# STATUTORY INSTRUMENTS

# 1999 No. 2360 (L. 17)

# **DISTRESS**

# The Distress for Rent (Amendment) Rules 1999

Made - - - - 22nd July 1999

Coming into force - - 4th October 1999

The Lord Chancellor, in exercise of the powers conferred on him by section 8 of the Law of Distress Amendment Act 1888(a), and section 3 of the Law of Distress Amendment Act 1895(b), makes the following Rules:

# Citation and commencement

1. These Rules may be cited as the Distress for Rent (Amendment) Rules 1999 and shall come into force on 4th October 1999.

# Interpretation

2. In these Rules, "Principal Rules" means the Distress for Rent Rules 1988(c) and a reference to a rule or Appendix by number alone means the rule or Appendix so numbered in the Principal Rules.

# **Transitional provisions**

3. Any special certificate granted under the Principal Rules before these Rules come into force shall continue to have effect for the period for which it is granted.

# **Amendments to Distress for Rent Rules 1988**

- 4. In the Principal Rules:
  - (a) for "general certificate", wherever it occurs, there shall be substituted "certificate";
  - (b) for "proper officer", wherever it occurs, there shall be substituted "court officer".
- **5.** In rule 2(1):
  - (a) for the definition of "Proper officer" there shall be substituted:
  - ""court officer" has the meaning given in the Civil Procedure Rules 1998(d);";
  - (b) after the definition of "Court Funds Rules" there shall be inserted:
  - ""Table" means the table set out in Appendix 3 to these Rules;
  - "home county court" means, in relation to any person, the county court in whose district that person has his principal place of business or his main residence;

<sup>(</sup>a) 1888 c. 21.

**<sup>(</sup>b)** 1895 c. 24.

<sup>(</sup>c) S.I. 1988/2050; modified by S.I. 1993/2072.

<sup>(</sup>d) S.I. 1998/2132; there are no relevant amendments.

"issuing county court" means a county court whose name appears in column 2 of the Table; and "the applicant's issuing county court" means, in relation to an applicant, the county court whose name appears in column 2 of the Table opposite the name of his home county court;

"issuing area" means, in relation to an issuing county court, the area constituted by the district of that issuing county court and the districts of any other county courts whose names appear in column 1 of the Table opposite the name of that issuing county court;

"appropriate newspaper" means a local newspaper appearing in a list of local newspapers approved by the court officer of the issuing county court for the purpose of publication of notices under rule 5(5).".

- **6.** Rule 3(2) shall be deleted.
- 7.—(1) For rule 4(1) there shall be substituted:
  - "(1) An application for the grant of a certificate shall be made in Form 3."
- (2) Rule 4(2) and (3) shall be deleted.
- (3) In rule 4(4):
  - (a) for "the county court in whose district the applicant has his principal place of business or his main residence" there shall be substituted "the applicant's issuing county court":
  - (b) for "County Court Fees Order 1982" there shall be substituted "County Court Fees Order 1999(a)";
  - (c) after "commencement of" there shall be inserted "originating";
  - (d) the following shall be deleted:
    - (i) in paragraph (a) the words "in the case of an application in Form 3,"; and
    - (ii) in paragraphs (b), (c) and (d) the words "in the case of an application in Forms 3 or 5.".
  - **8.** In rules 4(6), 5(1), 5(1)(a) and 6(1)(b) the words "or Registrar" shall be deleted.
- **9.**—(1) In rule 5(2) for "An application for a general certificate in Form 3 shall not be granted" there shall be substituted "No application for a certificate shall be granted".
  - (2) After rule 5(4) there shall be inserted:
    - "(5) The applicant shall cause to be published in an appropriate newspaper a notice in the form set out in paragraph (7) so that the notice appears in three separate editions of that newspaper during the 60 days prior to the hearing of the application.
    - (6) The applicant shall, not less than three days before the hearing of the application, file with the court the editions of the appropriate newspaper (or extracts from it) showing the notices referred to in paragraph (5).
      - (7) The form of the notice to be published by the applicant shall be:

Notice is hereby given that [name] of [business name and address] has applied to the Judge at [ ] county court for a Bailiff's Certificate. Any person who knows of a reason why [name] is not a fit and proper person to be granted a certificate should write to the Court Manager at [name and address of county court] before [date of hearing of application].

- (8) Each issuing county court shall compile and maintain a list of appropriate newspapers published within its issuing area and copies of the list shall be:
- (a) exhibited in the public area of the court office of each county court in the issuing area; and
- (b) given to members of the public on request.".
- **10.**—(1) In rule 6(1)(b) the words after "totalling £10,000" shall be deleted.

