
STATUTORY INSTRUMENTS

1997 No. 1838 (L.28)

COUNTY COURTS

PROCEDURE

The County Court (Forms) (Amendment) Rules 1997

Made - - - - *28th July 1997*

Coming into force

As to all provisions except

Rule 2 *1st September 1997*

Rule 2 *1st October 1997*

1.—(1) These Rules may be cited as the County Court (Forms) (Amendment) Rules 1997.

(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.5A and N.11A(2), the forms in Schedule 1 to these Rules.

3. In—

- (a) section 4 of form N.9(3), and
- (b) section 4 of form N.10 (HP/CCA)(4)

for the words from “*If your claim against the plaintiff is for more than his claim against you, you may have to pay a fee. Ask at the court office whether a fee is payable.*”, there shall be substituted the words “*To start your counterclaim, you may have to pay a fee. If you do, the fee will depend on the amount you are claiming. Court staff will tell you how much you have to pay.*”.

4. In section 5 of form N.9B(5) for the words from “*If your claim against the plaintiff is for more than the plaintiff’s claim against you, you may have to pay a fee. Ask at your local court office whether a fee is payable.*”, there shall be substituted the words “*To start your counterclaim, you may have to pay a fee. If you do, the fee will depend on the amount you are claiming. Court staff will tell you how much you have to pay.*”.

(1) S.I.1982/586; the relevant amending instruments are noted in footnotes to provisions in the body of the instrument.
(2) Forms N.5A and N.11A were inserted by S.I. 1993/2174.
(3) Form N.9 was substituted by S.I. 1995/2839 and amended by S.I. 1995/3278 and 1996/2811.
(4) Form N.10 (HP/CCA) was substituted by S.I. 1995/2839.
(5) Form N.9B was substituted by S.I. 1995/2839.

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5. There shall be substituted in the main Schedule, for forms N.8, N.8(1), N.8(2), N.8(4), N.15, N.17, N.24(6), N.40, N.53(7), N.70, N.71, N.75, N.81, N.88(8), N.89(8), N.90(9), N.91, N.103, N.104 and N.107, the forms contained in Schedule 2 to these Rules.

6. There shall be substituted in the main Schedule, for form N.16A(10), the form contained in Schedule 4 to these Rules.

7. There shall be inserted in the main Schedule, after form N.110, the form contained in Schedule 3 to these Rules.

8. There shall be substituted, for the words “chief clerk” wherever they appear in the forms in the main Schedule, the words “court manager”.

The undersigned members of the Rule Committee, appointed by the Lord Chancellor under section 75 of the County Courts Act 1984(11), having made these Rules, certify them and submit them to the Lord Chancellor.

*Frank J. White
Neil Butter
Helen Paling
Hugh Jones
R. Winstanley
Margaret Wilby
W. A. Vincent
Henrietta Manners
E. C. Gee*

I allow these Rules, which shall come into force on 1st September 1997 except for rule 2 which shall come into force on 1st October 1997.

Dated 28th July 1997

Irvine of Lairg, C.

(6) Form N.24 was substituted by S.I. 1994/2110.

(7) Form N.53 was amended by S.I. 1987/1119.

(8) Forms N.88 and 89 were amended by S.I. 1984/879.

(8) Forms N.88 and 89 were amended by S.I. 1984/879.

(9) Form N.90 was substituted by S.I. 1996/2811.

(10) Form N.16A was inserted by S.I. 1991/526.

(11) 1984 c. 28; section 75 was amended by the Courts and Legal Services Act 1990 (c. 41), sections 2(4) and 16 and Schedule 18, paragraph 47.

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SCHEDULE 1

Rule 2



Application for accelerated possession under section 8 of the Housing Act 1988 (assured tenancies [including shorthold tenancies]): affidavit in support

Plaintiff's full name and address

Name and address for service and payment (if different from above)
Ref/Tel no.

Defendant's name (including title, eg Mr, Mrs or Miss) and address

Case No	<small>Always quote this number</small>
In the	
County Court	
The court office is open from 10am to 4pm Monday to Friday	
☎ Telephone	



The plaintiff (your landlord) is claiming possession of

WHAT THIS MEANS

- The court will be deciding whether or not you have to leave, and if you have to leave, when.

You must act immediately - there will not normally be a court hearing.

- **Read this application**, the information leaflet enclosed and the affidavit
- **Get advice** from an advice agency (a list of agencies is attached) or a solicitor
- **Fill in the form of reply** and return it to the court office

Court fee	
Solicitor's costs	
Total amount	
Application issued on	

More information about assured tenancies is available in Housing booklet 'Assured and Assured Shorthold Tenancies: A Guide for Tenants'. The booklet is produced by the Department of the Environment. Your local Citizens Advice Bureau will have a copy.

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

Affidavit to support my application for accelerated possession under section 8 of the Housing Act 1988
(The notes in the margin tell you when you have to delete part of the paragraph)

Paragraph 1
Insert full name, address and occupation of person making this affidavit. Give the address of the property and delete words in brackets to show whether property is a house or part of one

1 I,

make this affidavit to support my application for an order for possession of

which is a (dwelling house) (part of a dwelling house).

Paragraph 2
Give the date of the current or latest written tenancy agreement. Attach a copy of the agreement to this affidavit. It must contain all the terms of the agreement

2 On the day of 19 , I entered into a written tenancy agreement with the defendant(s). A copy of that agreement, marked 'A', is exhibited (attached) to this affidavit.

Delete the words in brackets if there was no previous landlord

I confirm that:
• both the tenancy and the agreement were made on or after 15 January 1989

• I did not let the property mentioned above, or any other property, to the defendant(s) before 15 January 1989, (and neither did any previous landlord).

