

2010 No. 116

JUDGMENTS (ENFORCEMENT)

**The Judgment Enforcement (Amendment) Rules (Northern
Ireland) 2010**

Made - - - - - *17th March 2010*

Coming into operation - *9th April 2010*

To be laid before Parliament

The Lord Chancellor, in exercise of the powers conferred on him by Article 141 of the Judgments Enforcement (Northern Ireland) Order 1981(a), makes the following Rules.

Citation and commencement

1. These Rules may be cited as the Judgment Enforcement (Amendment) Rules (Northern Ireland) 2010 and shall come into operation on the 9th April 2010.

Amendments to the Judgment Enforcement Rules (Northern Ireland) 1981

2. The Judgment Enforcement Rules (Northern Ireland) 1981(b) are amended as follows—

- (a) at the end of rule 7(2)(f), replace the full stop with “; and”;
- (b) after rule 7(2)(f), insert “(g) such other documents as may assist in the enforcement of the judgment.”;
- (c) in rule 27, omit “whether on the completion of an examination or from the report of an enforcement officer or from both such examination and report,”;
- (d) in rule 28(2), after “stop order”, insert “, an order for delivery of goods”;
- (e) in rule 39(1), for “a provisional” substitute “an”;
- (f) for rule 39(2), substitute—

“The order shall be executed after the expiration of 8 days from the date on which the order is deemed to have been served in accordance with the provisions of these Rules.”;

- (g) omit rule 57(4);
- (h) in rule 80(1) and (2), for “28”, substitute “21”;
- (i) in Schedule 1, amend Form 1 as follows—
 - (i) after “attached,” insert the following new paragraph—

“and further TAKE NOTICE that you owe the sum of £ , being the fee for issuing this Notice. The total amount owing is £[5a] .”; and

(a) SI 1981/226 (NI 6)

(b) SR 1981 No 147 to which amendments were made by SR 1982 No. 234, SR 1983 No. 150, SR 1983 No. 315, SR 1984 No. 182, SR 1985 No. 164, SR 1986 No. 361, SR 1989 No. 453 and SR 1993 No. 334

- (ii) in the Notes, after Note 5, insert “[5a] This figure should represent the total of all monies due and payable.”; and
- (j) in Schedule 1, amend Form 2 as follows—
 - (i) after “costs.”, insert the following new paragraph—

“and further TAKE NOTICE that you owe the sum of £ , being the fee for issuing this Notice. The total amount owing is £[4] .”;
 - (ii) in the Notes, after Note 3, insert “[4] This figure should represent the total of all monies due and payable.”.

Signed by the authority of the Lord Chancellor

Bridget Prentice
Parliamentary Under-Secretary of State
Ministry of Justice

Dated 17th March 2010

EXPLANATORY NOTE

(This note is not part of the Rules)

These rules amend the Judgment Enforcement Rules (Northern Ireland) 1981 [SR 1981 No. 147] to:

- make provision for the lodgment of such other documents as may assist in the enforcement of a judgment when applying for enforcement;
- remove the requirement to have completed an examination of the debtor or an enforcement officer's report before the Chief Enforcement Officer may make certain orders;
- amend the procedure for orders for delivery of goods;
- amend the procedure for orders in respect of Crown debts.

These rules also amend Forms 1 and 2 to provide for the recovery of the application fees for enforcement.

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