- (2) After rule 6(2) there shall be inserted:
  - "(2A) The bailiff shall maintain the security referred to in paragraph (1) above throughout the duration of the certificate.
  - (2B) If, at any time during the duration of the certificate, for any reason (other than where rule 9(2) applies), the security referred to in paragraph (1) above no longer exists, or is reduced in value so that it amounts to less than £10,000, the bailiff shall provide fresh security under this rule to the satisfaction of the court."
- 11. Rule 7(2) shall be deleted.
- **12.** After rule 7 there shall be inserted:

# "Change of bailiff's name, address, etc

- **7A.**—(1) In this rule "relevant details" means a bailiff's name, address or other written information appearing on the certificate.
- (2) If there is any change in the relevant details, the bailiff shall without delay give written notice of the change to the issuing county court and produce his certificate ("the old certificate") to the court officer of the issuing county court.
- (3) When a bailiff gives notice and produces the old certificate in accordance with paragraph (2) above, the Judge of the issuing county court shall issue to the bailiff a replacement certificate reflecting the change in the relevant details but in all other respects (including, without limitation, the date of expiry of the certificate) the same as the old certificate.
- (4) When a replacement certificate is issued in accordance with paragraph (3) above, the court officer shall retain and cancel the old certificate.
- (5) No fee shall be payable for the issue of a replacement certificate in accordance with this rule.".
- 13.—(1) In rule 8(1) after "shall be made" there shall be inserted "in Form 4 or, where the complainant has conducted a formal investigation into a complaint by a third party against the bailiff, in Form 5".
  - (2) After rule 8(3) there shall be inserted:
    - "(3A) If upon reading the reply the Judge is satisfied as to the bailiff's fitness to hold a certificate, the court officer shall issue a notice to the bailiff to that effect and no further action shall be taken in respect of that complaint.".
- (3) In rule 8(4) after "the notice" there shall be inserted "under paragraph (3) or (as the case may be) (3A) above".
  - (4) After rule 8(4) there shall be inserted:
    - "(4A) If, after a notice has been issued under paragraph (3) above, the complainant so applies in writing, and the application is received by the court not later than the date 14 days before the date set for the hearing, the court officer of the court receiving the complaint shall order that the complaint be heard in the issuing county court whose name appears in column 2 of the Table opposite the name of the complainant's home county court
    - (4B) In the event of an order being made under paragraph (4A) above, the court officer of the court receiving the complaint shall forthwith send:
      - (a) to the court officer of the court hearing the complaint:
      - (i) certified copies of any relevant entries in the records of the court receiving the complaint; and
      - (ii) copies of all other documents in his custody relating to the bailiff's certificate and to the complaint; and
      - (b) to the bailiff and any other interested party, notice of the order made under paragraph (4A) above.".
  - (5) After rule 8(6) there shall be inserted:
    - "(7) If an order is made under paragraph (4A) above, the court officer of the court hearing the complaint shall, following the hearing, send to the court officer of the court which received the complaint certified copies of the order and all other documents in his custody relating to the bailiff's certificate and to the complaint, including the certified copies and copies sent under paragraph (4B)(a) above;".

# **14.**—(1) After rule 9(5) there shall be inserted:

- "(5A) When a bailiff holding a certificate ceases, for any reason, to carry on business as a bailiff he shall forthwith surrender his certificate to the Judge at the county court which issued the certificate, unless the Judge otherwise directs, and as from the date of the surrender the certificate shall be treated as if it had expired on that date.".
- (2) In rule 9(6), for the words from and including "to that effect" to and including "the costs of the notice", there shall be substituted the words "to that effect in an appropriate newspaper, and the costs of the notice".
  - (3) After rule 9(6) there shall be inserted:
    - "(7) References, in this rule, to the cancellation of a certificate shall not include the cancellation of a certificate upon the issue of a duplicate certificate, in accordance with rule 7A(4).".

# **15.** In rule 11:

- (a) in paragraph (1), for "taxed" there shall be substituted "assessed, by way of detailed assessment under Part 47 of the Civil Procedure Rules 1998,";
- (b) in paragraph (2), for "taxed bill" there shall be substituted "completed bill";
- (c) for "taxation", wherever it occurs, there shall be substituted "detailed assessment".

# **16.** For rule 13(1) there shall be substituted:

"(1) Each issuing county court shall compile a list of bailiffs carrying on business within that court's issuing area and holding certificates as at 1st February every year, and the list shall be exhibited in the public area of the court office of each county court in the issuing area.".

# 17. In Appendix 2:

(a) before Form 1 there shall be inserted:

| "Form 1 | Bailiff's Certificate                                       |
|---------|---|
| Form 3  | Application for Certificate to levy distress                |
| Form 4  | Complaint against Certificated Bailiff                      |
| Form 5  | Notification to County Court of Complaint upheld against    |
|         | Certificated Bailiff  |
| Form 6  | Cancellation of Bailiff's Certificate                       |
| Form 7  | Notice of Seizure of Goods and Inventory                    |
| Form 8  | Form of walking-possession agreement (Request not to remove |
|         | goods)  |
| Form 9  | Removal Expenses";  |

- (b) in Form 1, for "Bailiff's General Certificate" there shall be substituted "Bailiff's Certificate";
- (c) the forms set out in Schedule 1 to these Rules shall be substituted for Forms 2, 3, 4 and 5.
- **18.** After Appendix 2 there shall be inserted the Appendix set out in Schedule 2 to these Rules.

