

SCHEDULE 8

III

ENFORCEMENT OF UNITED KINGDOM JUDGMENTS IN OTHER PARTS OF THE UNITED KINGDOM

Interpretation

74.14 In this Section—

- (a) “money provision” means a provision for the payment of one or more sums of money in a judgment whose enforcement is governed by section 18 of, and Schedule 6 to, the 1982 Act; and
- (b) “non-money provision” means a provision for any relief or remedy not requiring payment of a sum of money in a judgment whose enforcement is governed by section 18 of, and Schedule 7 to, the 1982 Act.

Registration of money judgments in the High Court

74.15.—(1) This rule applies to applications to the High Court under paragraph 5 of Schedule 6 to the 1982 Act for the registration of a certificate for the enforcement of the money provisions of a judgment—

- (a) which has been given by a court in another part of the United Kingdom, and
- (b) to which section 18 of that Act applies.

(2) The certificate must within six months of the date of its issue be filed in the Central Office of the Supreme Court, together with a copy certified by written evidence to be a true copy.

Registration of non-money judgments in the High Court

74.16.—(1) This rule applies to applications to the High Court under paragraph 5 of Schedule 7 to the 1982 Act for the registration for enforcement of the non-money provisions of a judgment—

- (a) which has been given by a court in another part of the United Kingdom, and
- (b) to which section 18 of that Act applies.

(2) An application under paragraph (1) may be made without notice.

(3) An application under paragraph (1) must be accompanied—

- (a) by a certified copy of the judgment issued under Schedule 7 to the 1982 Act; and
- (b) by a certificate, issued not more than six months before the date of the application, stating that the conditions set out in paragraph 3 of Schedule 7 are satisfied in relation to the judgment.

(4) Rule 74.6 applies to judgments registered under Schedule 7 to the 1982 Act as it applies to judgments registered under section 4 of that Act.

(5) Rule 74.7 applies to applications to set aside the registration of a judgment under paragraph 9 of Schedule 7 to the 1982 Act as it applies to applications to set aside registrations under the 1920 and 1933 Acts.

Status: This is the original version (as it was originally made).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

Certificates of High Court and county court money judgments

74.17.—(1) This rule applies to applications under paragraph 2 of Schedule 6 to the 1982 Act for a certificate to enable the money provisions of a judgment of the High Court or of a county court to be enforced in another part of the United Kingdom.

(2) The judgment creditor may apply for a certificate by filing at the court where the judgment was given or has been entered written evidence stating—

- (a) the name and address of the judgment creditor and, if known, of the judgment debtor;
- (b) the sums payable and unsatisfied under the money provisions of the judgment;
- (c) where interest is recoverable on the judgment, either—
 - (i) the amount of interest which has accrued up to the date of the application, or
 - (ii) the rate of interest, the date from which it is recoverable, and the date on which it ceases to accrue;
- (d) that the judgment is not stayed;
- (e) the date on which the time for appealing expired or will expire;
- (f) whether an appeal notice has been filed;
- (g) the status of any application for permission to appeal; and
- (h) whether an appeal is pending.

Certified copies of High Court and county court non-money judgments

74.18.—(1) This rule applies to applications under paragraph 2 of Schedule 7 to the 1982 Act for a certified copy of a judgment of the High Court or of a county court to which section 18 of the Act applies and which contains non-money provisions for enforcement in another part of the United Kingdom.

(2) An application under paragraph (1) may be made without notice.

(3) The applicant may apply for a certified copy of a judgment by filing at the court where the judgment was given or has been entered written evidence stating—

- (a) full particulars of the judgment;
- (b) the name and address of the judgment creditor and, if known, of the judgment debtor;
- (c) that the judgment is not stayed;
- (d) the date on which the time for appealing expired or will expire;
- (e) whether an appeal notice has been filed;
- (f) the status of any application for permission to appeal; and
- (g) whether an appeal is pending.