

*Status: This is the original version (as it was originally made).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

SCHEDULE 1

FORMS

EJECTION PROCEEDINGS

FORM 41MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 **Process in Ejection Proceedings in respect of Lands or Premises to which sub-paragraph (a) of Article 67(1) of the Order Applies**

(Article 67; Rules 55, 57 and 95)

[Title as in Form 33]

WHEREAS the plaintiff claims that the defendant has neglected [or refused] to deliver up to the plaintiff possession of the lands [or premises] situate at in the above-named petty sessions district, which the defendant held from the plaintiff as tenant from [quarter to quarter] [month to month] [week to week] at a rent not exceeding the rate of one hundred and ten pounds a year, to wit, the rent of , which tenancy [was duly determined by a notice to quit which expired on (date) and which notice was served on the (date) ] [or which tenancy ended on (date) ].

THE DEFENDANT IS HEREBY REQUIRED to appear before the magistrates' court sitting at (place) on (date) , at (time) to answer to the plaintiff's claim for possession of the said lands [or premises].

Dated this day of 19 .

Plaintiff  
[Solicitor for the Plaintiff]  
[Address].

NOTE: If possession of the lands [or premises] is surrendered to the plaintiff and the sum of £ for the costs of this process be paid to the plaintiff or his solicitor before the\* day of 19 , proceedings will be stayed.

\* Insert Entry Day

FORM 42MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 **Process in Ejection Proceedings in respect of Lands or Premises to which sub-paragraph (a) of Article 67(1) of the Order Applies and for the Recovery Arrears of Rent or Sums due under Article 69 of the Order**

Status: This is the original version (as it was originally made).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

(Articles 67, 69 and 72(3); Rules 55, 57 and 95(5))

[Title as in Form 33]

WHEREAS the plaintiff claims that the defendant has neglected [or refused] to deliver up to the plaintiff possession of the lands [or premises] situate at in the above-named petty sessions district, which the defendant held from the plaintiff as tenant from [quarter to quarter] [month to month] [week to week] at a rent not exceeding the rate of one hundred and ten pounds per year, to wit, the rent of , which tenancy [was duly determined by a notice to quit which expired on (date) and which notice was served on (date) ].

AND WHEREAS the plaintiff claims that the defendant is indebted to him in the sum of £ , in respect of arrears of rent up till the determination of the tenancy on (date) [and the sum of £ due to him up to the issue of this process under Article 69 of the Order] [arising from such tenancy under a lease dated ] [granted by [the plaintiff] to [the defendant]].

THE DEFENDANT IS HEREBY REQUIRED to appear before the magistrates' court sitting at (place) on (date) at (time) to answer to the plaintiff's claim for possession of the said lands [or premises] and for the recovery of the said sum(s).

Dated this day of 19 .

Plaintiff  
[Solicitor for the Plaintiff]  
[Address]

NOTE: If possession of the lands [or premises] is surrendered to the plaintiff and the sum of £ in respect of [arrears of rent [and sums due under Article 69 of the Order]] and for the costs of this process be paid to the plaintiff or his solicitor before the \* day of 19 , proceedings will be stayed.

\*Insert Entry Day

FORM 43MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Process in Ejectment Proceedings 'in respect of Lands or Premises to which sub-paragraph (b) of Article 67(1) of the Order Applies

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

(Article 67; Rules 55, 57 and 95(3))

[Title as in Form 33]

WHEREAS the plaintiff claims that the defendant, having been put into possession of the lands [or premises] situate at  
in the above-named petty sessions district by permission of the plaintiff as [servant] [herdsman] [caretaker] has refused [or omitted] to quit and deliver up possession of the lands [or premises] on demand made on (date) , by [the agent or receiver of] the plaintiff.

THE DEFENDANT IS HEREBY REQUIRED to appear before the magistrates' court sitting at (place) on (date) at (time) to answer to the plaintiff's claim for possession of the said lands [or premises].

Dated this                      day of    19                      .

Plaintiff  
[Solicitor for the Plaintiff]  
[Address]

NOTE: If possession of the lands [or premises] is surrendered to the plaintiff and the sum of £                      for costs of this process be paid to the plaintiff or his solicitor before the\*                      day of 19                      , proceedings will be stayed.

\*Insert Entry Day.