Signed by authority of the Lord Chancellor

Keith Vaz

22nd July 1999

Parliamentary Secretary, Lord Chancellor's Department

# Application for Certificate to Levy Distress

Please complete this form in BLOCK CAPITALS

| In the | County Court |
|--------|--------------|
|--------|--------------|

Are you applying for

| A first general certificate to levy distress | as appropriate |
|--|----------------|
| A renewal of a general bailiff's certificate |                |

| Part 1   |                                 |
|--|---------------------------------|
| 1. Full name   | Date of birth                   |
| 2a. Home address   |                                 |
| 2b.Business  | Telephone N <sup>o.</sup>       |
| address  |                                 |
|  | Telephone N <sup>o.</sup>       |
| 2c. Which address is to be used for the purposes of this applicati                                   | as appropriate on Business Home |
| 2d. Does your area of business extend beyond the district of the at which the application was made?  | court Yes No                    |
| 3a. Have you ever applied for and been refused or had cancelled a<br>general or special certificate? | Yes No                          |
| 3b. If YES, please answer the following questions  |                                 |
| ☐ Court to which the application was made  |                                 |
| ☐ date the application was refused   |                                 |
| □ or Court at which the certificate was cancelled  |                                 |
| ☐ date of the cancellation   |                                 |
| 4. Are you a. In business alone (i.e. a sole trader) Yes No  | CliCk as appropriate            |
| b. partner in a firm? Yes No   |                                 |
| If YES please give  ☐ Full names of all partners   |                                 |
| ☐ Principal place of business  |                                 |
|  |                                 |
| Form 3 Application for a Certificate to Levy Distress Rent 3 (8/99)                                  | Part 1 continues overleaf       |

| Part 1 cont'd   |
|---|
| 4c. Are you employed by a firm or company? Yes No I as appropriate  |
| If YES, please state  |
| ☐ Full names of all principals or directors   |
| ☐ Full name of secretary  |
| Business office and registered office address(es) where appropriate   |
| 4d. employed or self-employed as an agent in any other type of organisation? (e.g. Local Authority)   |
| Yes No I as appropriate If YES, please give   |
| full names of persons reponsible for full name(s) and address(es) for all management of levying distress for rent persons authorised to accept notices  |
| Levy distress Notices   |
|   |
| 5. Do you hold a licence under the Consumer Credit Act 1974? Yes No II as appropriate   |
| If YES, please give reference number of licence   |
| 6. A certificate cannot be issued to any person who carries on the business of buying debts. If the business in which you would be employed is in the business of buying debts, give full details here. |
|   |
| 7. What is the nature, and the general purpose, of the business in which you are engaged.   |
|   |
| Form 3 Application for a Certificate to Levy Distress Rent 3 (8/99)   |

| Pa  | art 2  |   |                         |                      |              |                      |
|-----|--|---|-------------------------|----------------------|--------------|----------------------|
| 8.  | Have you been convicted (The Rehabilitation of Of  |   |                         | nesty or violence?   | Yes          | as appropriate<br>No |
|     | If YES, please state   | <ul><li>Date of conviction</li><li>Place of conviction</li></ul>                          |                         |                      |              |                      |
|     |  | or order  |                         |                      |              |                      |
|     |  | In support of your ans<br>not more than a month<br>your home address                      |                         |                      |              |                      |
| 9.  | Have you, as an individu   | al or a partner of a firm h   | ad                      |                      |              |                      |
|     | a bankruptcy o     bankruptcy o | nand served upon you under made against you? against you and not beer blow                |                         |                      | ∥ a          | as appropriate<br>No |
|     |  |   |                         |                      |              |                      |
| 10. | Have you, as a director organisation, within the lawinding up petition prese   | ast 3 years, had an admir   | nistrator or administra | tive receiver or ma  |              |                      |
|     | Yes No   | N/A 🛮 🖟 as  | appropriate             | If YES, give full de | tails below  |                      |
|     |  |   |                         |                      |              |                      |
| 11. | Have you ever had judgr  | nent entered or order ma  | de against you either   | in the High Court of | r in a count | y court?             |
|     | ☐ as appropriate Yes No  | In support of your a<br>not more than a mo<br>Judgments against<br>for the last six years | your full name and      | of the Register of   | County Co    | ourt                 |

| Part 3                              |  |           |         |                      |
|-------------------------------------|--|-----------|---------|----------------------|
| The judge can of the law of dis     | only grant a certificate if satisfied that you are a fit and proper person and ha<br>tress.  | ve a suff | ficient | knowledge            |
| 12. Please give                     | any information below which may assist the judge in considering your case  | , for exa | mple    |                      |
| The succe<br>of the Cer<br>accepted | of knowledge of the law of distress. essful completion of the examination tified Bailiffs' Association will be as evidence here.* employment record* al or professional qualifications*  |           |         |                      |
|                                     | copies of these qualifications or any other may assist the judge   |           |         |                      |
| Certificated I of distress a        | so give two referees one of whom may be your employer or an approved off Bailiffs' Association of England and Wales, one of whom must know of your and previous experience of the levying of distress. Details should be given be a District Judge of the county court dealing with this application.  | knowled   | ge of   |                      |
| First referee                       | Second referee   |           |         |                      |
| Name                                | Name   |           |         |                      |
|                                     |  |           |         |                      |
| both referen                        | Address  It must ensure that the two references are sent to the court; the application of the court will exhibit a result of the court will exhibit a reference to the court will exhibi |           |         |                      |
| Part 4                              |  |           |         |                      |
| I apply for a ger                   | ☐ as appropriate neral certificate Yes No  |           |         |                      |
| I apply to renew                    | a general certificate Yes No   |           | 77 -    |                      |
| I enclose                           | a. certified copy of search of Register of Couny Court Judgments   | Yes       | _       | as appropriate<br>No |
|                                     | b. two references  | Yes       |         | No                   |
|                                     | c. two passport size photographs of myself   | Yes       |         | No                   |
|                                     | d. the fees of £   | Yes       |         | No                   |
|                                     | e. copies of the prescribed forms which I intend to use when levying distress  | Yes       |         | No                   |
|                                     |  |           |         |                      |
| EITHER                              | I enclose a bond and/or deposit totalling £10,000  | Yes       |         | No                   |
| OR                                  | There is a subsisting bond and/or deposit totalling £10,000 lodged in court  | Yes       |         | No                   |

