STATUTORY RULES AND ORDERS OF A GENERAL CHARACTER ISSUED IN 1971

1971. No. 1

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ENFORCEMENT OF JUDGMENTS

REGULATIONS, DATED 4TH JANUARY 1971, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTIONS 40, 97, 108 AND 118 OF THE JUDGMENTS (ENFORCE-MENT) ACT (NORTHERN IRELAND) 1969.

The Ministry of Home Affairs, with the concurrence of the Ministry of Finance, in exercise of the powers conferred on it by sections 40, 97, 108 and 118 of the Judgments (Enforcement) Act (Northern Ireland) 1969(a) and all other powers thereunto enabling hereby makes the following Regulations:—

Part I

GENERAL

Citation and commencement

1. These Regulations may be cited as the Judgment Enforcement (General) Regulations (Northern Ireland) 1971 and shall come into force on 15th February 1971.

Interpretation

2.--(1) In these Regulations-

- "the Act" means the Judgments (Enforcement) Act (Northern Ireland) 1969;
- "the applicant" means a person entitled to enforce a judgment and includes a creditor;
- "designated officer" has the meaning ascribed to it by section 5(1) of the Act;
- "Judgment Enforcement Rules" means the Judgment Enforcement Rules 1971(b);
- "the Master" does not include a designated officer other than the person appointed to be the master's deputy under section 5(2) of the Act;

"the Ministry" means the Ministry of Home Affairs;

"the Office" means the Enforcement of Judgments Office;

- "the registration officer" means the officer appointed from time to time to keep the register of judgments under section 97 of the Act;
- "the respondent" means a person against whom a judgment is enforceable under the Act and includes a debtor.

(2) Reference in these Regulations to a Form by number is to the Form as numbered in the Schedule.

Times of opening of Office

3. The Office shall be open to the public between the hours of 10 a.m. to 4.30 p.m. on all days of the year except—

(a) 1969. c. 30 (N.I.).

(a) Saturdays and Sundays;

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- (b) St. Patrick's Day, Good Friday, the Monday and Tuesday of Easter Week, the 12th and 13th days of July, Christmas Day, Boxing Day and the day next following Boxing Day;
- (c) days appointed for public thanksgiving or mourning or as public or bank holidays under the Bank Holidays Act 1871, the Holidays Extension Act 1875 or any Act for the time being in force relating to such days.

Deputy Chief Enforcement Officer

4. In the event of sickness or absence of the Chief Enforcement Officer, the Ministry may, after consultation with the Master, authorise another member of the Office to perform the functions of that officer to the extent specifically authorised and references in these Regulations to the Chief Enforcement Officer shall be construed accordingly.

Practice directions, returns, etc.

5. The Master may—

- (a) from time to time issue practice directions—
 - (i) as to matters concerning the practice to be adopted by parties and others upon applications to the Office;
 - (ii) for any other purpose relating to the co-ordination of the duties of the designated officers with the functions of the Office;
- (b) require the Chief Enforcement Officer to make returns and reports for the purpose of enabling the Master to exercise the functions of the Office for which the Master is responsible.

Appointment and discharge of valuers and auctioneers

6.—(1) The Chief Enforcement Officer shall, after consultation with the Master and with the approval of the Ministry, appoint a panel or panels of qualified valuers and auctioneers for the purpose of the valuation and sale of property seized under the Act.

- (2) Such valuers and auctioneers may be—
- (a) discharged from the panel at their own request or upon the direction of the Ministry;
- (b) required to give security to such amount and in such manner whether by deposit or guarantee, as may be fixed by the Ministry of Finance for the purpose of securing the due performance of their duties under the Act and these Regulations.

Accounts

7.—(1) The Chief Enforcement Officer shall keep such accounts as the Ministry, with the approval of the Ministry of Finance, may direct, including accounts for the purpose of showing the amounts—

- (a) received by or on behalf of the Office as enforcement fees;
- (b) received by way of proceeds of enforcement (including money paid to avoid enforcement);
- (c) paid out to applicants.