• the defendant(s) (is) (are) the original tenant(s) to whom the property was let under the assured shorthold tenancy agreement. The tenant(s) first occupied the property on

Delete as appropriate to show whether there is one or more defendant. Give date when tenant(s) moved into the property

Paragraph 3
Complete this section only if a new tenancy has been agreed orally (not in writing)

3 The current agreement relates to the same, or substantially the same, property. The terms are the same as set out in the agreement at paragraph 2 (except for:

Delete the words in brackets if the rent and duration of the tenancy are as set out in the written agreement. If either has changed, delete (i) or (ii) as appropriate

- (i) the amount of rent to be paid. The current rent is
£ per ;
- (ii) the duration of the tenancy.)

Paragraph 4
Delete paragraphs (a)-(c) as appropriate to show how the latest tenancy agreement came about

4 The tenancy is an assured tenancy.

(a) It is subject to the written agreement referred to in paragraph 2 above.

(b) The written agreement referred to in paragraph 2 has expired. There is now a further assured tenancy for an unspecified period. The terms of this tenancy are the same as in the written tenancy except as indicated at paragraph 3. Since the written agreement, there has not been a tenancy which was agreed orally and which was followed by a statutory periodic tenancy.

(c) The written agreement referred to in paragraph 2 has expired. There is now a further assured tenancy, agreed orally, for a fixed period of months. That period ends on the day of 19 . The terms of this tenancy are the same as in the written tenancy except as indicated at paragraph 3.

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Paragraph 5

Delete paragraphs (a)-(e) as appropriate to show the grounds on which you are claiming possession. If paragraph (b) applies, delete the options as applicable to show who bought the property and who intends to live there.

Paragraph 6

Give the date on which the notice was served. A copy of the notice must be attached to this affidavit

Paragraph 7

Give details of how the notice (in paragraph 6) was served eg delivered personally, by post etc. Attach any proof of service eg recorded delivery slip. Mark it 'B1'.

Paragraph 8

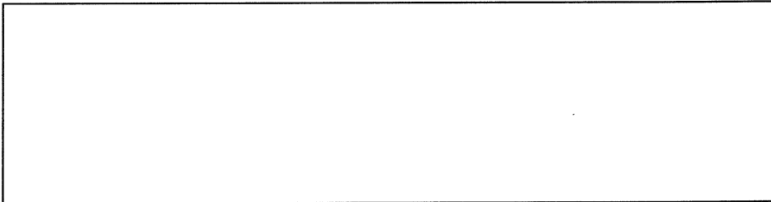
Give the date on which the notice was served. A copy of the notice must be attached to this affidavit

Paragraph 9

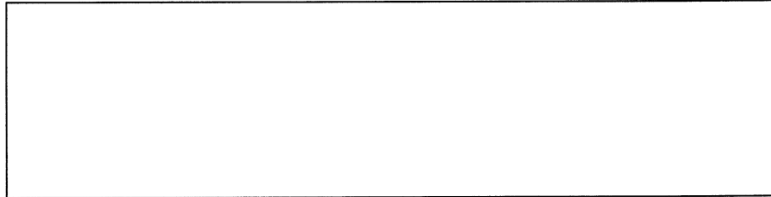
Give details of how the notice (in paragraph 8) was served eg delivered personally, by post, etc. Attach any proof of service eg recorded delivery slip. Mark it 'C1'.

- 5** The tenancy is an assured tenancy and I am seeking an order for possession on the following grounds:
- (a) at some time before the start of the tenancy (I) (a joint landlord) occupied the property as my main home. (The joint landlord's name is .)
 - (b) I and/or a joint landlord bought the property before the tenancy started and I and/or my spouse, or a joint landlord and/or the joint landlord's spouse, intend(s) to live in it as the main home. (The joint landlord's name is .)
 - (c) The tenancy was for a fixed term of eight months or less and, in the twelve months before the tenancy started, the property was let for a holiday.
 - (d) The tenancy was for a fixed term of twelve months or less and, in the twelve month period before the tenancy started, the property was let to students by a specified educational establishment.
 - (e) The property is held for use by a minister of religion as a residence from which to carry out (his) (her) duties and is now needed for this purpose.

- 6** A notice was served on the defendant(s) on the day of 19 which said I might ask for possession on the ground(s) claimed in paragraph 5. A copy of this notice, marked 'B', is exhibited (attached) to this affidavit.

7 

- 8** A further notice, under section 8 of the Housing Act 1988, was served on the defendant(s) on the day of 19 which said I intended to make an application for possession of the property on the grounds set out in paragraph 5. A copy of this notice, marked 'C', is exhibited (attached) to this affidavit. The notice of month(s) has expired.

9 

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Paragraph 10

Give details of further evidence (if any) you wish to use to prove your claim for possession under one or more of the grounds set out in paragraph 5. Attach any written document(s) which support that evidence. Mark them 'D1', 'D2' and so on.