| Part 5  |  |
|---|--|
| I will not levy distress at any premises in respect of which I am regular                     | ly employed to collect rent.                   |
| I, (name)   |  |
| make oath/affirm* and say that to the best of my knowledge the par above statements are true. | ticulars contained in this application and the |
| Signed  |  |
| Sworn or affirmed at  | in the county of                               |
| This day of   | [19 ][20 ]                                     |
| Before me   |  |
| Proper Officer appointed by the judge to take affidavits                                      | *delete as preferred                           |
| Part 6 To be completed by the court   |  |
| Two references received Yes No Notice of this approximately                                   | oplication displayed on                        |
| You must attend when the Judge will hear your application                                     |  |
| at  | County Court                                   |
| on ( <i>date</i> )  | t a.m / p.m (delete as appropriate)            |

# COMPLAINT AGAINST A CERTIFICATED BAILIFF

[Distress for Rent Rules 1988 Rule 8]

This page should be completed by the person making the complaint. When you have done so, send it to the county court where the bailiff obtained his/her certificate. If you do not know which court this is, please telephone the Court Service Headquarters, Civil and Family Business Branch, on **020-7210-1883**, where staff will be able to tell you.

|   | 7210 1000, where start will be dote to tell you.  |
|---|---|
| Name of Bailiff   | Details of the complaint (please include details of when and where the action(s) complained of took place).  [Please continue on an additional page if necessary] |
| Name of his/her firm/company  |   |
| Address   |   |
| Postcode Type of debt bailiff was trying to enforce (council tax, fine, child support, maintenance, road traffic, rent arrears etc) |   |
| Who is the debt owed to? (the name of the local authority, the magistrates' court, the CSA office, etc.)                            |   |
| Any reference number used by the bailiff  |   |
| Your name   |   |
| Your address  |   |
| Postcode  |   |
|   |   |
| Your signature  |   |
| Date  |   |
|   |   |

# Notification To The County Court Of A Complaint Upheld Against A Certificated

BAILIFF [Distress for Rent Rules 1988 Rule 8]

This page should be completed by the appropriate organisation. When you have done so, send it to the county court where the bailiff obtained his/her certificate. If you do not know which court this is, please telephone the Court Service Headquarters, Civil and Family Business Branch, on **020-7210-1883**, where staff will be able to help you.

| Name of bailiff   | Name and address of bailiff firm/company |
|---|--|
|   |  |
|   |  |
|   | Postcode                                 |
| Nature of complaint (please indicate what type of debt the                                      | bailiff was enforcing)                   |
|   |  |
|   |  |
|   |  |
|   |  |
|   |  |
|   |  |
| Action taken  |  |
|   |  |
|   |  |
|   |  |
| To your knowledge, has this complaint been  | Is the bailiff still enforcing           |
| investigated by any other organisation?   | your warrants?                           |
| If so, please state whether it was the bailiff's employer, the creditor, a trade association or |  |
| professional body, or any other body (state which).   |  |
| Signature   | Date                                     |
| Name  | Tel/Fax<br>number                        |
| Address   | illumoo.                                 |
|   |  |
|   |  |
| Postcode  |  |

# APPENDIX 3 Table of issuing county courts

| Column 1<br>COUNTY COURT | Column 2 ISSUING COUNTY COURT |
|--------------------------|-------------------------------|
|                          |                               |
| Aberdare                 | Merthyr Tydfil                |
| Aberystwyth              | Aberystwyth                   |
| Accrington               | Burnley                       |
| Aldershot & Farnham      | Aldershot & Farnham           |
| Altrincham               | Altrincham                    |
| Ashford                  | Canterbury                    |
| Aylesbury                | Milton Keynes                 |
| Banbury                  | Oxford                        |
| Barnet                   | Edmonton                      |
| Barnsley                 | Doncaster                     |
| Barnstaple               | Exeter                        |
| Barrow-in-Furness        | Kendal                        |
| Basildon                 | Southend                      |
| Basingstoke              | Aldershot & Farnham           |
| Bath                     | Bristol                       |
| Bedford                  | Bedford                       |
| Berwick & Morpeth        | Berwick & Morpeth             |
| Birkenhead               | Birkenhead                    |
| Birmingham               | Birmingham                    |
| Bishop Auckland          | Middlesbrough                 |
| Blackburn                | Burnley                       |
| Blackpool                | Preston                       |
| Blackwood                | Newport (Gwent)               |
| Bodmin                   | Truro                         |
| Bolton                   | Manchester                    |
| Boston                   | Lincoln                       |
| Bournemouth              | Bournemouth                   |
| Bow                      | Shoreditch                    |
| Bradford                 | Bradford                      |
| Brecknock                | Merthyr Tydfil                |
| Brentford                | Brentford                     |
| Bridgend                 | Cardiff                       |
| Bridgwater               | Taunton                       |
| Brighton                 | Lewes                         |
| Bristol                  | Bristol                       |

