

SCHEDULE 1

Rule 4(a)

“Form 95

MAGISTRATES’ COURTS (NORTHERN IRELAND) ORDER 1981
(Article 138(2A)(b))

SUMMONS TO SURETY

To: -

of

surety in the case of [] (defendant)

WHEREAS on (date) you (name) entered into a recognizance as surety for the appearance of the above named defendant.

AND WHEREAS on (date) the defendant, being the principal party, to the said recognizance failed to appear before a magistrates’ court.

THIS IS TO COMMAND YOU to appear before a magistrates’ court at (place) on (date) at (time) at the hearing of estreatment proceedings to show due cause why you should not pay the sum in which you are bound.

This day of 20 .

[Clerk of Petty Sessions]

Note: If you fail to appear at the time and place shown above and the court is satisfied that this summons has been served on you, the court may proceed in your absence.”.

Status: This is the original version (as it was originally made).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

SCHEDULE 2

Rule 4(b)

“Form 95A

MAGISTRATES’ COURTS (NORTHERN IRELAND) ORDER 1981
(Article 138(2A)(b) and Rule 11(7C))

Certificate of Service of Summons on Surety

I _____ of _____ hereby
certify that I did serve a summons in this matter on the surety whose name appears below in the
manner endorsed by me on the original summons.

Dated this _____ day of _____ 20_____

Signed.....
[Person who served the summons]

Name and Address of Surety

Form 95B

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 (Article 138(2A)(b) and Rule 11(7D))

Acknowledgment by Surety of receiving summons by post

You have been commanded to appear before a magistrates' court sitting at (place)
, on (date) , 20 at the hearing of estreatment proceedings to show due
cause why you should not pay the sum in which you are bound.

IMPORTANT

*This acknowledgment of receipt of summons should be completed by you or your solicitor and returned within *14 days*.

* The summons should be retained by you or your solicitor. Only this acknowledgment should be returned to the court named above.

* By signing this acknowledgment you are neither agreeing nor disputing that you should pay the sum in which you are bound.

* Before completing this acknowledgment you should read the Explanatory Notes overleaf.

* If you have any queries about this acknowledgment or its effect you should consult your solicitor.

EXPLANATORY NOTES

1. A summons requiring you to appear at court has been sent to you by post.
2. Either you or your solicitor should confirm that the summons and other related documents have been received by you by signing and dating the Acknowledgement Form on the opposite page.
3. Once signed, this completed acknowledgment should be returned within *14 days* from the date on which you receive the papers.
4. The summons should be retained by you or your solicitor.
5. If you do not return this form within 14 days, or appear personally or through your solicitor, alternative arrangements will be made to serve the papers on you and the date given on the enclosed summons for the hearing of your case may have to be changed.

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Acknowledgment

By completion of this acknowledgment you are ONLY confirming that you have received by post the documents indicated.

I _____ of _____
hereby acknowledge having received a copy of the summons to a surety under Article 138(2A)(b) of the Magistrates' Courts (Northern Ireland) Order 1981.

Signed..... Date.....
[Recipient/Solicitor on behalf of Recipient]

The completed form should be returned within 14 days."