FORM 44MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 **Process in Ejectment Proceedings in respect of Lands or Premises to which sub-paragraph (c) of Article 67(1) of the Order Applies**

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

(Articles 67 and 71; Rules 55, 57 and 95(4))

*[Title as in Form 33]*

WHEREAS the plaintiff claims that he is entitled to recover possession of the lands [or premises] situate at in the above-named petty sessions district under the provisions of

(state enactment under which proceedings taken)

by ejectment proceedings under and in accordance with Part VI of the Order by reason of

(here state cause of action and include a claim, if necessary, for arrears of rent or sums due under Article 69 of the Order).

THE DEFENDANT IS HEREBY REQUIRED to appear before the magistrates' court sitting at (place) on (date) at (time) to answer to the plaintiff's claim for possession of the said lands [or premises].

Dated this day of 19 .

**Plaintiff**  
[Solicitor for the Plaintiff]  
[Address]

NOTE: If possession of the lands [or premises] is surrendered to the plaintiff and the sum of £ for the costs of this process be paid to the plaintiff or his solicitor before the \* day of 19 , proceedings will be stayed.

\*Insert Entry Day.

**FORM 45MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Decree for Recovery of Lands or Premises to which sub-paragraph (a) of Article 67(1) of the Order Applies**

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

(Articles 67 and 74; Rule 79)

[Title as in Form 33]

By the magistrates' court sitting at \_\_\_\_\_ on  
the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ .

It appearing to the court that a process to appear before the above court was duly served on the defendant, claiming that the defendant had neglected [or refused] to deliver up to the plaintiff possession of the lands [or premises] situate at \_\_\_\_\_ in the above-named petty sessions district which he lately held from the plaintiff as tenant from [quarter to quarter] [month to month] [week to week] at a rent not exceeding the rate of one hundred and ten pounds per year, to wit, the rent of, \_\_\_\_\_ per [quarter] [month] [week] which tenancy [was duly determined by a notice to quit served on (date) \_\_\_\_\_] which expired on (date) \_\_\_\_\_ ] [ended on (date) \_\_\_\_\_ ].

And it appearing to the court that the defendant still neglects [or refuses] to deliver up possession of the said lands [or premises] and proof of the said holding, its [determination] [or end] at the time and manner thereof has been duly given and the defendant has failed to show to the satisfaction of the court cause why possession should not be given.

IT IS THEREFORE ORDERED that the plaintiff do recover from the defendant the said lands [or premises] and it is further ordered that the plaintiff do recover from the defendant the sum of £ \_\_\_\_\_ for costs and the sum of £ \_\_\_\_\_ for witnesses' expenses.

Issued on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ .

Clerk of Petty Sessions

Costs .. .. .	£
Witnesses' Expenses ..	£
<hr/>	
Total .. .. .	£
<hr/>	

**FORM 46MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Decree for Recovery of Lands or Premises to which sub-paragraph (a) of Article 67(1) of the Order Applies and for the Recovery of Arrears of Rent or Sums due under Article 69 of the Order**

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

(Articles 67, 69, 72(3) and 74; Rule 79)

[Title as in Form 33]

By the magistrates' court sitting at (place) on (date)

It appearing to the court that a process to appear before the above court was duly served on the defendant, claiming that the defendant had neglected [or refused] to deliver up to the plaintiff possession of the lands [or premises] situate at in the above-named petty sessions district which he lately held from the plaintiff as tenant from [quarter to quarter] [month to month] [week to week] at a rent not exceeding the rate of one hundred and ten pounds a year, to wit, the rent of per [quarter] [month] [week] [which tenancy was duly determined by a notice to quit served on (date), which expired on (date)] [or which tenancy ended on (date)] and claiming that the defendant is indebted to the plaintiff in the sum of £ in respect of arrears of rent up till (date), [and the sum of £ due under Article 69 of the Order up to the date of the issue of the said process] [arising from such tenancy under a lease dated ] [granted by [the plaintiff] to [the defendant]].

And it appearing to the court that the defendant still neglects [or refuses] to deliver up possession of the said lands [or premises] and proof of the said holding, its [determination] [or end] and the time and manner thereof has been duly given and the defendant has failed to show to the satisfaction of the court reasonable cause why possession should not be given and that the defendant is indebted to the plaintiff in the sum of £ in respect of arrears of rent [and the sum of £ due under Article 69 of the said Order].

IT IS THEREFORE ORDERED that the plaintiff do recover from the defendant the said lands [or premises] and it is further ordered that the plaintiff do recover from the defendant the sum of £ in respect of arrears of rent [and the sum of £ due under Article 69 of the said Order, for costs the sum of £ and for witnesses' expenses the sum of £ ].

Issued on the day of 19 .

