
STATUTORY INSTRUMENTS

1992 No. 2040 (L.13)

COUNTY COURTS

PROCEDURE

The County Court (Forms) (Amendment No. 2) Rules 1992

Made - - - - *5th August 1992*

Coming into force - - *26th October 1992*

- 1.—(1) These Rules may be cited as the County Court (Forms) (Amendment No. 2) Rules 1992.
(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) and “the main Schedule” means that Schedule.
2. There shall be substituted in the main Schedule, for forms N.2, N.9, N.9B, N.10(HP/CCA), N.18, N.19, N.79 and N.80 the forms contained in Schedule 1 to these Rules.
3. There shall be inserted in the main Schedule, after form N.18 and form N.19 respectively, the forms N.18A and N.19A contained in Schedule 2 to these Rules.
4. Form N.111 in the main Schedule shall be omitted.

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

(1) S.I. 1982/586; the relevant amending instruments are S.I. 1986/1505, 1988/279, 1989/886, 1990/517 and 1991/1132.
(2) 1984 c. 28; section 75 was amended by the Courts and Legal Services Act 1990 (c. 41), sections 2(4), 16, 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Status: This is the original version (as it was originally made).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.

behalf made the foregoing Rules, do hereby certify the same under our hands and submit them to the Lord Chancellor accordingly.

*C. S. Stuart-White
R. H. Hutchinson
Eifion Roberts
J. H. Wroath
R. Greenslade
K. H. P. Wilkinson
Peter Birts
Henrietta Manners
E. C. Gee*

I allow these Rules, which shall come into force on 26th October 1992.

Dated 5th August 1992

Mackay of Clashfern, C.

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SCHEDULE 1

SCHEDULE 1



County Court Summons

Plaintiff's full name address

Plaintiff's Solicitor's address

Ref / Tel No.

Defendant's name address

What the plaintiff claims from you

Give brief description of type of claim

Particulars of the plaintiff's claim against you

My claim is worth
 £5000 or less over £5000

All cases over £1000
 I would like my case decided by trial arbitration

Signed
 Plaintiff's solicitor
 (or see enclosed "Particulars of claim")

N2 Default summons (amount not fixed) (Order 3 rule 2(2)(b))

Case Number	<i>Always quote this.</i>	
In the		
County Court		
<small>The court office is open from 10am to 4 pm Monday to Friday</small>		
Telephone:		



This summons is only valid if sealed by the court. If it is not sealed it should be sent to the court

Amount claimed see particulars

Court fee	
Solicitor's costs	
Total Amount	

Summons issued on _____

What you should do

You have 21 days, from the date of the post mark to either

- **defend the claim** by filling in the back of the enclosed form and **sending it to the court;**
- OR**
- **admit the claim** and make an offer of payment, by filling in the front of the enclosed reply form and **sending it to the court.**

If you do nothing judgment may be entered against you.

Please read the information on the back of the form. It will tell you more about what to do

Keep this summons, you may need to refer to it

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Please read this page : it will help you deal with the summons

If you dispute all or part of the claim

You may be entitled to help with your legal costs. Ask about the legal aid scheme at any county court office, citizens' advice bureau, legal advice centre or firm of solicitors displaying the legal aid sign.

- Say how much you dispute in the part of the enclosed form for defending the claim and return it to the court. The court will tell you what to do next.
- If you dispute only part of the claim, you should also fill in the part of the form for admitting the claim and pay the amount admitted into court.
- If the court named on the summons is not your local county court, you may write to the court named asking for the case to be transferred to your local county court and explaining your reasons. However, if the case is transferred and you later lose the case, you may have to pay more in costs.

How the claim will be dealt with if defended if the claim is worth £1,000 or less

it will be dealt with by arbitration (small claims procedure) unless the court decides the case is too difficult to be dealt with in this informal way. Costs and the grounds for setting aside an arbitration award are strictly limited. If the claim is for £1,000 or less and is not dealt with by arbitration, costs, including the costs of help from a legal representative, may be allowed.

If the claim is worth over £1000 it can still be dealt with by arbitration if either you or the plaintiff asks for it and the court approves. If your claim is dealt with by arbitration in these circumstances, costs may be allowed.

If you want to make a claim against the plaintiff

This is known as a counterclaim

Fill in the part of the enclosed form headed 'Counterclaim'. If your claim is for more than the plaintiff's claim you may have to pay a fee - the court will let you know. Unless the plaintiff admits your counterclaim there will be a hearing. The court will tell you what to do next.

If you admit the claim or any part of it

- You may pay an appropriate amount into court to compensate the plaintiff (see Payments into Court box on this page), accompanied by a notice (or letter) that the payment is in satisfaction of the claim. If the plaintiff accepts the amount paid he is also entitled to apply for his costs.
- If you need time to pay, complete the enclosed form of admission and give details of how you propose to pay the plaintiff. If your offer is accepted, the court will send an order telling you how to pay. If it is not accepted, the court will fix a rate of payment based on the details given in your form of admission and the plaintiff's comments. Judgment will be entered and you will be sent an order telling you how and when to pay.
- If the plaintiff does not accept the amount paid or offered, the court will fix a hearing to decide how much you must pay to compensate the plaintiff. The court will tell you when the hearing, which you should attend, will take place.