(2) A separate account shall be kept under its allotted serial number of every application in which money becomes due from or is paid into or recovered by the Office for the credit of the applicant or the respondent.

- (3) Upon—
- (a) receipt of the amount recoverable on foot of the judgment; or
- (b) the withdrawal of an application for enforcement; or
- (c) the grant of a certificate of unenforceability; or
- (d) receipt of notice of a bankruptcy petition filed by or against the respondent or of the respondent's adjudication in bankruptcy; or
- (e) receipt of notice of the filing of a petition of arrangement by the respondent; or
- (f) receipt of notice of presentation of a petition for the winding up of a debtor company or the calling of a meeting at which a resolution for the voluntary winding up of such a company is to be proposed; or
- (g) the failure of a creditor to comply with a notice given under Rule 69(3) of the Judgment Enforcement Rules,

the Chief Enforcement Officer shall render to the applicant an account of amounts so far paid into or recovered by the Office (if any).

(4) At the end of each financial year any amount then outstanding in any account kept in respect of an application for enforcement shall be carried forward as a separate entry in that account for the next financial year.

Lodgment, etc., of money received by the Office

8.—(1) Money paid to the Office under Rule 85(2) of the Judgment Enforcement Rules and which would otherwise be payable to someone outside the Scheduled Territories within the meaning of those Rules shall be paid into the High Court or, where the judgment in connection with which the application for enforcement was made was that of a county court or a magistrates' court, into the appropriate county court.

(2) The Chief Enforcement Officer shall notify the creditor of that payment.

(3) Any other moneys paid into or recovered by the Office shall for safe custody be lodged at a bank in accordance with such directions as may be given by the Ministry.

(4) Any person other than the Chief Enforcement Officer or an enforcement officer who lodges money to the credit of the Office shall first obtain from him an authority for such lodgment in Form 1 and return the counterfoil duly receipted by the bank to the Chief Enforcement Officer.

PART II

SUPPLEMENTAL PROVISIONS AS TO PROCEDURE ON APPLICATIONS FOR ENFORCEMENT

Service of custody warrant

9.—(1) An enforcement officer shall serve a custody warrant in accordance with paragraph (2).

(2) A custody warrant may be served by serving a copy thereof in the following manner:—

(a) by delivering it to the debtor personally; or

(b) by leaving it at the debtor's residence or place of business with the wife or husband of the debtor, or with some relative of the debtor or of the husband or wife of the debtor or with an employee of the debtor, the relative or employee being apparently over the age of sixteen years:

- (c) on a debtor corporation—
 - (i) which is a company within the meaning of section 399(1) of the Companies Act (Northern Ireland) 1960, by leaving it at the registered office of the company;
 - (ii) which is a company to which Part X of the said Act of 1960 applies, by leaving it at the address delivered to the registrar of companies under the provisions of that Part as that of a person authorised to accept service of a process;
 - (iii) otherwise to be served, by leaving it at any place of business established by it in Northern Ireland;
- (d) on an unincorporated body, by serving it on a member or by leaving it with any person apparently having control or management of any place of business or the office of the body;
- (e) where service cannot be effected in accordance with sub-paragraphs (a) to (d) in such other manner as a designated officer shall direct.

(3) Each enforcement officer shall endorse on the original warrant particulars of the date on which and the manner in which he served the warrant and, where appropriate, the name or a brief description of the person to whom the warrant was delivered.

Duties of enforcement officer on service of warrant

10-(1) A custody warrant shall be in Form 2.

(2) An enforcement officer shall upon service of the warrant or as soon as practicable thereafter:—

- (a) take a brief inventory of the goods other than those exempted by or from the warrant;
- (b) require the debtor to give him detailed information as to his means or, where the debtor is a company, any director, officer or servant of the company detailed information as to its assets and liabilities.

(3) For the purpose of recording such information in writing the enforcement officer shall forthwith interview or, where necessary for that purpose seek to make an appointment to interview the debtor or other person referred to in paragraph (2)(b).

(4) The information given by the respondent or person interviewed shall be recorded in such Form as may from time to time be approved by the Ministry and the Master.