| Column 1<br>COUNTY COURT | Column 2 ISSUING COUNTY COURT |
|--------------------------|-------------------------------|
| Bromley                  | Bromley                       |
| Burnley                  | Burnley                       |
| Burton-upon-Trent        | Derby                         |
| Bury                     | Oldham                        |
| Bury St Edmunds          | Bury St Edmunds               |
| Buxton                   | Chesterfield                  |
| Caernarfon               | Caernarfon                    |
| Caerphilly               | Cardiff                       |
| Cambridge                | Cambridge                     |
| Canterbury               | Canterbury                    |
| Cardiff                  | Cardiff                       |
| Carlisle                 | Carlisle                      |
| Carmarthen               | Haverfordwest                 |
| Central London           | Shoreditch                    |
| Chelmsford               | Chelmsford                    |
| Cheltenham               | Bristol                       |
| Chepstow                 | Newport (Gwent)               |
| Chester                  | Chester                       |
| Chesterfield             | Nottingham                    |
| Chichester               | Chichester                    |
| Chorley                  | Preston                       |
| Clerkenwell              | Shoreditch                    |
| Colchester               | Colchester                    |
| Consett                  | Gateshead                     |
| Conwy & Colwyn           | Caernarfon                    |
| Coventry                 | Coventry                      |
| Crewe                    | Macclesfield                  |
| Croydon                  | Croydon                       |
| Darlington               | Middlesbrough                 |
| Dartford                 | Dartford                      |
| Derby                    | Derby                         |
| Dewsbury                 | Huddersfield                  |
| Doncaster                | Doncaster                     |
| Dudley                   | Birmingham                    |
| Durham                   | Gateshead                     |
| Eastbourne               | Brighton                      |
| Edmonton                 | Edmonton                      |
| Epsom                    | Epsom                         |
| Evesham                  | Worcester                     |
| Exeter                   | Exeter                        |
| Gateshead                | Gateshead                     |
| Gloucester               | Bristol                       |

| Gravesend I Grays Thurrock S Great Grimsby Great Yarmouth | COURT Lincoln Dartford Southend Great Grimsby Norwich Epsom Huddersfield |
|---|--|
| Gravesend I Grays Thurrock S Great Grimsby Great Yarmouth | Dartford Southend Great Grimsby Norwich Epsom                            |
| Grays Thurrock Great Grimsby Great Yarmouth               | Southend Great Grimsby Norwich Epsom                                     |
| Great Grimsby Great Yarmouth                              | Great Grimsby<br>Norwich<br>Epsom  |
| Great Yarmouth  | Norwich<br>Epsom   |
|   | Epsom  |
| Guildford   |  |
|   | II 4 d ama ff a 1 d  |
|   |  |
|   | Cambridge  |
|   | Harrogate  |
|   | Middlesbrough  |
|   | Brighton   |
|   | Haverfordwest  |
|   | Chichester   |
|   | Worcester  |
| Hertford  | St Albans  |
|   | Slough   |
|   | Luton  |
| Horsham   | Chichester   |
|   | Brighton   |
| Huddersfield  | Huddersfield   |
| Huntingdon  | Peterborough   |
| Ilford  | Romford  |
| Ipswich   | Ipswich  |
| Keighley  | Bradford   |
| Kendal  | Kendal   |
| Kettering   | Northampton  |
|   | Birmingham   |
| King's Lynn   | King's Lynn  |
|   | Kingston-upon-Hull   |
| Kingston-upon-Thames                                      | Staines  |
| Lambeth   | Lambeth  |
| Lancaster   | Lancaster  |
| Leeds   | Leeds  |
| Leicester   | Leicester  |
| Leigh   | Wigan  |
| l   | Brighton   |
|   | Stafford   |
|   | Lincoln  |
| Liverpool   | Liverpool  |
| Llanelli  | Swansea  |
| Llangefni   | Caernarfon   |
| Lowestoft   | Norwich  |