To be completed on the court copy only

Served on:

By posting on:

Officer:

This summons was returned by the Post Office marked 'Gone Away' on:

N2 Default summons (amount not fixed)

General information

- If you received this summons through the post the date of service will be 7 days (for a limited company at its registered office, the second working day) after the date of posting as shown by the postmark.
- You can get help to complete the enclosed form and information about court procedures at any county court office or citizens' advice bureau. The address and telephone number of your local court is listed under 'Courts' in the phone book.
- Please address forms or letters to the Chief Clerk.
- Always quote the whole of the case number which appears at the top right corner of the front of this form; the court is unable to trace your case without it.

Registration of judgments

If the summons results in a judgment against you, your name and address may be entered in the Register of County Court Judgments. This may make it difficult for you to get credit. A leaflet giving further information can be obtained from the court.

Interest on judgments

If judgment is entered against you and is for more than £5000, the plaintiff may be entitled to interest on the total amount.

Payments into Court

You can pay the court by calling at the court office which is open 10 am to 4 pm Monday to Friday

You may only pay by:

- cash
- banker's or giro draft
- cheque supported by a cheque card
- cheque (unsupported cheques may be accepted, subject to clearance, if the Chief Clerk agrees)

Cheques and drafts must be made payable to HM

Paymaster General and crossed.

Please bring this form with you.

By post

You may only pay by:

- postal order
- banker's or giro draft
- cheque (cheques may be accepted, subject to clearance, if the Chief Clerk agrees).

The payment must be made out to HM Paymaster

General and crossed.

This method of payment is at your own risk.

And you must:

- pay the postage
- enclose this form
- enclose a self addressed envelope so that the court can return this form with a receipt

The court cannot accept stamps or payments by bank and giro credit transfers.

Note: You should carefully check any future forms from the court to see if payments should be made directly to the plaintiff

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<div style="border: 1px solid black; padding: 2px; text-align: center; font-weight: bold;">Form for Replying to a Summons</div> <ul style="list-style-type: none"> Read the notes on the summons before completing this form Tick the correct boxes and give the other details asked for Send or take this completed and signed form immediately to the court office shown on the summons You should keep your copy of the summons <ul style="list-style-type: none"> For details of where and how to pay see the summons <p>What is your full name? (BLOCK CAPITALS)</p> <p>Surname Forenames Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/></p> <p>How much of the claim do you admit?</p> <p><input type="checkbox"/> All of it (complete only sections 1 and 2) <input type="checkbox"/> Part of it (sections 1, 2, 3, 4, 5) Amount £ : <input type="checkbox"/> None of it (complete sections 3, 4 and 5)</p> <div style="border: 1px solid black; padding: 2px; text-align: center; font-weight: bold;">Section 1 Offer of payment</div> <p>I offer to pay the amount admitted on (date) or for the reasons set out below I cannot pay the amount admitted in one instalment but I can pay by monthly instalments of £ : <i>Fill in the next section as fully as possible. Your answers will help the plaintiff decide whether your offer is realistic and ought to be accepted. Your answers will also help the court, if necessary, to fix a rate of payment that you can afford.</i></p> <div style="border: 1px solid black; padding: 2px; text-align: center; font-weight: bold;">Section 2 Income and outgoings</div> <p>a. Employment I am <input type="checkbox"/> Unemployed <input type="checkbox"/> A pensioner <input type="checkbox"/> Self employed as <input type="checkbox"/> Employed as a My employer is Employer's address :</p> <p>b. Income specify period: weekly, fortnightly, monthly etc. My usual take home pay £ : Child benefit(s) total £ : Other state benefit(s) total £ : My pension(s) total £ : Other people living in my home give me £ : Other income (give details) £ :</p>	<p style="text-align: center;">In the County Court</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Case Number <small>Always quote this</small></td> <td style="width: 50%;"></td> </tr> <tr> <td colspan="2">Plaintiff <small>(including reference)</small></td> </tr> <tr> <td colspan="2">Defendant</td> </tr> </table> <p>c. Bank account and savings <input type="checkbox"/> I do not have a bank account <input type="checkbox"/> I have a bank account The account is <input type="checkbox"/> in credit <input type="checkbox"/> overdrawn by £ : <input type="checkbox"/> I do not have a savings account <input type="checkbox"/> I have a savings account The amount in the account is £ :</p> <p>d. Dependents (people you look after financially) Number of dependants <small>(give ages of children)</small></p> <p>e. Outgoings I make regular payments as follows:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;">weekly</th> <th style="text-align: center;">monthly</th> <th></th> </tr> </thead> <tbody> <tr> <td>Mortgage</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>£ :</td> </tr> <tr> <td>Rent</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>£ :</td> </tr> <tr> <td>Mail order</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>£ :</td> </tr> <tr> <td>TV rental/licence</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>£ :</td> </tr> <tr> <td>HP repayments</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>£ :</td> </tr> <tr> <td>Court orders</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>£ :</td> </tr> </tbody> </table> <p style="text-align: center;"><small>specify period: yearly, quarterly, etc.</small></p> <p>Gas £ : Electricity £ : Community charge £ : Water charges £ : Other regular payments (give details below) £ :</p> <p>Credit card and other debts (please list) £ : Of the payments above, I am behind with payments to £ :</p>	Case Number <small>Always quote this</small>		Plaintiff <small>(including reference)</small>		Defendant			weekly	monthly		Mortgage	<input type="checkbox"/>	<input type="checkbox"/>	£ :	Rent	<input type="checkbox"/>	<input type="checkbox"/>	£ :	Mail order	<input type="checkbox"/>	<input type="checkbox"/>	£ :	TV rental/licence	<input type="checkbox"/>	<input type="checkbox"/>	£ :	HP repayments	<input type="checkbox"/>	<input type="checkbox"/>	£ :	Court orders	<input type="checkbox"/>	<input type="checkbox"/>	£ :
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Court orders	<input type="checkbox"/>	<input type="checkbox"/>	£ :																																