Clerk of Petty Sessions

Arrears of rent or sums due under Article 69 of the Order	..	..	..	..	£
Costs	..	..	..	..	£
Witnesses' Expenses	..	..	..	..	£
Total	..	..	..	..	£

FORM 47MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Decree for Recovery of Lands or Premises to which sub-paragraph (b) of Articles 67(1) of the Order Applies

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

(Articles 67 and 74; Rule 79)

[Title as in Form 33]

By the magistrates' court sitting at (place)  
on (date)

It appearing to the court that a process to appear before the above court was duly served on the defendant claiming that the defendant had refused [or omitted] to quit and deliver up to the plaintiff the possession of the lands [or premises] situate at \_\_\_\_\_ in the above-named petty sessions district on demand made by [the agent or receiver of] the plaintiff on (date) \_\_\_\_\_, into possession of which lands [or premises] the defendant had been put by permission of the plaintiff as [servant] [herdsman] [caretaker].

And it appearing to the court that the defendant still refuses [or omits] to deliver up possession of the said lands [or premises] and proof of the said permissive possession, its determination and the time and manner thereof has been duly given and the defendant has failed to show to the satisfaction of the court cause why possession should not be given.

IT IS THEREFORE ORDERED that the plaintiff do recover from the defendant the said lands [or premises] and it is further ordered that the plaintiff do recover from the defendant the sum of £ \_\_\_\_\_ for costs and the sum of £ \_\_\_\_\_ for witnesses' expenses.

Issued on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ .

Clerk of Petty Sessions

Costs	..	..	..	..	£
Witnesses' Expenses	..	..	..	..	£
Total	..	..	..	..	£

**FORM 48MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Decree for Recovery of Lands or Premises to which sub-paragraph (c) of Article 67(1) of the Order Applies**

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

(Articles 67, 71 and 74; Rule 79)

[Title as in Form 33]

By the magistrates' court sitting at (place)  
on (date)

It appearing to the court that a process to appear before the above court was duly served on the defendant claiming that the plaintiff was entitled to recover possession of the lands [or premises] situate at in the above-named petty sessions district under the provisions of (state enactment under which proceedings taken)

by ejectment proceedings under and in accordance with Part VI of the Order by reason of

(here state grounds on which possession is claimed)

And it appearing to the court that the plaintiff is justly entitled to possession of the said lands [or premises] (here refer to section of enactment under which possession is claimed)

proof having been given that

(here state reasons why recovery of possession is ordered)

IT IS THEREFORE ORDERED that the plaintiff do recover from the defendant the said lands [or premises] and it is further ordered that the plaintiff do recover from the defendant the sum of £ for costs and the sum of £ for witnesses' expenses.

Issued on the                      day of    19                      .

Clerk of Petty Sessions

Costs	..	..	..	..	£
Witnesses' Expenses				..	£
Total	..	..	..	..	£

FORM 49MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Dismiss in Ejectment Proceedings in Respect of Lands or Premises to which sub-paragraph (a) of Article 67(1) of the Order Applies



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

(Articles 2(3), 67, 73 and 74; Rules 74 and 79)

[Title as in Form 33]

By the magistrates' court sitting at (place)  
on (date)

It appearing to the court that a process to appear before the above court was served on the defendant claiming possession of the lands [or premises] situate at in the above-named petty sessions district being lands [or premises] which the plaintiff alleged that the defendant held from the plaintiff from [quarter to quarter] [month to month] [week to week] at a rent not exceeding one hundred and ten pounds a year [which tenancy the plaintiff alleged had been duly determined by a notice to quit served on (date) ] [or which tenancy the plaintiff alleged had ended on (date) ] and the plaintiff has failed to prove the said claim.

IT IS THEREFORE ORDERED by the court that the said claim be dismissed [on the merits] [without prejudice] and that the defendant do recover from the plaintiff the sum of £ for costs and the sum of £ for witnesses' expenses.

Issued on the                      day of    19                      .

Clerk of Petty Sessions

Costs	..	..	..	..	£
Witnesses' Expenses				..	£
					<hr/>
Total	..	..	..	..	£
					<hr/>

FORM 50MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Dismiss in Ejection Proceedings in respect of Land or Premises to which sub-paragraph (a) of Article 67(1) of the Order Applies and where Arrears of Rent or Sums due under Article 69 of the Order were Claimed

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

(Articles 2(3), 67, 69, 72(3), 73 and 74; Rules 74 and 79)

[Title as in Form 33]

By the magistrates' court sitting at (place)  
on (date)

It appearing to the court that a process to appear before the above court was served on the defendant claiming possession of the lands [or premises] situate at in the above-named petty sessions district being lands [or premises] which the plaintiff alleged that the defendant held from the plaintiff from [quarter to quarter] [month to month] [week to week] at a rent not exceeding one hundred and ten pounds a year [which tenancy the plaintiff alleged had been duly determined by a notice to quit served on (date) ] [or which tenancy the plaintiff alleged had ended on (date) ] and claiming that the defendant is indebted to the plaintiff in the sum of £ in respect of arrears of rent up till (date) [and the sum of £ due under Article 69 of the Order] and the plaintiff has failed to prove the said claim(s).