(5) The enforcement officer shall certify the Form as a correct record of the answers given by the debtor or any person interviewed as to the assets or liabilities of a debtor company and Rule 24 of the Judgment Enforcement Rules (which provides that where a debtor informs such an officer that he is willing to pay the amount recoverable on foot of the judgment by instalments, the officer must endorse the terms of the offer on his report and obtain the debtor's signature thereto) shall be drawn to his attention.

(6) A debtor or creditor may upon application to the Office and payment of the fee prescribed by the Judgment Enforcement (Fees) Regulation (Northern Ireland) 1970(c) bespeak a copy of the report made in accordance with this Regulation.

(7) The written authorisation of a designated officer under section 44 of the Act shall be in Form 3.

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(c) S.R. & O. (N.I.) 1970, No. 349.

No. 1

(8) The provisions of this Regulation shall have effect subject to any practice direction of the Master under Regulation 5.

Valuation of goods deemed to be in custody under custody warrant

11. Where the Chief Enforcement Officer considers it expedient to do so he may, before any order of seizure is made by a designated officer, upon consideration of the report of an enforcement officer and the inventory of the respondent's goods or any of them (including any which are the subject of a notice under Rule 28 of the Judgment Enforcement Rules or a claim under section 43 of the Act) cause the respondent's goods or any of them and, where section 33(d) applies those of the debtor's spouse, to be valued.

Copy of order of seizure and notice of sale to be served on respondent at time of seizure

12.—(1) A copy of the order of seizure or written authorisation under section 44 and a notice in Form 4 or Form 5, as the case may be, warning him that the goods seized may be sold shall be served upon the debtor by an enforcement officer executing an order or authorisation.

(2) Notice of the order of seizure referred to in section 36(a)(ii) of the Act (notice to person on land on which respondent's goods situated) shall be in Form 6.

(3) The written authorisation by the Chief Enforcement Officer or a senior enforcement officer referred to in section 38 of the Act (authority to use force for entry during continuance of order of seizure on premises occupied by respondent or spouse or dependants for certain purposes) shall be in Form 7.

(4) Service of the documents referred to in paragraph (1) may be effected in the same manner as a custody warrant may be served under Regulation 9.

Removal and storage of property spized under an order of seizure or an authorisation

13. Property seized under an order of seizure or an authorisation by a designated officer given under section 44 of the Act shall be removed for sale or, if necessary, to a place of safety as soon as possible after execution of the order or of the authorisation or, where notice of an order of seizure is required to be given under section 36 of the Act, after five days have expired from the day on which notice is served.

Sale of goods seized

14.--(1) Perishable goods seized may be sold forthwith.

(2) Goods seized shall, subject to Regulation 11, be valued as soon as practicable after the execution of the order of seizure or of the authorisation under section 44 of the Act and in any event not later than five days after seizure or, in exceptional circumstances, within such longer period as may be determined by the Chief Enforcement Officer.

(3) Such valuation shall be in writing and sent to the Chief Enforcement Officer under confidential cover.

(4) Subject to this Regulation, such goods shall be sold, not less than seven days after the prospective sale has been publicly advertised, by public auction to the highest bidder and at not less than the amount at which they have been valued. (5) Where at any such auction the highest bid is lower than that amount the Chief Enforcement Officer may authorise acceptance of the highest bid or withdraw the goods from sale thereat and require them to be offered for sale to the highest bidder at a subsequent auction or in accordance with paragraph (7).

(6) An authorisation or requisition under paragraph (5) shall be confirmed by the Chief Enforcement Officer in writing.

(7) Where in the opinion of the Chief Enforcement Officer it would be in the best interests of the parties that the goods should be disposed of otherwise than by public auction, he may so dispose of them provided that he shall have given reasonable notice of his intentions to the parties or their solicitors and that he is of opinion that the price offered for the goods is reasonable and of at least the amount which he could reasonably expect to receive for the goods if they were sold by public auction.

(8) An auctioneer shall upon receipt of the proceeds of sale forthwith pay them over to the Chief Enforcement Officer together with a statement of his fees and expenses connected therewith.