10

Paragraph 11

Insert address of property and the time within which you want possession. You must not make any claim for rent arrears

11

I ask the court to grant me an order for possession of

within days and for payment of my costs of making this application

Sworn at

in the

this day of 19

Before me

*Officer of a court appointed
by the Circuit Judge to take affidavits*

CERTIFICATE OF SERVICE

I certify that the summons of which this is a true copy was served by me on
by posting it to the Defendant on
at the address stated on the summons

Officer of the Court

I certify that the summons has not been served for the following reasons:

Officer of the Court

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Form of reply to application for accelerated possession under section 8 of the Housing Act 1988 (assured tenancies [including assured shorthold tenancies])

- Each of the questions in this form relates to a paragraph in the plaintiff's affidavit. You will find it easier to fill in if you have the affidavit open in front of you
- Use **black ink** when you fill in this form
- When you have filled it in sign it and send or take it to the court office shown on the application

In the		Court
Case Number	<small>Always quote this number</small>	
Plaintiff		
Defendant		

1 Are you the tenant named in the tenancy agreement attached to the plaintiff's affidavit? Yes No

2 Does the tenancy agreement referred to at paragraph 2 of the plaintiff's affidavit:

(a) set out the terms of your tenancy agreement with the plaintiff? Yes *If Yes, go to question 4* No *Give details below*

(b) set out the terms of your tenancy agreement except that the rent you pay, or the duration of the tenancy, have changed (as stated in paragraph 3 of the affidavit)? Yes *If Yes, go to question 4* No *Give details below*

3 If you have answered No to either part (a) or (b) of question 2, say which terms of the agreement are different, and how they differ

4 When did you move into the property? *Give date*

5 Did you have a tenancy agreement with the plaintiff (or the previous landlord) for the same, or substantially the same, property, (or another property) before 15 January 1989? Yes *If Yes, give details below* No

Say who the landlord was, and give the address of the property (and whether a house or a flat) and details of the previous tenancy (including the dates when you occupied the property). If you have a copy of the agreement, attach a copy to this reply.

6 Do you agree with the plaintiff's claim to be entitled to have possession of the property? Yes No *If No, give details below*

You must have proper legal reasons for not agreeing with the claim for possession. Having nowhere else to live is not a legal reason

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Application for accelerated possession under section 21 of the Housing Act 1988 (assured shorthold tenancies only): affidavit in support

Plaintiff's full name and address

Name and address for service and payment (if different from above) Ref/Tel no.

Defendant's name (including title, eg Mr, Mrs or Miss) and address

Case No <small>Always quote this number</small>	
In the County Court	
The court office is open from 10am to 4pm Monday to Friday	
☎ Telephone	



The plaintiff (your landlord) is claiming possession of

WHAT THIS MEANS

- The court will be deciding whether or not you have to leave, and if you have to leave, when.

You must act immediately - there will not normally be a court hearing.

- **Read this application**, the information leaflet enclosed and the affidavit
- **Get advice** from an advice agency (a list of agencies is attached) or a solicitor
- **Fill in the form of reply** and return it to the court office

Court fee
Solicitor's costs
Total amount
Application issued on

More information about assured tenancies is available in Housing booklet 'Assured and Assured Shorthold Tenancies: A Guide for Tenants'. The booklet is produced by the Department of the Environment. Your local Citizens Advice Bureau will have a copy.

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Paragraph 5

5 The assured shorthold tenancy did not follow an assured non-shorthold tenancy. I confirm that six months have elapsed since the original agreement.

Paragraph 6

6 I did not serve a notice on the defendant(s) before the previous assured shorthold tenancy expired, saying that any new tenancy would not be an assured shorthold tenancy, nor did the tenancy agreement contain a provision saying it was not an assured shorthold tenancy, nor is the tenancy an assured non-shorthold tenancy under any other provision of Schedule 2A to the Housing Act 1988.

Paragraph 7
Delete this paragraph if the tenancy and/or any agreement for it was entered into on or after 28 February 1997

7 A notice, under section 20 of the Housing Act 1988, was served on the defendant(s) on the day of 19 which said that the tenancy was to be an assured shorthold tenancy. A copy of this notice, marked 'B', is exhibited (attached) to this affidavit.

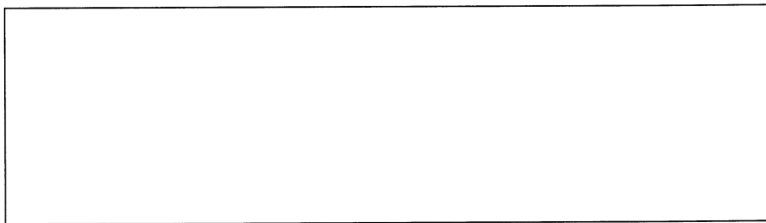
Paragraph 8
Give details of how the notice (in paragraph 7) was served eg delivered personally, by post, etc. Attach any proof of service eg recorded delivery slip. Mark it 'B1'.

8 

Paragraph 9
Give the date on which the notice was served and the length of notice given. A copy of the notice must be attached to this affidavit

9 A notice, under section 21 of the Housing Act 1988, was served on the defendant(s) on the day of 19 which said possession of the property was required. A copy of that notice, marked 'C', is exhibited (attached) to this affidavit. The notice of month(s) has expired.

Paragraph 10
Give details of how the notice (in paragraph 9) was served eg delivered personally, by post, etc. Attach any proof of service eg recorded delivery slip. Mark it 'C1'.

10 

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Form of reply to application for accelerated possession under section 21 of the Housing Act 1988 (assured shorthold tenancies only)

- Each of the questions in this form relates to a paragraph in the plaintiff's affidavit. You will find it easier to fill in if you have the affidavit open in front of you
- Use **black ink** when you fill in this form
- When you have filled it in sign it and send or take it to the court office shown on the application

In the		Court
Case Number	<small>Always quote this number</small>	
Plaintiff		
Defendant		

- 1** Are you the tenant named in the tenancy agreement attached to the plaintiff's affidavit? Yes No
- 2** Does the tenancy agreement referred to at paragraph 2 of the plaintiff's affidavit:
- (a) set out the terms of your tenancy agreement with the plaintiff? Yes *If Yes, go to question 4* No *Give details below*
- (b) set out the terms of your tenancy agreement except that the rent you pay, or the duration of the tenancy, have changed (as stated in paragraph 3 of the affidavit)? Yes *If Yes, go to question 4* No *Give details below*
- 3** If you have answered No to either part (a) or (b) of question 2, say which terms of the agreement are different, and how they differ

- 4** When did you move into the property? Give date

- 5** Did you have a tenancy agreement with the plaintiff (or the previous landlord) for the same, or substantially the same, property, (or another property) before 15 January 1989? Yes *If Yes, give details below* No

Say who the landlord was, and give the address of the property (and whether a house or a flat) and details of the previous tenancy (including the dates when you occupied the property). If you have a copy of the agreement, attach a copy to this reply.