continue on a separate sheet if necessary - put the case number in the top right hand corner

<p>Give an address to which notices about this case should be sent to you</p> <p>Post code</p>	<p>I declare that the details I have given above are true to the best of my knowledge</p> <p>Signed (to be signed by you or by your solicitor)</p> <p>Position (firm or company)</p> <p>Dated</p>
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N9 Form of admission, defence and counterclaim to accompany Forms N2, 3 and 4 (Order 3, rule 3(2)(c))

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

Case No.....

Section 3 Defending the claim: defence

Fill in this part of the form only if you wish to defend the claim or part of the claim.

a. How much of the plaintiff's claim do you dispute ?

All of it

Part of it give amount £.....

If you dispute only part of the claim, you must complete sections 1 and 2 overleaf and part b. below.

b. What are your reasons for disputing the claim ?

Section 4 Making a claim against the plaintiff: counterclaim

Fill in this part of the form only if you wish to make a claim against the plaintiff.

If your claim against the plaintiff is more than his claim against you, you may have to pay a fee. Ask at the court office whether a fee is payable.

a. What is the nature of the claim you wish to make against the plaintiff ?

b. If your claim is for a specific sum of money, how much are you claiming? £.....

c. What are your reasons for making the claim ?

continue on a separate sheet if necessary - put the case number in the top right corner

Section 5 Arbitration under the small claims procedure

How the claim will be dealt with if defended

If the claim is worth £1,000 or less it will be dealt with by arbitration (small claims procedure) unless the court decides the case is too difficult to be dealt with in this informal way. Costs and the grounds for setting aside an arbitration award are strictly limited. If the claim is for £1,000 or less and is not dealt with by arbitration, costs, including the costs of a legal representative, may be allowed.


If the claim is worth over £1000 it can still be dealt with by arbitration if either you or the plaintiff asks for it and the court approves. If your claim is dealt with by arbitration in these circumstances, costs may be allowed.

Please tick this box if the claim is worth over £1,000 and you would like it dealt with by arbitration.

<p>Give an address to which notices about this case can be sent to you</p> <p>Post code <input type="text"/></p>	<p>Signed (to be signed by you or by your solicitor)</p>
	<p>Position (firm or company)</p>
	<p>Dated</p>

N10 (HP/CCA) Form of admission, defence and counterclaim to accompany Forms N3 and N4