Duties of Chief Enforcement Officer in relation to orders for delivery of possession

15.—(1) Upon receipt of the order for delivery of possession of land, the Chief Enforcement Officer shall ascertain in writing from the person entitled to such possession the earliest date at which it would be convenient for that person or his agent to be present at the land to receive delivery of possession thereof in such manner as is authorised by section 53(2) of the Act.

(2) The owner of any goods removed to a place of safety under section 54(1) of the Act shall, in order to obtain their release under section 55(1) of the Act, apply in person or by his solicitor to the Office in Form 8 and such goods shall not be released to him except on evidence as to his ownership which shall be given on affidavit sworn in accordance with Rule 92(1) of the Judgment Enforcement Rules.

(3) Notice of intention by the Office to sell goods in accordance with section 55(2) of the Act shall be in Form 9 and Regulation 14 shall subject to that section apply to such sale as it applies to goods removed under an order of seizure.

PART III

REGISTER OF JUDGMENTS UNDER PART IX OF THE ACT

Form of Judgments Register, searches and fees payable therefor

16.—(1) The following particulars shall be entered on the register of judgments under section 97 of the Act:—

- (a) where application has been made under section 18 or 19 of the Act, the serial number of the application;
- (b) the date of such application;
- (c) the names, addresses and descriptions of the parties and the names and addresses of their solicitors (if any);
- (d) the court by which the judgment was originally given and the date and nature of the judgment;
 - (e) the amount (if any) due on foot of the judgment;

- (f) particulars of orders of enforcement;
- (g) the date and terms of any attachment of earnings order made by a court;
- (h) the date and terms of any orders made under section 88 of the Act;
- (i) the date and terms of any stay of enforcement made on the ground of the debtor's inability to pay forthwith and whether made before or after application for enforcement;
- (j) the date of registration of satisfaction.

(2) The registration officer shall maintain an index to the register.

(3) The register may be inspected during the hours for which the Office is open to the public under Regulation 3.

(4) Except with the leave of a designated officer, no entry in the register which was made more than six years before the date of the requisiton to search shall be inspected.

(5) No alteration, interlineation or deletion shall be made in the register except in accordance with paragraph (7).

(6) The Master, upon proof that an entry in the register is inaccurate or wrongly included, may direct in writing and subject to any terms imposed by the direction, that the register be amended whether by deletion, substitution or otherwise of the entry concerned; and the original of that written direction shall be filed and a note put in the register and the amendment countersigned by the registration officer.

(7) The direction shall state clearly the grounds for such amendment.

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 4th day of January 1971 in the presence of

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M. K. Harris,

Assistant Secretary.

The Ministry of Finance hereby signifies its concurrence in the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 4th day of January 1971 in the presence of

> C. F. Darling, Assistant Secretary.

No. 1

Enforcement of Judgments

SCHEDULE

Forms to be used by the Office for purposes of Part II of the Regulations

FORM 1

Regulation 8(4)

LODGMENT OF MONEY

(Judgment Enforcement (General) Regulations (Northern Ireland) 1971: Regulation 8)

Part I

Counterfoil of Authority to lodge money to Credit of Enforcement of Judgments Office

Authority to lodge on the	day of	19
to [Name]	of	
Sum to be lodged £	in the	Bank.

PART II

Authority to lodge money to Credit of Enforcement of Judgments Office

To the	Bank.	
Let	of	hereunto
authorised by me lodge in the	r	Bank to the Credit
of the	Account the sum of £	

Dated this

day of

19

[Application Serial No.

[Application Serial No.

Signed

Chief Enforcement Officer.

Note: This authority must be returned with the bank book to the Chief Enforcement Officer.

No. 1

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Form 2

Regulation 10(1)

Serial No.