- 6** Do you agree with the plaintiff's claim to be entitled to have possession of the property? Yes No *If No, give details below*

*You must have proper **legal** reasons for not agreeing with the claim for possession. Having nowhere else to live is not a legal reason*

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You only need to answer question 7 if the plaintiff says in paragraph 7 of the affidavit that he served a notice.

7 Did you receive the notice referred to in paragraph 7 of the affidavit which stated that the tenancy was to be an assured shorthold? *(This should only apply if your first tenancy, or any agreement for it, was entered into before 28 February 1997)*

Yes *If Yes, give date below* No

Give date

8 Did you receive the notice referred to in paragraph 9 of the affidavit, which stated that the plaintiff intended to make an application for possession?

Yes *If Yes, give date below* No

Give date

9 In the box below, say if you dispute any further evidence the plaintiff has given in paragraph 11 of the affidavit. If you do, say what you dispute and why.

10 If the court decides the plaintiff should have possession of the property, you will normally be told to leave in 14 days. However, if this would cause you exceptional hardship the court may allow up to 6 weeks (but no longer). If you think you would suffer exceptional hardship, say why in the box below.

11 If the court decides you should pay the plaintiff's costs of making this application would you prefer to pay the costs by instalments.

Yes No

<p>12 Give an address to which notices about this case should be sent to you</p> <p style="text-align: right;">Postcode <input style="width: 100px;" type="text"/></p>	<p>Signed</p> <p style="text-align: center;"><i>(To be signed by you or your solicitor)</i></p> <p>Dated</p>
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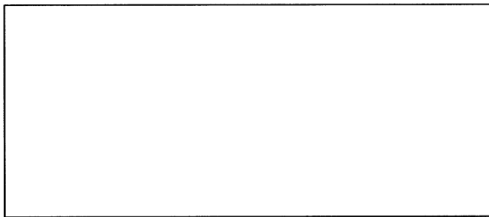
SCHEDULE 2

Rule 5

ROYAL
ARMS

**Notice to Respondent when
a Matter will be heard**

Order 3 Rule 4(4)(b)



In the	
County Court	
No. of Matter	<small>Always quote this</small>
Applicant	
Respondent(s)	



To the Respondent

A sealed copy of an originating application to the court is attached.

The District Judge will consider giving directions for the determination of this matter

OR

This matter will be heard by this court

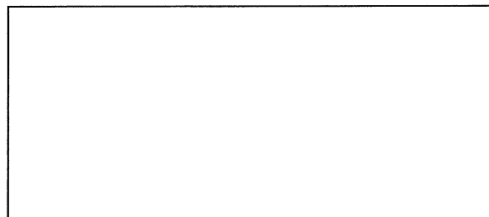
at

on

at o'clock when you should attend.

Failure to attend may result in an order being made in your absence.

DATED



The court office at

is open between 10 am and 4 pm Monday to Friday. Address all communications to the Court Manager quoting the number of the Matter

N8 Notice to respondent when a matter will be heard Order 3 Rule 4(4)(b)

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

ROYAL
ARMS

**Notice to Respondent when
a Matter will be heard
under Order 24
Order 3 Rule 4(4)(b) & Order 24 Rule 4**

To [named Respondent and] every [other] person in occupation of

In the	
County Court	
No. of Matter	Always quote this
Applicant	
Respondent(s)	



A sealed copy of an originating application to the court is attached.

This matter will be heard by this court

at

on

at o'clock when you should attend.

Failure to attend may result in an order being made in your absence.

TAKE NOTICE. Any person occupying the premises mentioned in the application, who is not named as a respondent, may apply to the court to be joined as a respondent.

DATED

The court office at

is open between 10 am and 4 pm Monday to Friday. Address all communications to the Court Manager quoting the number of the Matter N8(1) Notice to respondent when a matter will be heard under Order 24, Order 3 Rule 4(4)(b) and Order 24 Rule 4.

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ROYAL
ARMS

**Notice to Respondent in
Application under Section 53
Landlord and Tenant Act 1954
Order 43 Rule 2(1)**

In the		County Court
No. of Matter	<small>Always quote this</small>	
Applicant		
Respondent(s)		

To the Respondent



A sealed copy of an originating application to the court is attached.

The District Judge will consider giving directions for the determination of this matter

OR

This matter will be heard by this court

at

on

at o'clock when you should attend.

TAKE NOTICE that if you should wish to oppose the application or to dispute any allegation contained therein, you must, within 14 days after the service of this notice upon you, file in the office of this court an answer, together with as many copies as there are other parties to the proceedings, specifying the allegations which you dispute and stating the grounds of your opposition.

Failure to attend may result in an order being made in your absence.

DATED

The court office at

is open between 10 am and 4 pm Monday to Friday. Address all communications to the Court Manager quoting the number of the Matter

N8(2) Notice to respondent in application under Section 53 Landlord and Tenant Act 1954. Order 43 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.