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

<h2 style="text-align: center; margin: 0;">Defence and Counterclaim</h2> <p>When to fill in this form</p> <ul style="list-style-type: none"> Only fill in this form if you wish to dispute all or part of the claim and/or make a claim against the plaintiff (counterclaim). <p>How to fill in this form</p> <ul style="list-style-type: none"> Please check that the correct case details are shown on this form. You must ensure that all the boxes at the top right of this form are completed. You can obtain the correct names and numbers from the summons. The court cannot trace your case without this information. Follow the instructions given in each section. Tick the correct boxes and give the other details asked for. If you wish only to make a claim against the plaintiff (counterclaim) go to section 5. Complete and sign section 6 before returning this form. <p>Where to send this form</p> <ul style="list-style-type: none"> Send or take this form immediately to the court office at the address shown above. If you admit part of the claim and you are asking for time to pay, you will also need to fill in the blue admission form (N9A) and send both reply forms to the court. Keep the summons and a copy of this defence; you may need them. <p>Legal Aid</p> <ul style="list-style-type: none"> You may be entitled to legal aid. Ask about the legal aid scheme at any county court office, citizen's advice bureau, legal advice centre or firm of solicitors displaying the legal aid sign.  <p>What happens next</p> <ul style="list-style-type: none"> If you complete box 3 on this form, the court will ask the plaintiff to confirm that he has received payment. If he tells the court that you have not paid, the court will tell you what you should do. If you complete box 4 or 5, the court will tell you what you should do. If the summons is not from your local county court, it will automatically be transferred to your local court. <p>1 How much of the claim do you dispute ?</p> <p><input type="checkbox"/> I dispute the full amount claimed (go to section 2)</p> <p><input type="checkbox"/> or I admit the amount of £ <input style="width: 100px;" type="text"/> and</p> <p>If you dispute only part of the claim you must either:</p> <ul style="list-style-type: none"> pay the amount admitted to the person named at the address for payment in box (2) on the front of the summons or if there is no address in box (2), send the money to the address in box (1) (see How to Pay on the back of the summons). Then send this defence to the court. or complete the blue admission form and send it to the court with this defence. <p><i>Tick whichever applies</i></p> <p><input type="checkbox"/> I paid the amount admitted on <input style="width: 100px;" type="text"/></p> <p>or</p> <p><input type="checkbox"/> I enclose the completed form of admission (go to section 2)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">In the</td> <td style="width: 50%; text-align: center;">County Court</td> </tr> <tr> <td style="width: 50%;">Case Number</td> <td style="width: 50%; text-align: center;"><small>Always quote this</small></td> </tr> <tr> <td colspan="2">Plaintiff (including ref.)</td> </tr> <tr> <td colspan="2">Defendant</td> </tr> </table> <p>The court office is open from 10am to 4pm Monday to Friday</p> <p>2 Arbitration under the small claims procedure</p> <p>How the claim will be dealt with if defended</p> <p>If the claim is for £1,000 or less it will be dealt with by arbitration (small claims procedure) unless the court decides the case is too difficult to be dealt with in this informal way. Costs and the grounds for setting aside an arbitration award are strictly limited. If the claim is for £1,000 or less and is not dealt with by arbitration, costs, including the costs of a legal representative, may be allowed.</p> <p>If the claim is for over £1000 it can still be dealt with by arbitration if either you or the plaintiff asks for it and the court approves. If the claim is dealt with by arbitration in these circumstances, costs may be allowed.</p> <p>Please tick this box if the claim is worth over £1,000 and you would like it dealt with by arbitration. <input type="checkbox"/></p> <p><i>(go on to section 3)</i></p> <p>3 Do you dispute this claim because you have already paid it ? <i>Tick whichever applies</i></p> <p><input type="checkbox"/> No <i>(go to section 4)</i></p> <p><input type="checkbox"/> Yes I paid £ <input style="width: 100px;" type="text"/> to the plaintiff on <input style="width: 100px;" type="text"/> (before the summons was issued)</p> <p>Give details of where and how you paid it in the box below (then go to section 6)</p> <div style="border: 1px solid black; height: 150px; width: 100%;"></div>	In the	County Court	Case Number	<small>Always quote this</small>	Plaintiff (including ref.)		Defendant	
In the	County Court								
Case Number	<small>Always quote this</small>								
Plaintiff (including ref.)									
Defendant									

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Case No.

4 If you dispute the claim for reasons other than payment, what are your reasons ?

Use the box below to give full details. (If you need to continue on a separate sheet, put the case number in the top right hand corner.)

5 If you wish to make a claim against the plaintiff (counterclaim)

If your claim is for a specific sum of money, how much are you claiming? £

- If your claim against the plaintiff is for more than the plaintiff's claim against you, you may have to pay a fee. Ask at your local court office whether a fee is payable.
- You may not be able to make a counterclaim where the plaintiff is the Crown (e.g. a Government Department). Ask at your local county court office for further information.

What are your reasons for making the counterclaim?

- Use the box opposite to give full details. (If you need to continue on a separate sheet, put the case number in the top right hand corner.)

(go on to section 6)

6 Signed

(To be signed by you or by your solicitor)

Give an address to which notices about this case can be sent to you

Postcode

Position
(firm or company)

Dated

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

<p align="center">Form for Replying to a Summons (return of goods)</p> <ul style="list-style-type: none"> • Read the notes on the summons before completing this form • Tick the correct boxes and give the other details asked for • Send or take this completed and signed form immediately to the court office shown on the summons • You should keep your copy of the summons <p>• For details of where and how to pay see the summons</p>	<p align="center">In the County Court</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Case Number</td> <td style="width: 40%; text-align: center; font-size: small;">Always quote this</td> </tr> <tr> <td colspan="2">Plaintiff <small>(including reference)</small></td> </tr> <tr> <td colspan="2">Defendant</td> </tr> </table>	Case Number	Always quote this	Plaintiff <small>(including reference)</small>		Defendant	
Case Number	Always quote this						
Plaintiff <small>(including reference)</small>							
Defendant							

What is your full name? (BLOCK CAPITALS)

Surname.....

Forenames.....

Mr Mrs Miss Ms

How much of the claim do you admit?

- All of it (complete only sections 1 and 2)
- Part of it (sections 1, 2, 3, 4, 5) Amount £ :
- None of it (complete sections 3, 4 and 5 overleaf)

Are the goods in your possession? Yes No

I understand that if the plaintiff accepts my offer of payment by instalments, the court will make an order for the return of the goods but the plaintiff will not be able to enforce this order so long as I pay the instalments punctually.

Section 1 Offer of payment

I offer to pay the amount admitted on (date).....

or for the reasons set out below

I cannot pay the amount admitted in one instalment but I can pay by monthly instalments of £ :

Fill in the next section as fully as possible. Your answers will help the plaintiff decide whether your offer is realistic and ought to be accepted. Your answers will also help the court, if necessary, to fix a rate of payment that you can afford.

Section 2 Income and outgoings

a. Employment I am

- Unemployed
- A pensioner
- Self employed as.....
- Employed as a.....

My employer is.....

Employer's address:

Dated

b. Income specify period: weekly, fortnightly, monthly etc.

