
STATUTORY INSTRUMENTS

1989 No. 236

The County Court (Amendment) Rules 1989

Suspension of execution

12. Order 25, rule 8 shall be amended as follows—

(1) after paragraph (1) the following paragraphs shall be inserted—

“(2) An application by the debtor to stay execution of any warrant of execution stating the proposed terms and the grounds upon which it is made may be sent in writing to the proper officer, who shall notify the judgment creditor of the application and its terms, and require him to notify the court in writing, within 14 days of service of notification upon him, of any objection he may have to the granting of the application.

(3) If the judgment creditor does not notify the court of any objection within the time stated, the proper officer shall place the application, together with the court records of the case, before the registrar, or judge if appropriate, who shall grant the application or fix a day under paragraph (4).

(4) Where the judgment creditor does notify the court of an objection within the time stated, or where the registrar or judge does not determine the application under paragraph (3), the proper officer shall fix a day for the hearing of the application and shall give to the judgment creditor and to the debtor not less than 8 days' notice of the day so fixed.”.

(2) paragraph (2) shall be renumbered as paragraph (5).