CUSTODY WARRANT

(Sections 10 and 21 of the Judgments (Enforcement) Act (Northern Ireland) 1969 and Regulation 10 of the Judgment Enforcement (General) Regulations (Northern Ireland) 1971)

IN THE ENFORCEMENT OF JUDGMENTS OFFICE

(Title as in Judgment)

This is to authorise and empower you, the Enforcement Officer or Officers to whom this Warrant is addressed to secure as from the service of this Warrant 'upon of

(hereinafter referred to as "the debtor") the custody and possession of all goods—

(a) upon all premises occupied by the debtor;

(b) in any other place, being goods under the sole control of the debtor or under the joint control of the debtor and any of his dependants;

that is to say, all such goods as are under section 21 of the Judgments (Enforcement) Act (Northern Ireland) 1969 from the time of the service of this Warrant upon the debtor deemed to be in the custody and possession of the Enforcement of Judgments Office other than such as are specified in the Schedule attached to this Warrant or the following which are exempted by Rule 7 of the Judgment Enforcement Rules (Northern Ireland) 1971 (S.R. & O. (N.I.) 1971 No. 5) namely—

(a) such wearing apparel, furniture, bedding and household equipment of the debtor and his spouse as appear, subject to any subsequent direction of the office, to be essential for the domestic purposes of the debtor,

his spouse and his dependants residing with him or any of them;

(b) the tools and implements of the debtor's trade to the value of £50;

(c) perishable goods;

(d) goods in the ordinary course of the debtor's trade or business;

(e) goods already in the hands of a receiver;

and for this the present Warrant shall be authority to all to whom it may concern.

Dated this

2A

day of

19

SCHEDULE

Chief Enforcement Officer.

To an Enforcement Officer of the Enforcement of Judgments Office and to all other such Enforcement Officers to whom this Warrant may be delivered for service.

NOTICE TO DEBTOR *

1. Now that this Warrant has been served upon you by one of the legally approved methods of service ALL your goods (except those referred to in the Warrant) are deemed to be in the custody and possession of the Enforcement of Judgments Office.

2. The sum of \pounds is recoverable from you under the Judgment of the Court referred to at the top of the Warrant. This includes the sum you were ordered to pay by the Court, together with interest (at the prescribed rate from the date the judgment was given) as well as the creditor's costs and expenses under the Judgments (Enforcement) Act (Northern Ireland) 1969 of enforcing the judgment against you.

3. If you pay this sum to the Enforcement Officer who served this Warrant upon you or at your premises the custody and possession of your goods by the Office will terminate.

4. If you do not understand the legal position or wish to make any enquiries about it either write to or call at the Office at or ask your solicitor.

5. You must not part with or otherwise interfere with or allow others to take away or interfere with any of your goods whether the goods are on premises occupied by you or in any other place and whether they are under your control or that of yourself and your dependants.

6. A FINE OF UP TO £400 may be imposed on summary conviction upon you or anyone else who interferes with any of the goods which by virtue of this Warrant are or are deemed to be in the custody and possession of the Office.

7. The Enforcement Officer has a legal duty to take an inventory of your goods when or as soon as possible after he has served the Warrant and you must by law give him all the information he requires as to your means.

If the Enforcement Officer has been unable to see you and to serve the Warrant on you personally and has left the Warrant on your premises with someone you must as soon as possible communicate with the Enforcement of Judgments Office by writing to it or calling at

or telephoning when arrangements will be made for an Enforcement Officer to call upon you to interview you regarding your means.

8. If you fail or refuse to answer or answer unsatisfactorily any questions as to your means put to you by the Enforcement Officer who interviews you, you may be summoned to appear at the Office or, depending on the amount of the debt or where you live, before a Court of Summary Jurisdiction.

*Where the respondent is a corporation or an unincorporated body this notice shall apply as if references to dependants were omitted and references to the means or goods of the respondent were to those of the corporation or body.

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Enforcement of Judgments

No. 1

Form 3

AUTHORISATION TO SEIZE GOODS SUFFICIENT TO MEET JUDGMENT DEBT NOT EXCEEDING £20 UPON SERVICE OF CUSTODY WARRANT

(Sections 10(1)(a), 13(1)(b) and 44 of the Judgments (Enforcement) Act (Northern Ireland) 1969 and Regulation 10(7) of the Judgment Enforcement (General) Regulations (Northern Ireland) 1971)

(Title as in Judgment)

This is to authorise you an Enforcement Officer to whom a custody warrant dated the day of has been addressed for the custody of the goods of of

upon service of the custody warrant and of a copy of this authorisation to seize sufficient of those goods to meet the sum of \pounds being the amount recoverable on foot of the judgment in favour of the above-named applicant and referred to in that warrant.

