STATUTORY INSTRUMENTS

1983 No. 1715 (L. 27)

COUNTY COURTS

PROCEDURE

The County Court (Forms) (Amendment) Rules 1983

Made - - - -	15*th November* 1983
Coming into Operation	12*th December* 1983

Citation and interpretation

1.—(1) These Rules may be cited as the County Court (Forms) (Amendment) Rules 1983.

(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 (**a**) and "the main Schedule" means that Schedule.

2. There shall be substituted in the main Schedule, for Forms N.12, N.13 and N.84 respectively, the forms contained in the Schedule to these Rules.

(**a**) S.I. 1982/586, as amended by S.I. 1982/1141.

SCHEDULE

CERTIFICATE OF SERVICE

(Order 7, rule 6(1)(a) and (2))

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 defendant on at the address stated on the summons.

(b) By leaving it at (posting it to) the address stated on the summons (to be the registered office of the Company).

(c) At the address stated in the summons (or at

)

by delivering it to the defendant personally (or to

apparently not less than 16 years old, who promised to give it to the defendant on the same day or on).

(d) By inserting it, enclosed in an envelope addressed to the defendant, in the letter box at the address stated on the summons for the reasons at [1]

Bailiff/Officer of the Court

[1] I have reason to believe the summons will reach the defendant in sufficient time, because:

Bailiff

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

Bailiff/Officer of the Court

Form N.12

CERTIFICATE OF SERVICE (FIRM)

(Order 7, rule 6(1)(a) and (2))

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 defendant firm on at the address stated in the summons:

(b) by delivering it at the address stated in the summons or at

to
a partner in [or who stated that he was a partner in] the defendant firm [or who stated that he carried on business in the name of
]:

(c) by delivering it at the address stated in the summons or at

to a person who did not give his name, but stated that he was a partner in the defendant firm [or that he carried on business in the name of]:

(d) by delivering it at the address stated in the summons or at
being the principal place of business of the defendant firm within the district of this Court to the person [or [1] to a person] who had appeared to have the control or management of the business there.

[1] If the name is not known.

(e) by inserting it, enclosed in an envelope addressed to the defendant firm, in the letter box at the address stated in the summons for the reasons at [2].

Bailiff/Officer of the Court

[2] I have reason to believe the summons will reach the defendant firm in sufficient time, because:

Bailiff

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

Bailiff/Officer of the Court

Form N.13

GARNISHEE ORDER TO SHOW CAUSE

(Order 30, rule 3(1))

IN THE COUNTY COURT

CASE NO.

BETWEEN ..... PLAINTIFF

AND ..... DEFENDANT

AND ..... GARNISHEE

Seal

Upon reading the affidavit of filed on

IT IS ORDERED that the above-mentioned garnishee do attach so much of the debts owing or accruing from the said garnishee to the above-mentioned defendant as will satisfy a judgment or order obtained against the said defendant by the above-mentioned plaintiff in this court (or otherwise)

on

for the sum of £ including costs, of which the sum of £ remains due and unpaid together with £ the costs of these proceedings.

AND IT IS ORDERED that the garnishee do attend this court

at on

at o'clock to show cause why an order should not be made that the garnishee do pay into the office of this court the debt due from the garnishee to the defendant or so much thereof as may be sufficient to satisfy the judgment or order, together with the costs of these proceedings.

The garnishee may, at any time before the return day, pay into court the amount required to satisfy the judgment or order and costs or such lesser sum as he admits to be owing by him to the defendant, and thereupon the proceedings against the garnishee shall be stayed.

	£	p
Amount remaining due under judgment (or order)		
Court fee		
Solicitors costs		
TOTAL		

The name and address of the branch of the garnishee deposit-taking institution at which the defendant's account (account no.) is believed to be held is:

The name and address of the defendant is:

DATED

Address all communications to the Chief Clerk AND QUOTE THE ABOVE CASE NUMBER

THE COURT OFFICE AT

is open from 10 a.m. to 4 p.m. Monday to Friday.

Plaintiff's solicitor's address for service:

CASE No.

I certify that the order 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 order.

(b) By leaving it at (posting it to) the address stated in the order to be the registered office of the Company.

(c) At the address stated in the order
(or at

)

by delivering it to the personally
(or to

apparently not less than 16 years old, who promised to give it to the on the same day or on
).

(d) By inserting it, enclosed in an envelope addressed to the in the letter box at the address stated in the order for the reasons at [1].

Bailiff/Officer of the Court

[1] I have reason to believe the order will reach the in sufficient time, because:

Bailiff

Or I certify that this order has not been served for the following reasons:

Bailiff/Officer of the Court

We, the undersigned members of the Rule Committee appointed by the Lord Chancellor under section 102 of the County Courts Act 1959 (**a**), having by virtue of the powers vested in us in this behalf made the foregoing Rules, do hereby certify the same under our hands and submit them to the Lord Chancellor accordingly.

David Peck
S. S. Gill
Norman Francis
M. A. W. Grundy
J. F. Holt
Anthony Girling
J. B. Taylor
Christopher Oddie
A. W. Donaldson
Andrew Smith
Alan K. Griesbach

I allow these Rules, which shall come into operation on 12th December 1983.

Hailsham of St. Marylebone, C.

Dated 15th November 1983

EXPLANATORY NOTE

(*This Note is not part of the Rules.*)

These Rules amend the County Court (Forms) Rules 1982 so as to substitute new forms of the certificates of service and of the garnishee order to show cause.

(**a**) 1959 c.22.

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