My usual take home pay	£ :
Child benefit(s) total	£ :
Other state benefit(s) total	£ :
My pension(s) total	£ :
Other people living in my home give me	£ :
Other income : <small>(give details)</small>	£ :

c. Bank account and savings

I do not have a bank account

I have a bank account

The account is in credit overdrawn by £ :

I do not have a savings account

I have a savings account

The amount in the account is £ :

d. Dependants (people you look after financially)

Number of dependants
(give ages of children)

e. Outgoings

	weekly	monthly	
Mortgage	<input type="checkbox"/>	<input type="checkbox"/>	£ :
Rent	<input type="checkbox"/>	<input type="checkbox"/>	£ :
Mail order	<input type="checkbox"/>	<input type="checkbox"/>	£ :
TV rental/licence	<input type="checkbox"/>	<input type="checkbox"/>	£ :
HP repayments	<input type="checkbox"/>	<input type="checkbox"/>	£ :
Court orders	<input type="checkbox"/>	<input type="checkbox"/>	£ :

specify period: yearly, quarterly etc.

Gas	£ :
Electricity	£ :
Community charge	£ :
Water charges	£ :
Other regular payments <small>(give details below)</small>	£ :

Credit card and other debts (please list) £ :

Of the payments above, I am behind with payments to £ :

continue on a separate sheet if necessary - put the case number in the top right hand corner

<p>Give an address to which notices about this case should be sent to you</p> <p>Post code <input style="width: 50px;" type="text"/></p>	<p>I declare that the details I have given above are true to the best of my knowledge</p> <p>Signed <small>(to be signed by you or by your solicitor)</small></p> <p>Position <small>(firm or company)</small></p> <p>Dated</p>
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Case No.....

Section 3 Defending the claim: defence

Fill in this part of the form only if you wish to defend the claim or part of the claim.

a. How much of the plaintiff's claim do you dispute ?

All of it

Part of it give amount £.....

If you dispute only part of the claim, you must complete sections 1 and 2 overleaf and part b. below.

b. What are your reasons for disputing the claim ?

Section 4 Making a claim against the plaintiff: counterclaim

Fill in this part of the form only if you wish to make a claim against the plaintiff.

If your claim against the plaintiff is for more than his claim against you, you may have to pay a fee. Ask at the court office whether a fee is payable.

a. What is the nature of the claim you wish to make against the plaintiff ?

b. If your claim is for a specific sum of money, how much are you claiming ?
£.....

c. What are your reasons for making the claim ?

continue on a separate sheet if necessary - put the case number in the top right corner

Section 5 Arbitration under the small claims procedure

How the claim will be dealt with if defended

If the claim is worth £1,000 or less it will be dealt with by arbitration (small claims procedure) unless the court decides the case is too difficult to be dealt with in this informal way. Costs and the grounds for setting aside an arbitration award are strictly limited. If the claim is for £1,000 or less and is not dealt with by arbitration, costs, including the cost of a legal representative, may be allowed.

If the claim is worth over £1000 it can still be dealt with by arbitration if either you or the plaintiff asks for it and the court approves. If the claim is dealt with by arbitration in these circumstances, costs may be allowed.

Please tick this box if the claim is worth over £1,000 and you would like it dealt with by arbitration.

<p>Give an address to which notices about this case should be sent to you</p> <p style="text-align: right;">Post code <input style="width: 50px;" type="text"/></p>	<p>Signed (to be signed by you or by your solicitor)</p>
	<p>Position (firm or company)</p>
	<p>Dated</p>

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Notice of Preliminary (Arbitration) Appointment Small Claims Procedure

Plaintiff

Defendant

In the		
		County Court
Case No.	Always quote this	
Plaintiff's Ref.		
Date :		

To the plaintiff and defendant

1. Date of Preliminary Appointment

Your case is to be dealt with by arbitration under the small claims procedure. Before that hearing takes place there will be a preliminary appointment. It will take place at

on _____ at _____ o'clock

If you do not attend, the district judge may make decisions in your absence.

If you do not wish your case to be dealt with under the informal small claims procedure, you may apply to the court. You should use form N244 which you can get free from the court office. You must say why you object to your case being dealt with as a small claims case.

The court will give you an appointment at which the district judge will consider your objections. If your case is not dealt with under the small claims procedure, costs may be allowed. That means, if you lose the case you may have to pay the other party's costs which may include the costs of help from a legal representative.

Seal

2. Notes on Preliminary Appointment

This hearing is informal and in private.

Its purpose is to :-

- make sure all parties and the court know what the case is about
- see if there is any possibility of settling the dispute, and if not
 - decide how it is going to be dealt with
 - how long the arbitration will last
 - what documents or other evidence you must provide.
- You may bring someone with you to the hearing to speak for you. They cannot come to the hearing alone. This person is called a 'lay representative' and can be anyone you choose, for example, your husband or wife, a relative or friend or an advice worker.
- Some lay representatives may want to be paid for helping you. You should make sure you know exactly how much this will be. Consider carefully whether you think it is worth paying that amount. Remember, you will have to pay this yourself.
- If you take a lay representative with you, you should fill in form Ex83 and hand it to the district judge at the beginning of the hearing. You can get the form from the court office.
- If the district judge thinks your lay representative is behaving badly, he can tell him or her to leave.