Dated this

day of

19

Deputy/Master for the Enforcement of Judgments [or Designated Officer].

Form 4

Regulation 12(1)

NOTICE TO RESPONDENT AS TO SALE OF PROPERTY SEIZED UNDER AN ORDER OF SEIZURE

(Section 40 of the Judgments (Enforcement) Act (Northern Ireland) 1969 and Regulation 12(1) of the Judgment Enforcement (General)

Regulations (Northern Ireland) 1971)

(*Title as in Judgment*)

TAKE NOTICE that an Enforcement Officer has been authorised by an order of
seizure made on the
day of19
by the
Enforcement of Judgments Office (a copy of which has been served on you)
to seize and remove for sale the property specified in the Schedule to that
Order.

FURTHER TAKE NOTICE that you are liable to pay any expenses reasonably and necessarily incurred by the Office in arranging for the storage of the property prior to or incurred in its removal to the premises of an auctioneer (including the sustenance and keep of animals between seizure and sale).

PROPERTY SEIZED MAY BE SOLD AFTER AN INTERVAL OF SEVEN DAYS FROM THE DATE OF THEIR BEING ADVERTISED FOR SALE unless the amount recoverable on foot of the judgment specified at the beginning of the order of seizure is paid before then.

PERISHABLE GOODS may be sold forthwith and they may be sold from the premises on which they have been seized.

To

(RESPONDENT)

Regulation 10(7)

Form 5

Regulation 12(1)

NOTICE TO RESPONDENT AS TO SALE OF PROPERTY SEIZED UNDER AN AUTHORISATION GIVEN UNDER SECTION 44 OF THE JUDGMENTS (ENFORCEMENT) ACT (NORTHERN IRELAND) 1969

(Sections 40 and 44 of the Judgments (Enforcement) Act (Northern Ireland) 1969 and Regulation 12(1) of the Judgment Enforcement (General) Regulations (Northern Ireland) 1971)

(Title as in Judgment)

TAKE NOTICE that an Enforcement Officer may under an authorisation of the Enforcement of Judgments Office given on the day of 19 (a copy of which has been served upon you) seize and remove for sale sufficient goods to meet the sum specified in that authorisation.

FURTHER TAKE NOTICE that you are liable to pay any expenses reasonably and necessarily incurred by the Office in arranging for the storage of property prior to or incurred in its removal to the premises of an auctioneer (including the sustenance and keep of any animals between seizure and sale).

PROPERTY SEIZED MAY BE SOLD AFTER AN INTERVAL OF SEVEN DAYS FROM THE DATE OF THEIR BEING ADVERTISED FOR SALE unless the amount recoverable on foot of the judgment specified in the authorisation is paid before that interval.

PERISHABLE GOODS may be sold forthwith and they may be sold from the premises on which they have been seized.

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(RESPONDENT)

To:

of

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Form 6

Regulation 12(2)

NOTICE TO PERSON OCCUPYING OR USING LAND OF ORDER OF SEIZURE OF GOODS OF RESPONDENT

(Section 36(a)(ii) of the Judgments (Enforcement) Act (Northern Ireland) 1969 and Regulation 12(2) of the Judgment Enforcement (General) Regulations (Northern Ireland) 1971)

(Title as in Judgment)

TAKE NOTICE that the property listed in the Schedule to this document being the property of of

has been ordered to be seized by the Enforcement of Judgments Office under an order of seizure dated the day of 19, for the purpose of satisfying the amount recoverable on foot of a judgment in favour of the applicant and will be removed from the premises occupied or used by you at the following address:—

For this purpose you are requested to give access to those premises to the Enforcement Officer empowered to carry out the seizure at the latest after the expiration of five days from the service of this notice and you should inform the Enforcement Officer serving this notice when he may do so or, if he has been unable to see you and to serve this notice on you personally and has left it on your premises you must, as soon as possible, communicate with the Enforcement of Judgments Office by writing or calling at or telephoning when

arrangements will be made for an Enforcement Officer to call upon you.