| Column 1            | Column 2        |
|---------------------|-----------------|
| COUNTY COURT        | ISSUING COUNTY  |
|                     | COURT           |
| Ludlow              | Telford         |
| Luton               | Luton           |
| Macclesfield        | Macclesfield    |
| Maidstone           | Medway          |
| Manchester          | Manchester      |
| Mansfield           | Nottingham      |
| Mayor's & City of   | Shoreditch      |
| London              |                 |
| Medway              | Medway          |
| Melton Mowbray      | Leicester       |
| Merthyr Tydfil      | Merthyr Tydfil  |
| Middlesbrough       | Middlesbrough   |
| Milton Keynes       | Milton Keynes   |
| Mold                | Chester         |
| Monmouth            | Newport (Gwent) |
| Neath & Port Talbot | Swansea         |
| Nelson              | Burnley         |
| Newark              | Lincoln         |
| Newbury             | Reading         |
| Newcastle-upon-Tyne | Gateshead       |
| Newport (Isle of    | Portsmouth      |
| Wight)              |                 |
| Newport (Gwent)     | Newport (Gwent) |
| Northampton         | Northampton     |
| North Shields       | Gateshead       |
| Northwich           | Macclesfield    |
| Norwich             | Norwich         |
| Nottingham          | Nottingham      |
| Nuneaton            | Coventry        |
| Oldham              | Oldham          |
| Oswestry            | Telford         |
| Oxford              | Oxford          |
| Penrith             | Carlisle        |
| Penzance            | Truro           |
| Peterborough        | Peterborough    |
| Plymouth            | Plymouth        |
| Pontefract          | Leeds           |
| Pontypool           | Newport (Gwent) |
| Pontypridd          | Merthyr Tydfil  |
| Poole               | Bournemouth     |
| Portsmouth          | Portsmouth      |
| Preston             | Preston         |
| Rawtenstall         | Burnley         |
|                     | 1               |