- **Witness(es) are not needed at the preliminary appointment.**

3. After the Preliminary Appointment

You will be sent a form N18A (notice of arbitration hearing).

The notice will tell you :

- what was decided at the preliminary appointment and what you have to do to get ready for the arbitration hearing ;
- the date, time and place of the arbitration hearing and how long it will last.

Leaflet number 6 ("A defence to my claim - what happens now ? ") and leaflet number 7 (An arbitration hearing - how do I prepare ?) will give more information about the arbitration hearing and what you should do.

N18 Notice of reference to preliminary (arbitration) appointment (Order 19 Rule 6 (1) (b))

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

Notice of Preliminary Arbitration Appointment

Plaintiff

Defendant

In the	
County Court	
Case No.	Always quote this
Plaintiff's Ref.	
Date :	

To the plaintiff and defendant

1. Date of Preliminary Appointment

Your case is to be dealt with by arbitration.
Before that hearing takes place there will be a preliminary appointment.
It will take place at

on _____ at _____ o'clock

If you do not attend, the district judge may make decisions in your absence.



2. Notes on Preliminary Appointment

This hearing is informal and in private.

Its purpose is to :-

- make sure all parties and the court know what the case is about
- see if there is any possibility of settling the dispute, and if not
 - decide how it is going to be dealt with
 - how long the arbitration will last
 - what documents or other evidence you must provide.
- **Witness(es) are not needed at the preliminary appointment.**
- **If you lose the case you may have to pay the other party's costs which may include the costs of help from a legal representative.**

3. After the Preliminary Appointment

You will be sent a form N19A (notice of arbitration hearing).
The notice will tell you :

- what was decided at the preliminary appointment and what you have to do to get ready for the arbitration hearing ;
- the date, time and place of the arbitration hearing and how long it will last.

Leaflet number 7 (An arbitration hearing - how do I prepare ?) will give more information about what you should do to get ready for the arbitration hearing.

N19 Notice of reference to arbitration (preliminary appointment) (Order 19 Rule 6(1)(b))

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

Committal or Other Order upon Proof of Disobedience of a Court Order or Breach of an Undertaking

Between _____ Applicant
Plaintiff
and _____ Respondent
Defendant

In the	
County Court	
Case No	Always quote this

Before His (Her) Honour Judge
Sitting at _____

on (date)



- 1 **An Application having been made by** ⁽¹⁾ _____ for committal of ⁽²⁾ _____ to prison for disobeying the order [breach of the the undertaking] dated _____. The relevant terms of the order (undertaking) and the allegations made by the applicant are recited on the attached notice to show good reason dated _____
- or
- 2 **Whereas** ⁽²⁾ _____ has been suspected of a breach of the attached order dated _____ and has been arrested by a constable and brought before the Judge under Section 2 of the Domestic Violence and Matrimonial Proceedings Act 1976

IMMEDIATE CUSTODIAL ORDER

It is ordered that ⁽²⁾ _____ be committed for contempt to Her Majesty's Prison (be detained under section 9(1) of the Criminal Justice Act 1982) at ⁽³⁾ _____ for a (total) period of ⁽⁴⁾ _____ or until lawfully discharged if sooner, and that a warrant of arrest and committal be issued forthwith.

And the contemnor can apply to the (court) (judge) to purge his contempt and ask for release.

[**And**, as the court by order dated _____ dispensed with service of the notice of application for a committal order, **It is ordered** that the contemnor be brought before a judge of this court as soon as practicable.]

ALTERNATIVE DISPOSAL

It is ordered that ⁽²⁾ _____ be committed for contempt to prison for a (total) period of ⁽⁴⁾ _____.
The order is suspended and will not be put into force if and for so long as the contemnor complies with the following terms:

And it is further ordered that in the event of non compliance any application for issue of the warrant shall be made to a judge (on notice to the contemnor)

It is ordered that ⁽²⁾ _____ be fined the sum of £ _____.
Such sum to be paid into the office of the court within 14 days of the date of this order.

It is ordered that consideration of the penalty for the contempts found proved be adjourned and may be restored for decision if ⁽²⁾ _____ does not comply with the following terms:

PROVISION FOR COSTS

And it is ordered that

Dated

For record of service, hearing and contempts found proved, see overleaf

N79 Committal or other order upon proof of disobedience of a court order or breach of an undertaking (Order 29, rule 1(5)) (Domestic Violence and Matrimonial Proceedings Act 1976) (Family Proceedings Rule 3.9)

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

RECORD OF SERVICE, HEARING AND CONTEMPTS FOUND PROVED

At the hearing
 (1) [appeared personally] [was represented by solicitor / counsel] [did not attend]
 (2) [appeared personally] [was represented by solicitor / counsel] [did not attend]

The court read the affidavits of Name(s)	Date affidavit(s) sworn
--	-------------------------

And the court heard oral evidence given by
Name(s)

And the court is satisfied having considered the facts disclosed by the evidence and/or admitted in court by him/her that (2) has been guilty of contempt of this court by disobeying the order (breaking the undertaking) dated by (and as set out in the attached schedule)