Dated this

day of

19

SCHEDULE

Chief Enforcement Officer/ Senior Enforcement Officer.

of

13

No. 1

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Regulation 12(3)

AUTHORISATION TO USE FORCE FOR ENTRY DURING CONTINUANCE IN FORCE OF ORDER OF SEIZURE OF PREMISES OCCUPIED BY RESPONDENT OR SPOUSE OR DEPENDANTS FOR CERTAIN PURPOSES

FORM 7

(Section 38 of the Judgments (Enforcement) Act (Northern Ireland) 1969 and Regulation 12(3) of the Judgment Enforcement (General) Regulations (Northern Ireland) 1971)

(Title as in Judgment)

This is to authorise you

an Enforcement Officer to enter at any reasonable time the premises of of

upon production if so required, of your authority, by force for the purpose of removing for sale or to a place of safety the property specified in an order of seizure dated the day of 19, made by the Enforcement of Judgments Office or to ascertain whether that property has been interfered with.

Dated this day of

19

Chief Enforcement Officer/ Senior Enforcement Officer.

Form 8

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Regulation 15(2)

APPLICATION FOR RELEASE FROM CUSTODY OF ENFORCEMENT OF JUDGMENTS OFFICE OF GOODS REMOVED TO SAFETY FOR PURPOSE OF DELIVERY OF VACANT POSSESSION OF LAND

(Sections 54 and 55 of the Judgments (Enforcement) Act (Northern Ireland) 1969 and Regulation 15(2) of the Judgment Enforcement (General) Regulations (Northern Ireland) 1971)

(Title as in Judgment)

of

I.

hereby apply for the release of the goods specified in the Schedule to this application which were removed from land at *(address)* on the day of 19 by the Enforcement of Judgments Office on giving vacant possession of such land to the abovenamed applicant in enforcement of a judgment in his favour.

The sum of \pounds is payable by me for the cost of the removal of my goods from the said land and of their storage at *(address).*

Schedule

Dated this

day of

19

Applicant or Solicitor for Applicant.

NOTE: The applicant must personally swear an affidavit as to his ownership. Such affidavit may be sworn before the Chief Enforcement Officer or a Senior Enforcement Officer or other person specified in Rule 92(1) of the Judgment Enforcement Rules 1971, S.R. & O. (N.I.) 1971, No. 5,

Enforcement of Judgments

Form 9

Regulation 15(3)

NOTICE OF INTENTION TO SELL GOODS OF PERSON FORMERLY OCCUPYING OR POSSESSING LAND OF WHICH VACANT POSSESSION HAS BEEN DELIVERED

(Sections 54 and 55 of the Judgments (Enforcement) Act (Northern Ireland) 1969 and Regulation 15(3) of the Judgment Enforcement (General) Regulations (Northern Ireland) 1971)

(Title as in Judgment)

TAKE NOTICE that the goods specified in the Schedule hereto to which you appear to be entitled and which were removed by the Enforcement of Judgments Office on the day of 19 from land at will, after the expiration of seven days from their being advertised for sale, be sold by public auction and any balance of the proceeds of sale remaining after the cost of their removal and storage has been deducted therefrom is payable to you.

If you wish to claim the release of the goods to you you should apply immediately or in any event, not later than six days from the service of this notice to the Enforcement of Judgments Office at

SCHEDULE

Chief Enforcement Officer.

To:

of

EXPLANATORY NOTE

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(This Note is not part of the Regulations but is intended to indicate their general purport.)

These Regulations provide for miscellaneous matters in connection with the Enforcement of Judgments Office such as the procedure for custody, seizure and auction of goods, etc. under the Judgments (Enforcement) Act (Northern Ireland) 1969 and the keeping of certain accounts and records for the purposes of the Act.