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| Salford Manchester Salisbury Salisbury Scarborough Scarborough Scunthorpe Grimsby Sheffield Sheffield Shoreditch Shoreditch Shrewsbury Telford Skegness & Spilsby Lincoln Skipton Bradford Slough Slough Southampton Southampton Southend Southend Southport Liverpool South Shields Gateshead Stafford Staines Stockport Altrincham Stoke-on-Trent Stafford Stourbridge Birmingham Stratford-upon-Avon Coventry Sunderland Gateshead Swansea Swansea Swindon Bristol Tameside Oldham Tamworth Stafford Taunton Taunton Telford Telford Thanet Canterbury Torquay & Newton Abbot   |                  |                                       |
| Salisbury Scarborough Scunthorpe Grimsby Sheffield Shoreditch Shoreditch Shrewsbury Telford Skegness & Spilsby Lincoln Skipton Bradford Slough Southampton Southampton Southend Southend Southend Southport Liverpool South Shields Stafford Staines Staines Stockport Altrincham Stoke-on-Trent Stafford Stourbridge Birmingham Stratford-upon-Avon Sunderland Swansea Swansea Swindon Tameside Tamworth Taunton Telford Thanet Canterbury Torquay & Newton Abbot   |                  | L                                     |
| Scarborough Scunthorpe Grimsby Sheffield Shoreditch Shrewsbury Telford Skegness & Spilsby Lincoln Skipton Bradford Slough Southampton Southampton Southend Southport Liverpool South Shields Gateshead Stafford Staines Stockport Altrincham Stoke-on-Trent Stourbridge Birmingham Stratford-upon-Avon Coventry Sunderland Swansea Swindon Bristol Tameside Tamworth Telford Thanet Canterbury Torquay & Newton Abbot  |                  |                                       |
| Scunthorpe Sheffield Shoreditch Shoreditch Shrewsbury Telford Skegness & Spilsby Lincoln Skipton Bradford Slough Southampton Southampton Southend Southport Liverpool South Shields Stafford Staines Stockport Altrincham Stoke-on-Trent Stourbridge Birmingham Stratford-upon-Avon Coventry Sunderland Swansea Swindon Tameside Tamworth Taunton Telford Thanet Canterbury Torquay & Newton Abbot   |                  | · · · · · · · · · · · · · · · · · · · |
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| Shrewsbury Skegness & Spilsby Lincoln Skipton Bradford Slough Slough Southampton Southampton Southend Southend Southend South Shields Stafford Staines Staines Stockport Altrincham Stoke-on-Trent Stourbridge Birmingham Stratford-upon-Avon Coventry Sunderland Swansea Swindon Tameside Tamworth Taunton Telford Thanet Torquay & Newton Abbot  Pout Paragraphy Slough Slough South South South Slough Stafford Stafford Stafford Stafford Taunton Taunton Telford Torquay & Newton Abbot Torquay & Newton Abbot  |                  | <u> </u>                              |
| Skegness & Spilsby  Skipton  Skipton  Slough  Slough  Southampton  Southend  Stafford  Stafford  Stafford  Staines  Stockport  Altrincham  Stoke-on-Trent  Stafford  Stourbridge  Birmingham  Stratford-upon-Avon  Coventry  Sunderland  Gateshead  Swansea  Swansea  Swansea  Swindon  Tameside  Oldham  Tamworth  Tamworth  Stafford  Taunton  Telford  Telford  Thanet  Canterbury  Torquay & Newton  Abbot   | Shoreditch       | Shoreditch                            |
| Skegness & Spilsby Skipton Skipton Bradford Slough Southampton Southampton Southend Southend Southend Southend South Shields Stafford Staines Staines Stockport Altrincham Stoke-on-Trent Stafford Stourbridge Birmingham Stratford-upon-Avon Coventry Sunderland Gateshead Swansea Swindon Tameside Oldham Tamworth Taunton Telford Thanet Canterbury Torquay & Newton Abbot  Slough Southampton Southampton Southampton Southampton Southampton Statford Stateshead Stafford Stafford Taunton Taunton Telford Telford Torquay & Newton Abbot   | Shrewsbury       | Telford                               |
| Skipton Slough Slough Southampton Southampton Southend Southend Southport Liverpool South Shields Stafford Staines Staines Stockport Altrincham Stoke-on-Trent Stafford Staurbridge Birmingham Stratford-upon-Avon Coventry Sunderland Gateshead Swansea Swindon Tameside Tamworth Taunton Telford Thanet Torquay & Newton Abbot  Southampton Southampton Southampton Southampton Southampton Stateshead Stafford Stafford Taunton Taunton Telford Telford Torquay & Newton Abbot  | L                | Lincoln                               |
| SloughSloughSouthamptonSouthamptonSouthendSouthendSouthportLiverpoolSouth ShieldsGatesheadStaffordStaffordStainesStainesStockportAltrinchamStoke-on-TrentStaffordStourbridgeBirminghamStratford-upon-AvonCoventrySunderlandGatesheadSwanseaSwanseaSwindonBristolTamesideOldhamTamworthStaffordTauntonTauntonTelfordTelfordThanetCanterburyTorquay & NewtonAbbot  |                  | Bradford                              |
| Southampton Southend Southend Southport Liverpool South Shields Stafford Staines Staines Stockport Altrincham Stoke-on-Trent Stafford Staurbridge Birmingham Stratford-upon-Avon Coventry Sunderland Gateshead Swansea Swindon Tameside Tamworth Taunton Telford Thanet Canterbury Torquay & Newton Abbot  |                  | Slough                                |
| Southport Liverpool South Shields Gateshead Stafford Staines Stockport Altrincham Stoke-on-Trent Stafford Staurbridge Birmingham Stratford-upon-Avon Coventry Sunderland Gateshead Swansea Swansea Swindon Bristol Tameside Oldham Tamworth Stafford Taunton Taunton Telford Telford Thanet Canterbury Torquay & Newton Abbot  |                  |                                       |
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| StainesStainesStockportAltrinchamStoke-on-TrentStaffordStourbridgeBirminghamStratford-upon-AvonCoventrySunderlandGatesheadSwanseaSwanseaSwindonBristolTamesideOldhamTamworthStaffordTauntonTauntonTelfordTelfordThanetCanterburyTorquay & NewtonTorquay & Newton Abbot   | L                |                                       |
| StockportAltrinchamStoke-on-TrentStaffordStourbridgeBirminghamStratford-upon-AvonCoventrySunderlandGatesheadSwanseaSwanseaSwindonBristolTamesideOldhamTamworthStaffordTauntonTauntonTelfordTelfordThanetCanterburyTorquay & NewtonAbbot  | Stafford         | Stafford                              |
| Stoke-on-Trent Stafford  Stourbridge Birmingham  Stratford-upon-Avon Coventry  Sunderland Gateshead  Swansea Swansea  Swindon Bristol  Tameside Oldham  Tamworth Stafford  Taunton Taunton  Telford Telford  Thanet Canterbury  Torquay & Newton Abbot   | Staines          | Staines                               |
| Stoke-on-TrentStaffordStourbridgeBirminghamStratford-upon-AvonCoventrySunderlandGatesheadSwanseaSwanseaSwindonBristolTamesideOldhamTamworthStaffordTauntonTauntonTelfordTelfordThanetCanterburyTorquay & NewtonTorquay & Newton Abbot  | Stockport        | Altrincham                            |
| Stratford-upon-AvonCoventrySunderlandGatesheadSwanseaSwanseaSwindonBristolTamesideOldhamTamworthStaffordTauntonTauntonTelfordTelfordThanetCanterburyTorquay & NewtonTorquay & Newton AbbotAbbot  | I                | Stafford                              |
| Stratford-upon-AvonCoventrySunderlandGatesheadSwanseaSwanseaSwindonBristolTamesideOldhamTamworthStaffordTauntonTauntonTelfordTelfordThanetCanterburyTorquay & NewtonTorquay & Newton AbbotAbbot  | Stourbridge      | Birmingham                            |
| Sunderland Gateshead Swansea Swansea Swindon Bristol Tameside Oldham Tamworth Stafford Taunton Taunton Telford Telford Thanet Canterbury Torquay & Newton Abbot  | [                |                                       |
| Swindon Bristol Tameside Oldham Tamworth Stafford Taunton Taunton Telford Telford Thanet Canterbury Torquay & Newton Torquay & Newton Abbot  | I                | Gateshead                             |
| TamesideOldhamTamworthStaffordTauntonTauntonTelfordTelfordThanetCanterburyTorquay & NewtonTorquay & Newton Abbot   | Swansea          | Swansea                               |
| Tamworth Stafford Taunton Taunton Telford Telford Thanet Canterbury Torquay & Newton Torquay & Newton Abbot  | Swindon          | Bristol                               |
| Taunton Taunton Telford Telford Thanet Canterbury Torquay & Newton Torquay & Newton Abbot  | Tameside         | Oldham                                |
| Telford Telford Thanet Canterbury Torquay & Newton Torquay & Newton Abbot  | Tamworth         | Stafford                              |
| Thanet Canterbury Torquay & Newton Torquay & Newton Abbot  | Taunton          | Taunton                               |
| Torquay & Newton Torquay & Newton Abbot Abbot  | Telford          | Telford                               |
| Torquay & Newton Torquay & Newton Abbot Abbot  | Thanet           | Canterbury                            |
|  | Torquay & Newton | <u> </u>                              |
|  | Abbot            |                                       |
| I rowbridge   Bristol  | Trowbridge       | Bristol                               |
| Truro Truro  | Truro            | Truro                                 |
| Tunbridge Wells Tunbridge Wells  | Tunbridge Wells  | Tunbridge Wells                       |