ROYAL
ARMS

**Notice to Respondent in
Application under Section
17 or 18 of the Leasehold
Reform Act 1967
Order 49 Rule 8(1)**

To the Respondent

In the	
County Court	
No. of Matter	<small>Always quote this</small>
Applicant	
Respondent(s)	



A sealed copy of an originating application to the court is attached.

The District Judge will consider giving directions for the determination of this matter

OR

This matter will be heard by this court

at

on

at o'clock when you should attend.

TAKE NOTICE that if any person is in occupation of the property or part of the property to which this originating application relates under an immediate or derivative sub-tenancy, you must forthwith serve him with a notice⁽¹⁾ informing him of the proceedings.

You must also file in the office of this court within 14 days of the service of this application upon you, an answer stating the grounds, if any, on which you intend to oppose the application and giving particulars of every such sub-tenancy together with a copy for every other party to the proceedings.

Failure to attend may result in an order being made in your absence.

DATED

⁽¹⁾Form N426 is suitable for this purpose and is available from any county court office

The court office at

is open between 10 am and 4 pm Monday to Friday. Address all communications to the Court Manager quoting the number of the Matter

N8(4) Notice to respondent in application under Section 17 or 18 of the Leasehold Reform Act 1967. Order 49 Rule 8(1)

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

**ROYAL
ARMS Third Party Notice
Order 12 Rule 1(1)**

In the	
County Court	
Case No.	<small>Always quote this</small>
Plaintiff	
Defendant	
Third Party	

TO [THE THIRD PARTY]



TAKE NOTICE that this action has been brought by the plaintiff against the defendant and that the defendant claims against you

- (a) that he is entitled to contribution from you to the extent of
- or (b) that he is entitled to be indemnified by you against liability in respect of
- or (c) that he is entitled to the following relief or remedy relating to or connected with the original subject matter of the action, namely
- or (d) that the following question or issue relating to or connected with the subject matter of the action should properly be determined as between the plaintiff and the defendant and the third party, namely

The grounds of the defendant's claim are -

If you dispute the plaintiff's claim against the defendant or the defendant's claim against you, you must within 14 days after the service of this notice upon you take or send to the court two copies of your defence.

AND TAKE NOTICE that you should attend at

on
at o'clock when directions will be given for the further conduct of these proceedings.
If you fail to attend you may be deemed to admit:-

- (1) the plaintiff's claim against the defendant; and
- (2) the defendant's claim against you; and
- (3) your liability to (contribute to the extent claimed) or (indemnify the defendant) or
- (4) the defendant's right to the relief or remedy claimed in paragraph (c) above; and
- (5) the validity of any judgment in the action;

And you will be bound by the judgment in the action.

DATED

The court office at

is open between 10 am and 4 pm Monday to Friday. Address all communications to the Court Manager quoting the number of the Matter
N15 Third party notice Order 12 Rule 1(1)

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Interlocutory Judgment for Plaintiff
(damages to be assessed)

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



IT IS ADJUDGED that the plaintiff recover against the defendant damages to be assessed and costs.

[AND TAKE NOTICE you should attend this court
at

on _____ at _____ o'clock when the
damages will be assessed]⁽¹⁾

⁽¹⁾ Delete as necessary

DATED

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 Court Manager and quote the case number.
N17 Interlocutory judgment for plaintiff (damages to be assessed) Order 9 Rule 6(2) Order 17 Rule 7(2) Order 22 Rule 5(2)

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General form of Judgment or Order
Order 22 Rule 1(1)

Plaintiff's address

if a matter
revise
heading

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



Dated

Take Notice
(delete if not an order for payment)

<p>To the defendant</p> <p>If you do not pay in accordance with this order your goods may be removed and sold or other enforcement proceedings may be taken against you. If your circumstances change and you cannot pay, ask at the court office about what you can do</p> <p>Defendant's address</p> <div style="border: 1px solid black; height: 100px;"></div>	<p><small>(1) delete if debt is not to be registered</small> <small>(1) This judgment has been registered in the Register of County Court Judgments. This may make it difficult for you to get credit.</small></p> <p>When the money is paid in full (including any interest) you can ask the court to mark the entry in the register as satisfied and for a certificate proving payment. If you pay in full within one month the entry will be removed. You must ask the court to do this. You will need to give the court proof of payment and pay a fee.</p> <p style="text-align: center;">How to Pay</p> <ul style="list-style-type: none"> • PAYMENT(S) MUST BE MADE to the person named at the address for payment quoting their reference and the court case number. • DO NOT bring or send payments to the court. THEY WILL NOT BE ACCEPTED. • You should allow <u>at least</u> 4 days for your payment to reach the plaintiff 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 can be obtained from the court. • If you need more information you should contact the plaintiff or his representative.
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The court office at

is open between 10 am and 4 pm Monday to Friday. Address all communications to the Court Manager quoting the case number

N24 General form of judgment or order Order 22 rule 1(1)

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

Warrant of Committal (Oral Examination) Order 25 Rule 3(5)

County Court	
Case No.	<small>Always quote this</small>
Warrant of Committal No.	
Plaintiff	
Defendant	



To the District Judge and bailiffs of the court, and every constable within his jurisdiction, and to the Governor of Her Majesty's Prison at
 The defendant (or as the case may be)
 of

having been ordered to attend on a specified day for the adjourned hearing of an oral examination, has failed to do so [or, having attended for the hearing of an oral examination, has refused to be sworn [or to give evidence]]:

⁽¹⁾Insert name **IT IS ORDERED** that ⁽¹⁾

be committed to prison for

YOU the District Judge, bailiffs and others are therefore required to arrest⁽¹⁾

and deliver him to the Governor of the prison and you the Governor to receive him and safely keep

him in prison for

from the arrest under this order or until lawfully discharged if sooner.