1.	And for the particular contempt the court imposed the penalty of:
2.	1.
	2.

RECORD OF SERVICE

Service of Injunction Order with Penal Notice incorporated or indorsed

(Order dated 19
 (for substituted) (dispensing with) service)
 Service proved by
 affidavit of
 sworn on 19
 certificate of bailiff
 oral evidence of

Service of Notice to show good reason in form N78

(Order dated 19
 (for substituted) (dispensing with) service)
 Service proved by
 affidavit of
 sworn on 19
 certificate of bailiff
 oral evidence of

Service of Immediate Custodial Order

I (name of Officer) certify that I served the contemnor with a copy of this order by:
 delivery by hand to the contemnor before he was taken from the court building or other place of arrest to the place of detention
 delivery by hand to the contemnor at (time) on (date) 19 at (place)
Where a suspended committal order is made, the applicant is responsible for service. (Rules of the Supreme Court Order 52 rule 7(2).)
Where there is suspended committal order or penalty is adjourned on terms, personal service is advisable.

The court office is open from 10 am to 4 pm Monday to Friday.

When corresponding with the court, please address forms and letters to the Chief Clerk and quote the case number

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

Warrant of Committal to Prison

Between

_____ Applicant
Petitioner

and

_____ Respondent
Defendant

In the	
County Court	
Case No	<small>Always quote this</small>
Warrant No	



- To
- the District Judge and Bailiffs of the Court
 - every constable within his jurisdiction
 - the Governor (of Her Majesty's Prison at) ⁽¹⁾

⁽¹⁾ Name of prison

⁽²⁾ Name and

⁽³⁾ address of person to be committed.

⁽⁴⁾ Where the person to be committed is aged less than 21 years and at least 18 delete all references to prison otherwise delete reference to Sec 9 (1) CJA

⁽⁵⁾ State term of imprisonment

⁽⁶⁾ Add if so ordered otherwise delete

On the _____ day of _____ 19 _____,

it was ordered that ⁽²⁾

of ⁽³⁾

should be committed to Prison ⁽⁴⁾ (detained under Section 9 (1) Criminal Justice Act 1982) for a period of ⁽⁵⁾ _____ for contempt of this court

You the District Judge and Bailiff are therefore required forthwith to arrest and deliver

⁽²⁾

to (Her Majesty's Prison at) ⁽¹⁾

And you, the Governor, are required to receive and keep ⁽²⁾

safely (in prison) from the arrest under this warrant for a period of ⁽⁵⁾ _____ or until lawfully discharged, if sooner.

[⁽⁶⁾ **And,** as the court by order dated _____ dispensed with service of the notice of application for a committal order,

it is ordered that you, the Governor, bring ⁽²⁾

before a judge of this court at such time and place as the court shall specify and afterwards, return him to the prison unless the court orders his discharge.]

Dated

<p>I arrested the person named in this warrant on (date) and delivered him into the custody of the Governor (of Her Majesty's Prison) at ⁽¹⁾ on (date)</p> <p style="text-align: right;">Bailiff of the County Court</p>

The Court Office is open from 10am to 4pm Monday to Friday

Address all communications to the Chief Clerk and quote the above case number.

N80 Warrant for committal to prison (Order 29, rule 1 (5)) (Domestic Violence and Matrimonial Proceedings Act 1976) (Family Proceedings Rule 3.9)

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

SCHEDULE 2

**Notice of Arbitration Hearing
Small Claims Procedure**

Plaintiff

Defendant

In the		County
Case No.	Always quote this	
Plaintiff's Ref.		
Date :		

To the plaintiff and defendant

1. Details of Hearing



This case is to be dealt with by arbitration under the small claims procedure. The notes overleaf tell you more about the hearing and what you need to do before it takes place.

The arbitration hearing will take place at

on _____ at _____ o'clock

The time allowed for the arbitration is _____ hour(s) _____ minutes

If you do not attend, the district judge (the arbitrator) may make decisions in your absence.

If you do not wish your case to be dealt with under the informal small claims procedure, you may apply to the court. You should use form N244, which you can get free from the court office. You must say why you object to your case being dealt with as a small claims case.

The court will give you an appointment at which the district judge will consider your objections. If your case is not dealt with under the small claims procedure, costs may be allowed. That means, if you lose the case you may have to pay the other party's costs which may include the costs of help from a legal representative.

2. District Judge's Directions (What you should do)

- (i) **Not less than 14 days before the hearing**, you must send the other party a copy of all the documents you have which you are going to use to prove your case.
- (ii) **Not less than 7 days before the hearing**, you must send the court and the other party :
 - (a) a copy of any expert report you are going to use to prove your case and
 - (b) the name(s) and address(es) of any witness(es) you intend to use.

