Plaintiff	
	Defendant	
	Dated	

To the defendant's employer



To the defendant's employer

Your employee who is employed by you at as a

works no/pay ref

owes arrears under a maintenance order [which is secured by a separate attachment of earnings order [enclose [which you are already administering]

The court orders that you must deduct [a further] £ per week/month (the normal deduction rate) from the defendant's earnings and send it to the address below until the arrears of £ have been paid. You must not deduct any money which would reduce your employee's net pay below £ per week/month (the protected earnings rate).

The normal deduction and protected earnings rates may vary from time to time. This is because the Attachment of Earnings Act allows any shortfall to be carried forward from pay day to pay day until it is cleared.

This order does not affect the existing priority order and you should continue to deduct money under that order.

N65A CAPS (employer) Attachment of earnings arrears order (priority maintenance) (Order 27, rule 17(8))

All payments must be sent to CAPS

Detach this payment slip and send it to CAPS. See overleaf for further information

Arrears Order

Case No

Application No

Plaintiff

Defendant

To the Manager

Amount of payment

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

Notes

Further information

- *Do not send this order to CAPS. Detach the payment slip. See How to make payment to CAPS below.*
- The case number has been modified by the addition of an "A" and should be quoted on all correspondence with CAPS.
- You should start deducting money from your employee's wages from the next pay day after you receive the order.
- Each time you make a deduction you must give your employee a written statement of the total amount deducted including your administrative charge, if any.
- Each time you make a deduction from your employee's wages you are entitled to deduct £1 to cover your administrative overheads.
- Money is required to be paid to the address below at monthly or weekly intervals.
- If your employee leaves your employment you should write to CAPS at the address below. Please give as much information as you have.
- **Failure to comply with the terms of the order can be an offence.**

How to make payment to CAPS

- Payments should be made by crossed cheque or postal order made payable to HM Paymaster General.
- You should send your payment with the attached payment slip.
- If you would rather use a schedule instead of the payment slip you must ensure that the following information is included:
 - Case number and attachment of earnings number
 - The plaintiff's name
 - Your employee's name
 - Any pay reference
 - The amount of the payment.
- You should clearly show how much money has been deducted for each case.
- **The schedule will not be returned to you.**
- **A receipt will be sent to you for each payment.**
- **A new payment slip will be sent with the receipt.**
- The address for CAPS is

How CAPS will help you

- CAPS provides you with one place to make all payment under county court attachment of earnings orders.
- If you require more information on how to operate an attachment of earnings order an explanatory booklet is available. Please phone the CAPS help line.

CAPS help line

- If you require further information please phone the CAPS helpline on

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

<p>Centralised Attachment of Earnings Payment System (CAPS)</p> <p>Attachment of Earnings Arrears Order</p> <p>Priority Maintenance</p>	<i>Details of the court which made the order</i>	
	In the	County Court
	Case No	<i>Always quote this</i>
	Application No	
	Plaintiff	
	Defendant	
	Dated	

To the defendant



This is a copy of an attachment of earnings order sent to your employer

To the defendant's employer

Your employee who is employed by you at _____ works no/pay ref _____
 as a _____ owes arrears under a maintenance order [which is secured by a separate attachment of earnings order [enclosed] [which you are already administering]

The court orders that you must deduct [a further] £ _____ per week/month (the normal deduction rate) from the defendant's earnings and send it to the address below until the arrears of £ _____ have been paid. You must not deduct any money which would reduce your employee's net pay below £ _____ per week/month (the protected earnings rate).

The normal deduction and protected earnings rates may vary from time to time. This is because the Attachment of Earnings Act allows any shortfall to be carried forward from pay day to pay day until it is cleared.

This order does not affect the existing priority order and you should continue to deduct money under that order.

Further information

- Please note that case number for this arrears order has been modified by the addition of an "A" and should be quoted on all correspondence.
- Any applications to vary this order should be made to _____ County Court at _____

tel _____

If you change employer

- If you change your employer you must write to _____ County Court, and not CAPS, within 7 days giving the following details:
 - the name and address of your new employer
 - the court case number
 - your new works number and or pay reference
 - your new rate of pay.

If you do not tell the court you have changed your employer you may be fined or imprisoned or both

All correspondence relating to payment should be addressed to the Manager and should quote the case and application numbers. The Centralised Attachment of Earnings Payment System (CAPS) at _____ is available between 10 am to 4 pm Monday to Friday on _____

N65A CAPS (defendant) Attachment of earnings arrears order (priority maintenance) (Order 27, rule 17(8))

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

<p>Centralised Attachment of Earnings Payment System (CAPS)</p> <p>Attachment of Earnings Arrears Order</p> <p>Priority Maintenance</p>	<i>Details of the court which made the order</i>	
	In the	County Court
	Case No	<small>Always quote this</small>
	Application No	
	Plaintiff	
	Defendant	
	Dated	

To the plaintiff



This is a copy of an attachment of earnings order sent to the defendant's employer

To the defendant's employer

Your employee who is employed by you at _____ works no/pay ref _____ owes arrears under a maintenance order [which is secured by a separate attachment of earnings order (enclosed) (which you are already administering)]

The court orders that you must deduct [a further] £ _____ per week/month (the normal deduction rate) from the defendant's earnings and send it to the address below until the arrears of £ _____ have been paid. You must not deduct any money which would reduce your employee's net pay below £ _____ per week/month (the protected earnings rate).

The normal deduction and protected earnings rates may vary from time to time. This is because the Attachment of Earnings Act allows any shortfall to be carried forward from pay day to pay day until it is cleared.

This order does not effect the existing priority order and you should continue to deduct money under that order.

Further information

How CAPS will help you

- Please note that case number for this arrears orders has been modified by the addition of an "A" and should be quoted on all correspondence.
- Any applications to vary this order should be made to _____ County Court at _____ tel _____
- CAPS will collect payments under this attachment of earnings order.
- CAPS will monitor for payments. If a payment is not received on time CAPS will find out why.
- CAPS will tell you if it is necessary to ask the court which made the order to take steps to enforce it against either the defendant or the employer.
- CAPS will deal with all your enquires about payments under this order.
- Please make all your enquiries about payment to CAPS at the address below and not to the court which made the order.

All correspondence relating to payment should be addressed to the Manager and should quote the case and application numbers The Centralised Attachment of Earnings Payment System (CAPS) at is available between 10 am to 4 pm Monday to Friday on

N65 A CAPS (plaintiff) Attachment of earnings arrears order (priority maintenance) (Order 27, rule 17(8))

EXPLANATORY NOTE

(This note is not part of the Rules)

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

(1) substitute new forms for the Forms N.18 (Notice of Preliminary (Arbitration) Appointment), N.18A (Notice of Arbitration Hearing), N.60 (Attachment of Earnings Order (Judgment Debt)), N.65 (Attachment of Earnings Order (Priority Maintenance)) and N.90 (Summons for assaulting an officer of the Court or rescuing goods) (*rule 2*);

(2) introduce a new Form N.65A (Attachment of Earnings Arrears Order (Priority Maintenance)) (*rule 3*); and

(3) make minor amendments to Forms N.9 (Form of admission, defence and counterclaim to accompany Forms N.2, 3 and 4), N.112 (Order for Arrest under section 110 of County Courts Act 1984 and section 23 Attachment of Earnings Act 1971) and N.112A (Power of arrest, section 23 Attachment of Earnings Act 1971) (*rules 4 and 5*).