DATED

The court office at

is open between 10 am and 4 pm Monday to Friday. Address all communications to the Court Manager and quote the above case number

N40 Warrant of committal (oral examination) Order 25 Rule 3(5)

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

To the District Judge of the County Court and delivered him into the custody of the Governor of HM prison at

TAKE NOTICE that this warrant has been issued out of this court for execution at an address within the jurisdiction of your court.



on the

YOU ARE THEREFORE required to execute the said warrant.

DATED

BAILIFF OF THE COUNTY COURT

N53 Warrant of execution or committal to District Judge of foreign court Section 122 County Courts Act 1984

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

**Order of Commitment under
Section 110 of the County
Courts Act 1984 Order 28 Rule 4(1)**

(1) Shown below present address, description and, if known, place of employment

In the	
County Court	
Plaintiff	
Defendant ⁽¹⁾	
Case No.	<small><i>Always quote this</i></small>
Judgment Summons No.	
Order of Commitment No.	



To the District Judge and Bailiffs of the court, and every constable within his jurisdiction, and to the Governor of Her Majesty's Prison at

The debtor
of

having been ordered to attend on a specified day for the adjourned hearing of a judgment summons, has failed to do so [or, having attended for the hearing of a judgment summons, has refused to be sworn [or to give evidence]]:

IT IS ORDERED that the debtor be committed to prison for _____ days.
YOU the District Judge, Bailiffs and others are therefore required to arrest the debtor and deliver him to the Prison and you the Governor to receive the debtor and safely keep him in prison for _____ days from the arrest under this order or until lawfully discharged if sooner.

DATED

The court office at

is open between 10 am and 4 pm Monday to Friday. Address all communications to the Court Manager and quote the above case number
N70 Order of commitment under Section 110 of the County Courts Act 1984 Order 28 Rule 4(1)

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

To the Governor of Her Majesty's Prison

at



IN THE

COUNTY COURT

CASE No.

WARRANT OF
COMMITTAL No.

TAKE NOTICE that, in accordance with the provisions of section 122 of the County Courts Act 1984, this warrant of committal has been sent to this court and the defendant, if arrested within the jurisdiction of this court, is to be conveyed to the prison of this court, and is to be kept there for the time mentioned in the warrant of committal or until lawfully discharged if sooner.

DEFENDANT
(or otherwise)

DATED

25

(1) Here insert name of prison of Foreign Court

N75 Indorsement on a warrant of committal sent to a foreign court Order 28 Rule 11(3)

I arrested the with-named on the

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

Order Revoking an Order of Commitment under Section 110 of the County Courts Act 1984

(1) Shown below present address, description and, if known, place of employment

In the	
County Court	
Plaintiff	
Defendant ⁽¹⁾	
Case No.	<small>Always quote this</small>
Judgment Summons No.	
Order of Commitment No.	



UPON APPLICATION made this day by the debtor, _____ who was
 committed to prison by order dated _____ for
 failing to attend the adjourned hearing of a judgment summons [or for refusing to be sworn [or to give
 evidence] at the hearing of a judgment summons] and upon reading the affidavit [or statement] of the
 debtor showing the reasons for his failure [or refusal] and upon the undertaking of the debtor to attend
 the court [or to be sworn] [or to give evidence] when next ordered or required to do so:

IT IS ORDERED that the order of commitment be revoked [and that
 be discharged out of the custody of the Governor of Her Majesty's Prison at
 as to the said failure or refusal].

THE GOVERNOR
H M PRISON

DATED

The court office at

is open between 10 am and 4 pm Monday to Friday. Address all communications to the Court Manager and quote the above case number

N71 Order revoking an order of commitment under Section 110 of the County Courts Act 1984

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

Notice to Solicitor to show cause why an undertaking should not be enforced by committal to prison
Order 29 Rule 2(2)

To
of

In the		County Court
Case No.	<i>Always quote this</i>	
Plaintiff		
Defendant		



TAKE NOTICE that you are required to attend at a court to be held at

on

at o'clock to show cause why an order should not be made committing you to prison

for failing to carry out the undertaking given by you on the day of 19 ,

to this court to⁽¹⁾

(1) Here set out terms of undertaking

DATED

The court office at

is open between 10 am and 4 pm Monday to Friday. Address all communications to the Court Manager quoting the above Case Number

N81 Notice to solicitor to show cause why an undertaking should not be enforced by committal to prison Order 29 Rule2(2)

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

Interpleader Summons to Execution Creditor
Order 33 Rule 4(1)

In the		County Court
Case No.	<small>Always quote this</small>	
Interpleader No.		
Warrant No.		

TO THE EXECUTION CREDITOR



BETWEEN..... *Execution Creditor*

OF.....

AND..... *Execution Debtor*

OF.....

AND..... *Claimant*

OF.....

The claimant having made a claim to certain goods [or the proceeds of sale (or value) of certain goods]
[or to certain rent alleged to be due to him in respect of the premises upon which certain goods were]
seized under a warrant of execution issued out of this court at your request,

You are summoned to appear at

on

at o'clock, when the claim will be decided, and such order made as the court thinks fit.

DATED

The court office at

is open between 10 am and 4 pm Monday to Friday. Address all communications to the Court Manager quoting the above Case Number
N88 Interpleader Summons to Execution Creditor Order 33 Rule 4(1)

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

“INTERPLEADER NO.

I certify that the summons of which this is a true copy was served by me on

(date)

Service was effected

- (a) By posting it to the Execution Creditor on at the address stated in the summons.
- (b) At the address stated in the summons (or at) by delivering it to the Execution Creditor personally (or to apparently not less than 16 years old, who promised to give it to the Execution Creditor on the same day or on).
- (c) By inserting it, enclosed in an envelope addressed to the Execution Creditor in the letter box at the address stated on the summons for the reason at (1).

