
STATUTORY INSTRUMENTS

1998 No. 3024 (L.11)

COUNTY COURTS

PROCEDURE

The County Court (Forms) (Amendment No. 2) Rules 1998

Made - - - - *4th December 1998*

Coming into force - - *31st December 1998*

- 1.—(1) These Rules may be cited as the County Court (Forms) (Amendment No. 2) Rules 1998.
- (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).
2. In the notes to Form N.1, for the words—
- “If judgment is entered against you and is for £5,000 or more, the plaintiff may be entitled to interest on the total amount.”, there shall be substituted—
- “If judgment is entered against you and is for £5,000 or more, or is in respect of a debt which attracts contractual or late payment interest, the plaintiff may be entitled to further interest.”.
3. In the notes to Form N.1(B), for paragraph 4, there shall be substituted—
- “If judgment is entered against you and is for £5,000 or more, or is in respect of a debt which attracts contractual or late payment interest, the plaintiff may be entitled to further interest.”.
4. In the notes to Forms N.1(D), N.2, N.3 and N.4, for the words—
- “If judgment is entered against you and is for £5,000 or more, the plaintiff may be entitled to interest on the full amount.”, there shall be substituted—
- “If judgment is entered against you and is for £5,000 or more, or is in respect of a debt which attracts contractual or late payment interest, the plaintiff may be entitled to further interest.”.
5. In the notes to Forms N.22, N.23, N.25, N.30, N.30(1), N.30(3), N.34, for the words—
- “If judgment is for more than £5,000, the plaintiff may be entitled to interest.”, there shall be substituted—
- “If judgment is for £5,000 or more, or is in respect of a debt which attracts contractual or late payment interest, the plaintiff may be entitled to further interest.”.
6. In the notes to Form N.30(2), for the words—

(1) S.I. 1982/586; the relevant amending instruments are S.I. 1982/1141, S.I. 1983/1715, S.I. 1984/879, S.I. 1985/567, S.I. 1986/1505, S.I. 1988/279, S.I. 1989/886, S.I. 1990/517, S.I. 1991/1132, 1340, S.I. 1992/794, S.I. 1993/2174, S.I. 1994/1289, 2110, S.I. 1995/970, 2839 and S.I. 1998/1990.

“If the judgment is for more than £5,000, the plaintiff may be entitled to interest.”, there shall be substituted–

“If judgment is for £5,000 or more, or is in respect of a debt which attracts contractual or late payment interest, the plaintiff may be entitled to further interest.”.

7. In the notes to Form N.35, for the words–

“where judgment entered for more than £5,000 on or after 1 July 1991”, there shall be substituted–

“where judgment is entered for £5,000 or more, or is in respect of a debt which attracts contractual or late payment interest, the plaintiff may be entitled to further interest.”.

8. In the notes to Form N.35A, for the words–

“where judgment entered for more than £5,000 on or after 1 July 1991”, there shall be substituted–

“where judgment is entered for £5,000 or more, or is in respect of a debt which attracts contractual or late payment interest, the plaintiff may be entitled to further interest.”.

9. In the notes to Forms N.37 and N.38, for the words–

“where judgment entered for more than £5,000 on or after 1 July 1991”, there shall be substituted–

“where judgment is entered for £5,000 or more, or is in respect of a debt which attracts contractual or late payment interest, the plaintiff may be entitled to further interest.”.

10. In the notes to Form N.39, for the words–

“Where judgment was entered for more than £5,000 on or after 1 July 1991, the amount shown here may include interest to the date of the application”, there shall be substituted–

“Where judgment was entered for £5,000 or more, or is in respect of a debt which attracts contractual or late payment interest, the amount shown here may include interest to the date of the application.”.

11. In the notes to Form N.55, for the words–

“where judgment entered for more than £5,000 on or after 1 July 1991”, there shall be substituted–

“where judgment is entered for £5,000 or more, or is in respect of a debt which attracts contractual or late payment interest, the plaintiff may be entitled to further interest.”.

12. In the notes to Form N.61, for the words–

“Where judgment is for more than £5,000 and was entered on or after 1 July 1991, this amount may include interest.”, there shall be substituted–

“Where judgment is for £5,000 or more, or is in respect of a debt which attracts contractual or late payment interest, this amount may include interest.”.

13. In the notes to Form N. 64, for the words–

“where judgment is for more than £5,000 and was entered on or after 1 July 1991”, there shall be substituted–

“where judgment is for £5,000 or more, or is in respect of a debt which attracts contractual or late payment interest, the plaintiff may be entitled to further interest.”.

14. In the Employer’s record of payments part of Form N.66, for the words–

“If any of the plaintiffs scheduled to this order choose to claim interest on the amount payable to them (where judgment is for more than £5,000 and was entered on or after 1 July 1991), you will be notified of the additional amounts to be deducted before the order is satisfied.”, there shall be substituted–

“Any of the plaintiffs scheduled to this order may be able to claim interest on the amount payable to them (where judgment is for £5,000 or more, or is in respect of a debt which attracts contractual or late payment interest). You will be notified of the additional amounts to be deducted before the order is satisfied.”

15. In the notes to Form N.84, for the words–

“where judgment entered for more than £5,000 on or after 1 July 1991”, there shall be substituted–

“where judgment is entered for £5,000 or more, or is in respect of a debt which attracts contractual or late payment interest, the plaintiff may be entitled to further interest”.

16. In the notes to Forms N.85, N.86 and N.87, for the words–

“where judgment entered for more than £5,000 on or after 1 July 1991”, there shall be substituted–

“where judgment is entered for £5,000 or more, or is in respect of a debt which attracts contractual or late payment interest, the plaintiff may be entitled to further interest”.

17. In the notes to Forms N.96, N.97, N.98 and N.99, for the words–

“If judgment is entered against you and is for £5,000 or more, the plaintiff may be entitled to interest on the full amount.”, there shall be substituted–

“If judgment is entered against you and is for £5,000 or more, or is in respect of a debt which attracts contractual or late payment interest, the plaintiff may be entitled to further interest.”.

18. In the notes to Forms N.108 and N.109, for the words–

“If judgment is entered for more than £5,000, the plaintiff may be entitled to interest.”, there shall be substituted–

“If judgment is entered for £5,000 or more, or is in respect of a debt which attracts contractual or late payment interest, the plaintiff may be entitled to further interest.”.

We, the undersigned members of the Rule Committee, appointed by the Lord Chancellor under section 75 of the County Courts Act 1984⁽²⁾, having by virtue of the powers vested in us in that section made these Rules, certify them and submit them to the Lord Chancellor.

Neil Butter
Helen Paling
Hugh Jones
Margaret Wilby
Peter Birts
Henrietta Manners
E. C. Gee

(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 31st December 1998.

Dated 4th December 1998

Irvine of Lairg, C.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules make minor amendments to the County Court (Forms) Rules 1982 so as to amend the notes to forms in relation to interest on judgments. These changes have been made as a result of an amendment to the County Courts (Interest on Judgment Debts) Order 1991 (S.I.1991/1184), which allows interest to run on judgment debts of less than £5,000 where the judgment is in respect of a debt which attracts contractual or statutory interest payable as a result of the Late Payment of Commercial Debts (Interest) Act 1998. (Previously the 1991 Order only allowed interest to run on judgment debts of not less than £5,000.)