1979 No. 58

JUDICATURE, NORTHERN IRELAND

The Judgments Enforcement (Amendment) Rules 1979

Made	*27th February* 1979
Laid before Parliament . . .	*6th March* 1979
Coming into operation . . .	*27th March* 1979

The Lord Chancellor, in exercise of the powers conferred on him by section 117 of the Judgments (Enforcement) Act (Northern Ireland) 1969(a), as substituted by section 122(1) of and schedule 5 to the Judicature (Northern Ireland) Act 1978(b), hereby makes the following Rules:—

1. These Rules may be cited as the Judgments Enforcement (Amendment) Rules 1979 and shall come into force on 27th March 1979.

2. The Judgment Enforcement Rules 1971(c), as amended(d), shall be amended as follows:—

(1) For rule 4 there shall be substituted the following rule:—

4.—(1) Subject to paragraph (4) where the applicant intends to make an application to the Office under section 18 or 19(1) of the Act he shall, not less than 10 days before making the application complete a notice in Form 1 or 2 in Schedule 1 and lodge the notice with the judgment or an office copy thereof in the Office.

(2) A copy of the notice and of the judgment shall be lodged in respect of each respondent whom the applicant requires to be served.

(3) On the lodging of the notice and judgment the Office shall:—

(*a*) assign a number to the notice and endorse the notice and judgment with that number;

(*b*) send one copy to each respondent to be served;

(*c*) endorse on the notice the date and mode of service and return the notice and judgment to the applicant.

(4) This rule shall apply subject to any directions given in the judgment or by the Master.

(2) In rule 5(2) for sub-paragraph (*d*) there shall be substituted:—

"(*d*) the notice of intention bearing the same number endorsed by the Office as the judgment and duly endorsed as to service."

(3) In Schedule 1 for Forms 1 and 2 there shall be substituted forms substantially similar to the following:—

(a) 1969 c. 30 (N.I.)
(b) 1978 c. 23
(c) S.R. & O. (N.I.) 1971 No. 5 (1971, p. 22)
(d) S.R. & O. (N.I.) 1972 No. 27 (1972, p. 108)

FORM 1

JUDGMENTS (ENFORCEMENT) ACT (NORTHERN IRELAND) 1969
(Title as in Judgment)

NOTICE OF INTENTION TO PROCEED (MONEY JUDGMENT)

To

TAKE NOTICE that you owe the sum of £ which is the amount due on foot of the judgment given against you by the Court on the 19 , a copy of which is attached.

YOU HAVE 10 DAYS from the date of this notice within which to pay that amount to at the address given below. If you do not pay proceedings will be taken to enforce the judgment against you.

Dated ..... (*Date to be inserted by Office*)

(*Signed*) .....
Creditor/Solicitor for Creditor
(Address)

REQUISITION

The Chief Enforcement Officer

Enforcement of Judgments Office

Please issue and serve the above Notice of Intention to Proceed on
at
which is the present address of the said
to the best of my/our knowledge, information and belief.
Signed .....
Creditor/Solicitor for Creditor

FORM 2 Rule 4

JUDGMENTS (ENFORCEMENT) ACT (NORTHERN IRELAND) 1969
(Title as in Judgment)

NOTICE OF INTENTION TO PROCEED (OTHER THAN MONEY JUDGMENT)

To

TAKE NOTICE that the Court by the judgment dated 19 , ordered and to pay £ in respect of costs.

YOU HAVE 10 DAYS from the date of this notice within which to obey the Order of the Court. If you fail to do so application will be made to the Enforcement of Judgments Office for enforcement of the judgment against you.

Dated ..... (*Date to be inserted by Office*)

(*Signed*) .....
Creditor/Solicitor for Creditor

REQUISITION

The Chief Enforcement Officer

Enforcement of Judgments Office

Please issue and serve the above Notice of Intention to Proceed on at which is the present address of the said to the best of my/our knowledge, information and belief.

Signed .....
Creditor/Solicitor for Creditor
Dated 27th February 1979.

Elwyn-Jones, C.

EXPLANATORY NOTE

(*This Note is not part of the Order but is intended to indicate its general purport.*)

These Rules amend the Judgment Enforcement Rules 1971 by providing a new procedure for a notice of intention to enforce a judgment in the Enforcement of Judgments Office in Northern Ireland.