Bailiff/Officer of the Court

(1) I have reason to believe the summons will reach the Execution Creditor in sufficient time, because:

Bailiff

OR I certify that this summons has not been served for the following reasons:

Bailiff/Officer of the Court

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

Interpleader Summons to persons making Adverse Claims to Debt, or other Thing in Action, Money or Goods not the Subject Matter of an Action

**Order 33 Rule 4(1)
TO THE CLAIMANTS**

In the	
County Court	
Case No.	Always quote this



BETWEEN.....*Applicant*

OF.....

.....

AND.....*Claimant*

AND.....*Claimant*

OF.....

OF.....

.....

.....

(1) Enter name & address (1)

of

has filed an affidavit (a copy of which is attached) stating that he has received adverse claims from

of

and

of

(2) Here state the debt, thing in action, money or goods to which the adverse claims are made to (2)

YOU ARE THEREFORE SUMMONED to appear at a court to be held at

on at o'clock

(3) Delete as necessary

when the District Judge will consider giving directions for the determination of this action [or when judgment will be given determining the rights and claims of the said claimants]⁽³⁾

DATED

TAKE NOTICE you are each required within fourteen days after the service of this summons on you to file in the court office either three copies of a notice that you make no claim or three copies of particulars stating the grounds of your claim.

The court office at

is open between 10 am and 4 pm Monday to Friday. Address all communications to the Court Manager quoting the above Case Number

N89 Interpleader Summons to persons making adverse claims to debt, or other thing in action, money or goods not the subject matter of an action Order 33 Rule 8(c)

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

“CASE No.

I certify that the summons of which this is a true copy was served by me on

(date)

Service was effected

- (a) By posting it to the _____ on _____ at the address stated in the summons.
- (b) At the address stated in the summons (or at _____) by delivering it to the _____ personally (or to _____) apparently not less than 16 years old, who promised to give it to _____ on the same day or on _____).
- (c) By inserting it, enclosed in an envelope addressed to _____ in the letter box at the address stated in the summons for the reasons at (1).

Bailiff/Officer of the Court

⁽¹⁾ I have reason to believe the summons will reach the _____ in sufficient time, because:

Bailiff

OR I certify that this summons has not been served for the following reasons:

Bailiff/Officer of the Court

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)

To

In the	
County Court	
Case No.	Always quote this
Plaintiff	
Defendant	
Plaintiff's Ref.	



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

The court office at

is open between 10 am and 4 pm Monday to Friday. Address all communications to the Court Manager quoting the above Case Number
N90 Summons for assaulting an officer of the court or rescuing goods Order 34 Rule 1(a)

Order of Commitment and/or imposing a fine for Assaulting an Officer of the Court or Rescuing Goods Order 34 Rule 1(2)

In the _____
County Court



To the District Judge and bailiffs of the court, and every constable within his jurisdiction, and to the Governor of Her Majesty's Prison at

(1) Enter name & address of offender

IT has been proved to the satisfaction of the court that

(1)

on the _____ day of _____ 19____, [assaulted an officer of this court, whilst in the execution of his duty] or [(and) rescued or attempted to rescue certain goods seized under process of this court]

(2) Delete as necessary

1. **IT IS ORDERED**⁽²⁾ that

do pay a fine of £ _____ and the sum of £ _____ for costs, amounting together to the sum of £ _____ and do pay that sum into the office of this court forthwith [or by instalments of £ _____ for every _____ the first instalment to be paid on or before the _____]

2. **IT IS ORDERED**⁽²⁾ that

shall be committed to prison for

AND YOU the District Judge, bailiffs and others are therefore required to arrest

and deliver him to _____

Prison

AND YOU the Governor to receive

and keep him safely in prison for

from the arrest under this order or until lawfully discharged if sooner.

DATED

The court office at _____

is open between 10 am and 4 pm Monday to Friday. Address all communications to the Court Manager

N91 Order of commitment and/or imposing a fine for assaulting an officer of the court or rescuing goods.

Order 34 Rule 1(2)

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

Case No.

Warrant No.

Defendant

Address

Occupation

I arrested the within named person on
the day of 19 ,
and delivered him into the custody of
the Governor of HM Prison at
on
the day of 19 .

*Bailiff of the
County Court*

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 Judgment or Order in Rem to owner of, and person interested in, Property, when ascertained Order 40 Rule 13(4)

In the	
County Court	
Case No.	<small>Always quote this</small>
Plaintiff	
Defendants	The Owners of the

(1) State name and address To⁽¹⁾



TAKE NOTICE that on the day of 19 the above named

(2) State nature of action action for⁽²⁾

was commenced in this court on behalf of
of

(3) State property against which the action was commenced as in the summons against the⁽³⁾

and that on the day of 19 it was adjudged

(4) Terms of the judgment (4)

AND IT APPEARING that you, the above named are the owner of the property to which this action relates or have an interest in the property

(AND THE PLAINTIFF HAVING FILED a certified copy of the Register of the ship on which your

(5) If British owned add name appears as having an interest in the ship.)⁽⁵⁾

FURTHER TAKE NOTICE, that if you do not within days after the day of service of this notice on you, file in the office of the court at the address stated below an application, by way of affidavit, for leave to intervene in these proceedings, the property to which this action relates will be taken and sold in execution.