| Column 1            | Column 2           |
|---------------------|--------------------|
| <b>COUNTY COURT</b> | ISSUING COUNTY     |
|                     | COURT              |
| Uxbridge            | Uxbridge           |
| Wakefield           | Leeds              |
| Walsall             | Wolverhampton      |
| Wandsworth          | Lambeth            |
| Warrington          | Macclesfield       |
| Warwick             | Coventry           |
| Watford             | Watford            |
| Wellingborough      | Northampton        |
| Welshpool & Newton  | Welshpool & Newton |
| West London         | Brentford          |
| Weston-Super-Mare   | Bristol            |
| Weymouth &          | Bournemouth        |
| Dorchester          |                    |
| Whitehaven          | Whitehaven         |
| Wigan               | Wigan              |
| Willesden           | Brentford          |
| Winchester          | Southampton        |
| Wolverhampton       | Wolverhampton      |
| Woolwich            | Lambeth            |
| Worcester           | Worcester          |
| Workington          | Whitehaven         |
| Worksop             | Lincoln            |
| Worthing            | Chichester         |
| Wrexham             | Chester            |
| Yeovil              | Taunton            |
| York                | York               |

## **EXPLANATORY NOTE**

(This note is not part of the Rules)

These Rules make various amendments to the Distress for Rent Rules 1988, which deal with the certification of bailiffs to levy distress for rent and (by virtue of the modification effected by the Enforcement of Road Traffic Debts (Certificated Bailiffs) Regulations 1993) for debts under section 78 of the Road Traffic Act 1991. In particular:

- (1) special certificates may no longer be granted, and so references to special certificates are deleted;
- (2) applications for a certificate shall be in a new form, which will be applicable to all applications;
- (3) applications for certificates will only be made to certain county courts (referred to in the Order as "issuing county courts");
- (4) all applications (as opposed to, previously, only applications for a general certificate other than on the expiry of a current certificate) will involve a personal appearance and examination on oath of the applicant;
- (5) all applicants will be required to notify their application by advertisement in a local newspaper approved by the court officer;
- (6) bailiffs are expressly obliged to maintain security, by way of bond or deposit, throughout the duration of the certificate, and to provide fresh security if it ceases to exist or is reduced in value;
  - (7) new forms are adopted for complaints against bailiffs;
- (8) a complaint against a bailiff may be transferred, at the complainant's option, to the issuing county court nearest the complainant's home or place of business;
  - (9) a bailiff who has ceased to carry on business as a bailiff must surrender his licence; and
- (10) a bailiff is required to notify the court of any change of name, address or other details appearing in his certificate, and a replacement certificate reflecting the changes is issued.

# STATUTORY INSTRUMENTS

# 1999 No. 2564 (L. 20)

# **DISTRESS**

The Distress for Rent (Amendment) (No. 2) Rules 1999

Made - - - - 10th September 1999

Coming into force in accordance with rule 1

The Lord Chancellor, in exercise of the powers conferred on him by section 8 of the Law of Distress Amendment Act 1888(a), and section 3 of the Law of Distress Amendment Act 1895(b), makes the following Rules:

## **Citation and commencement**

1. These Rules may be cited as the Distress for Rent (Amendment) (No. 2) Rules 1999 and shall come into force on 4th October 1999, immediately after the coming into force of the Distress for Rent (Amendment) Rules 1999(c).

## **Amendments to Distress for Rent Rules 1988**

- 2. Appendix 3 to the Distress for Rent Rules 1988(d) shall be amended as follows:
  - (a) the entry for Berwick & Morpeth shall be deleted;
  - (b) in column 2, opposite "Brighton", "Brighton" shall be substituted for "Lewes"; and
  - (c) after the entry for Monmouth the following entry shall be inserted:

| " | Morpeth & Berwick | Morpeth & Berwick | ,, |
|---|-------------------|-------------------|----|
|---|-------------------|-------------------|----|

Signed by authority of the Lord Chancellor

David Lock
Parliamentary Secretary
Lord Chancellor's Department

10th September 1999

<sup>(</sup>a) 1888 c. 21.

**<sup>(</sup>b)** 1895 c. 24.

<sup>(</sup>c) S.I. 1999/2360.

<sup>(</sup>d) S.I. 1988/2050; amended by S.I. 1999/2360 and modified by S.I. 1993/2072.

# **EXPLANATORY NOTE**

(This note is not part of the Rules)

These Rules correct two errors in Appendix 3 to the Distress for Rent Rules 1998, which was inserted by Schedule 2 to the Distress for Rent (Amendment) Rules 1999:

- (a) the issuing county court for Brighton County Court should be Brighton, not Lewes;
- (b) the references to "Berwick & Morpeth" should read "Morpeth & Berwick".



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