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

3. Help and Advice

- You may find it helpful to get advice about your claim and the evidence you should produce at the hearing. Many solicitors will give up to half an hour's advice for a fixed fee of £5, or you may be entitled to advice under the Legal Advice and Assistance Scheme. If expert evidence would help to prove your claim, your local Citizens Advice Bureau may be able to suggest the name of a suitable person to provide a report. They may also offer more general advice and assistance.
- You may take someone with you to the hearing to speak for you. They cannot come to the hearing alone. This person is called a 'lay representative' and can be anyone you choose, for example, your husband or wife, a relative, friend, or advice worker.
- Some lay representatives may want to be paid for helping you. You should make sure you know exactly how much this will be. Consider carefully whether your claim is worth paying that amount. Remember, you will have to pay this yourself.
- You should also remember that some lay representatives who charge for their services may not belong to any professional body. This means that if you are dissatisfied with the way they handle your case, there may be no one to whom you can complain.
- **Small claims leaflet number 6 ('A defence to my claim - what happens now?') and leaflet number 7 (An arbitration hearing - how do I prepare?) will give you more information about the hearing and what you have to do**

4. Notes on the arbitration hearing

- Arbitration is an informal way of dealing with a claim. The hearing is normally held in private.
- At the hearing the district judge (the arbitrator) will decide on the best way to:
 - identify the facts and matters in dispute, and
 - make sure you have a fair and equal opportunity to present your case.
- The strict rules of evidence will not apply. The arbitrator may take into account any evidence as long as it is fair to both parties to do so.
- If you do not attend the hearing, the arbitrator will normally deal with the case in your absence. But any documents you have sent to the court will be taken into account.
- If you have a lay representative, remember to give the arbitrator form Ex83 at the beginning of the hearing. (The arbitrator can tell your lay representative to leave if he thinks he or she is behaving badly).
- If you do not have anyone to speak on your behalf, you can ask the arbitrator to help by putting questions for you.
- At the end of the hearing, the arbitrator will tell you the decision and the reasons for it.
- The decision ('award') made at the hearing is normally final. You can apply to have it set aside, but the grounds (reasons) for doing so are **very limited**.

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

Notice of Arbitration Hearing

Plaintiff

Defendant

In the		County Court
Case No.	Always quote this	
Plaintiff's Ref.		
Date :		

To the plaintiff and defendant

1. Details of Hearing



This case is to be dealt with by arbitration, The notes overleaf tell you more about the hearing and what you need to do before it takes place.

The arbitration hearing will take place at

on _____ at _____ o'clock

The time allowed for the arbitration is _____ hour(s) _____ minutes

If you do not attend, the district judge (the arbitrator) may make decisions in your absence.

2. District Judge's Directions (What you should do)

- (i) **Not less than 14 days before the hearing**, you must send the other party a copy of all the documents you have which you are going to use to prove your case.
- (ii) **Not less than 7 days before the hearing**, you must send the court and the other party :
 - (a) a copy of any expert report you are going to use to prove your case and
 - (b) if you intend to use any, the name(s) and address(es) of your witness(es)

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

3. Preparing for the arbitration hearing

HELP AND ADVICE

- You may find it helpful to get advice about your claim and the evidence you should produce at the hearing. Many solicitors will give up to half an hour's advice for a fixed fee of £5, or you may be entitled to advice under the Legal Advice and Assistance Scheme. If expert evidence would help to prove your claim, your local Citizens Advice Bureau may be able to suggest the name of a suitable person to provide a report. They may also offer more general advice and assistance.
- Leaflet number 7 (An arbitration hearing - how do I prepare ?) will give more information about what you should do to get ready for the hearing

EVIDENCE

- Make sure that you have with you all the documents you intend to use to prove your claim e.g invoices, reports, plans, photographs. Have copies of these documents to give to the district judge.

WITNESSES

- Make sure any witness(es) you have will come to the hearing. If any witness are unwilling to come, you can issue a witness summons to make them. You can get the forms free from the court office.

4. Notes on the arbitration hearing

- The arbitration hearing is an informal way of dealing with a claim. The hearing is normally held in private.
- At the hearing the district judge (the arbitrator) will decide on the best way to:
 - identify the facts and matters in dispute, and
 - make sure you have a fair and equal opportunity to present your case.
- The strict rules of evidence will not apply. The arbitrator may take into account any evidence as long as it is fair to both parties to do so.
- If you do not attend the hearing, the arbitrator will normally deal with the case in your absence. But any documents you have sent to the court will be taken into account.
- If you do not have anyone to speak on your behalf, you can ask the arbitrator to help by putting questions for you.
- At the end of the hearing, the arbitrator will tell you the decision and the reasons for it.
- If you win your case you may be entitled to recover your costs from the other party, including the costs of help from a legal representative.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the County Court (Forms) Rules 1982 so as to—

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

- (a) substitute new forms of default summons (amount not fixed)(N.2), of defence (N.9, N.9B and N.10 (HP/CCA), notices of preliminary arbitration appointments (N.18 and N.19), committal order (N.79) and warrant of committal (N.80);
- (b) provide new notices of small claims arbitration hearings (N.18A and N.19A).

The new form of unliquidated default summons (N.2) includes provision for a plaintiff to indicate the value of his claim.

The new forms N.18, N.18A, N.19 and N.19A complement the changes to the small claims procedure which are introduced by the County Court (Amendment No. 2) Rules 1992 (S.I.1992/1965).

Forms N.9, N.9B and N.10 are amended to make it clear that cases automatically referred to arbitration may be sent for trial in which case costs are recoverable.

The introduction of the new Forms N.79 and N.80 will be accompanied by guidance notes to assist in the completion of the committal form; the new forms render Form N.111 obsolete and it is accordingly revoked.