DATED

The court office at

is open between 10 am and 4 pm Monday to Friday. Address all communications to the Court Manager quoting the above Case Number
N104 Notice of judgment or order in rem to owner of, and person interested in, property, when ascertained (Admiralty Jurisdiction) Order 40 Rule 13(4)

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

**Interlocutory Judgment in Action
Order 40 Rule 19(2)**

In the	
County Court	
Case No.	<small>Always quote this</small>
Plaintiff	
Defendants	The Owners of the ' ,



(1) If the judgment is in personam **IT IS ADJUDGED** that the plaintiff is entitled to recover (against the defendant)⁽¹⁾
damages for damage caused to the cargo in the ⁽²⁾
(2) Describe and name ship
(or for damage caused to the ⁽²⁾)
(3) Describe and name ship which caused the damage
by the defendant's ship,⁽³⁾
together with costs to be taxed.

(4) Add if so **AND IT IS ORDERED** that it be referred to the District Judge (and assessor/s)⁽⁴⁾ to assess the damages.

DATED

The court office at

is open between 10 am and 4 pm Monday to Friday. Address all communications to the Court Manager quoting the above Case Number
N107 Interlocutory judgment in action for damages (Admiralty Jurisdiction) Order 40 Rule 19(2)

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

SCHEDULE 3

Rule 6

Application for Injunction (General Form)

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

Between

- Plaintiff
- Applicant
- Petitioner
- (Tick whichever applies)
- Defendant
- Respondent

and

Notes on completion

Tick whichever box applies and specify legislation where appropriate

- (1) Enter the full name of the person making the application
- (2) Enter the full name of the person the injunction is to be directed to
- (3) Set out here the proposed restraining orders (if the defendant is a limited company delete the wording in brackets and insert "whether by its servants, agents, officers or otherwise")
- (4) Set out here any proposed mandatory orders requiring acts to be done
- (5) Set out here any further terms asked for including provision for costs
- (6) Enter the names of all persons who have sworn affidavits in support of this application
- (7) Enter the names and addresses of all persons upon whom it is intended to serve this application
- (8) Enter the full name and address for service and delete as required

- By application in pending proceedings
- Under Statutory provision _____



The Plaintiff (Applicant/Petitioner)⁽¹⁾

applies to the court for an injunction order in the following terms:

That the Defendant (Respondent)⁽²⁾

be forbidden (whether by himself or by instructing or encouraging any other person)⁽³⁾

And that the Defendant(Respondent)⁽⁴⁾

And that⁽⁵⁾

The grounds of this application are set out in the statement(s) of⁽⁶⁾ _____ sworn on

This (these) sworn statement(s) is (are) served with this application.

This application is to be served upon⁽⁷⁾

This application is filed by⁽⁸⁾

(the Solicitors for) the Plaintiff (Applicant/Petitioner) whose address for service is

Signed

Dated

This section to be completed by the court

* To* Name and address of the person application is directed to

This application will be heard by the (District) Judge

at on the day of 199 at o'clock

If you do not attend at the time shown the court may make an injunction order in your absence

If you do not fully understand this application you should go to a Solicitor, Legal Advice Centre or a Citizens' Advice Bureau

The court office at

is open between 10am and 4pm Mon - Fri. When corresponding with the court, please address all forms and letters to the Court Manager and quote the case number.

N16A General form of application for injunction Order 13, rule 6(3), Order 49, rule 6B

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

SCHEDULE 4

Rule 7

**Anti-Social Behaviour Injunction
Power of Arrest**

Applicant

Phone Number:

(here set out the provisions of the injunction to which the power of arrest relates)

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



Power of Arrest

And the judge being satisfied that the respondent has

1a-c delete as required

1a will apply where the power of arrest is granted under section 152(6). 1b or 1c will apply where the power of arrest is granted under section 153(1).

- a) used or threatened violence against a person residing in, visiting, or otherwise engaged in a lawful activity in residential premises to which section 152 of the Housing Act 1996 applies, or in the locality of such premises
- b) used or threatened violence against a person residing in, visiting, or otherwise engaged in a lawful activity in the locality of premises of which the applicant is the landlord
- c) allowed a sub-tenant, lodger or other person residing in or visiting the premises in which the respondent resides to use or threaten violence against a person residing in, visiting or otherwise engaged in a lawful activity in the locality of premises of which the applicant is the landlord

and there is a significant risk of harm to that person or a person of similar description, a power of arrest is attached to this injunction whereby any constable may under the power given by section 155 of the Housing Act 1996 arrest without warrant the respondent if the constable has reasonable cause for suspecting the respondent of (using or threatening violence)^{1a, 1b} or (allowing a sub-tenant, lodger or visitor to use or threaten violence)^{1c} in breach of this injunction.

This power of arrest was ordered on 19 expires on the day of 19

Note to Arresting Officer

Where the respondent is arrested under the power given by section 155 of the Housing Act 1996, that section requires that:-

Respondent

--

- the respondent shall be brought before the judge within the period of 24 hours beginning at the time of his arrest;
- the respondent shall not be released within that period except on the direction of the judge;
- a constable shall forthwith inform the person on whose application the injunction was granted.

Nothing in section 155 authorises the detention of the respondent after the expiry of the period of 24 hours beginning at the time of his arrest.

In calculating any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.

The court office at

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

N110A Power of arrest attached to injunction under section 152 or section 153(1) Housing Act 1996

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—

- (a) substitute new forms to be used under the accelerated possession procedure (*rule 2*);
- (b) amend the defence forms as a result of the change in the way fees for counterclaims are charged (*rules 3 and 4*);
- (c) substitute re-designed versions of certain forms (*rule 5*);
- (d) provide two new forms for use in applications for injunctions against anti-social behaviour (*rules 6 and 7*) and
- (e) to reflect the change in name of chief clerk (*rule 8*);