IT IS THEREFORE ORDERED by the court that the said claim [for possession] [and] [for arrears of rent] and [such sum] be dismissed [on the merits] [without prejudice] and that the defendant do recover from the plaintiff the sum of £ for costs and the sum of £ for witnesses' expenses.

Issued on the day of 19 .

Clerk of Petty Sessions

Costs	.. .. .	£
Witnesses' Expenses	.. .. .	£
		_____
Total	.. .. .	£
		_____

FORM 51MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Dismiss in Ejection Proceedings in respect of Lands or Premises to which sub-paragraph (b) of Article 67(1) of the Order Applies

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

(Articles 2(3), 67 and 73; Rules 74 and 79)

[Title as in Form 33]

By the magistrates' court sitting at (place)  
on (date)

It appearing to the court that a process to appear before the above court was duly served on the defendant claiming possession of the lands [or premises] situate at in the above-named petty sessions district being lands [or premises] into possession of which the plaintiff alleged the defendant had been put by permission of the plaintiff as [servant] [herdsman] [caretaker] and which the defendant had refused [or omitted] to deliver up and the plaintiff has failed to prove the said claim.

IT IS THEREFORE ORDERED by the court that the said claim is dismissed [on the merits] [without prejudice] and that the defendant do recover from the plaintiff the sum of £ for costs and the sum of £ for witnesses' expenses.

Issued on the                      day of    19                      .

Clerk of Petty Sessions

Costs	..	..	..	..	£
Witnesses' Expenses	..	..	..	..	£
<hr/>					
Total	..	..	..	..	£
<hr/>					

**FORM 52MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 Dismiss in Ejection Proceedings in respect of Lands or Premises to which sub-paragraph (c) of Article 67(1) of the Order Applies**

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

(Articles 2(3), 67, 71 and 73; Rules 74 and 79)

[Title as in Form 33]

By the magistrates' court sitting at (place)  
on (date)

It appearing to the court that a process to appear before the above court was duly served on the defendant claiming possession of the lands [or premises] situate at in the above-named petty sessions district under the provision of (state enactment under which proceedings taken)

by reason of

and the plaintiff has failed to prove the said claim.

IT IS THEREFORE ORDERED by the court that the said claim be dismissed [on the merits] [without prejudice] and that the defendant do recover from the plaintiff the sum of £ for costs and the sum of £ for witnesses' expenses.

Issued on the                      day of    19 .

Clerk of Petty Sessions

Costs .. .. . £  
Witnesses' Expenses .. .. . £  
Total .. .. . £

FORM 53MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981

(Rule 65)

COUNTY COURT DIVISION OF ..... PETTY SESSIONS DISTRICT OF.....

Process Register in Ejectment Proceedings

Number	Date of hearing	Name of Resident Magistrate adjudicating	Solicitors and counsel (if any) for plaintiff and defendant	Plaintiff		Description of lands or premises possession of which claimed	Grounds on which possession claimed, ie whether paragraph (a), (b) or (c) of Article 67(1) of the Order applies, and, if (c) applies, enactment under which proceedings brought	Names of witnesses (including persons making affidavits or statutory declarations)	Minute of adjudication	Date of issue of order
					Defendant					

Resident Magistrate

FORM 54MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981

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

(Rule 65(4))

COUNTY COURT DIVISION OF ..... PETTY SESSIONS DISTRICT OF .....

**Memorandum of an Ejection Proceeding entered in the Process Register of the Magistrates' Court sitting at  
on the day of , 19 .**

Date of hearing	Name of Resident Magistrate adjudicating	Solicitors and counsel (if any) for plaintiff and defendant	Plaintiff Defendant	Lands or premises the subject of the proceedings	Grounds upon which possession claimed ie whether paragraph (a), (b) or (c) of Article 67(1) of the Order applies, and, if (a) applies, enactment under which proceeding brought	Names of witnesses (including persons making affidavits or statutory declarations)	Minute of adjudication

I certify the above extract to be a true copy.

Clerk of Petty Sessions

Dated the day of 19 .