

Part 3

**In the High Court of Justice
Queens Bench Division**

(Sent from the County Court by
Certificate dated the day of)

High Court Enforcement Number

County Court Claim Number

Address of (Debtor)
(property of which possession is to be given)

Seal a Writ of (Fieri Facias)(Possession) directed to the:

To: “ _____, an enforcement officer authorised to enforce writs of execution from the High Court’.

Or,
‘The enforcement officers authorised to enforce writs of execution from the High Court who are assigned to the district of ¹ _____ in England and Wales’.

Note: If you have chosen this option you must send this writ to the National Information Centre for Enforcement for allocation.

against _____

for: (Complete A, B, C as appropriate)

- A. the sum of:
 - (a) debt £
 - (b) costs and interest £
 - (c) Subsequent costs £
(if any)

B. and interest thereon at% per annum from the date of transfer and costs of execution

C. possession of

and £ for costs.

Signed
Address for service
Date

Guidance Notes

Enforcement in the High Court of county court judgments or orders.

The practice for the enforcement in the High Court of those county court judgments or orders to which Article 8(A) and (B) of the High Court and County Court Jurisdiction Order 1991 applies shall be as follows:

1. The applicant shall present to the judgment counter clerk a certificate of judgment of the county court sealed with the seal of that court, setting out details of the judgment or order to be enforced, together with a copy of the same. There is no fee payable on registration.
2. The judgment counter clerk will check that the certificate has been signed by an officer of the issuing court (a rubber stamp is not sufficient), dated and that the certificate complies with CCR 0.22, r8 (1A) (Sched. 2 to the CPR), and in particular with the requirement that on its face it states that it is granted for the purpose of enforcing the judgment or order by execution against goods or for possession against trespassers in the High Court.
3. Provided that paragraphs 1 and 2 have been complied with, the counter clerk will:-
 - (a) Allocate a reference number, and year and endorse that on the top right hand corner of the certificate and copy.
 - (b) Date and seal the certificate and copy. Return the original to the applicant who should send the writ to the appropriate enforcement officer or the National Information Centre for Enforcement for allocation and retain a copy for the court records.
4. The Certificate shall be treated for enforcement purposes as a High Court judgment or order and interest at the appropriate rate shall run from the date of the certificate. Such interest as claimed on the judgment in the county court should be incorporated in the judgment as above.

5. The title of all subsequent documents shall be as follows:-

IN THE HIGH COURT OF JUSTICE	High Court No.
QUEEN’S BENCH DIVISION	County Court Claim No
(Sent from the	County Court by Certificate dated
the day of)

Claimant A.B.

Defendant C.D.

6. When the appropriate fee is paid and a writ of *feri facias* or possession is issued, the Certificate of Judgment retained by the applicant shall be date sealed by the counter clerk on the bottom left hand corner.

7. Any application for a stay of execution should be made by application notice in the High Court returnable before a Queen’s Bench Master. All other applications for enforcement or ancillary relief must be made to the county court in which the judgment or order was made, unless the case has since been transferred to a different court, in which case that court.

R L Turner, Senior Master
Queen’s Bench Division

¹ This should reflect the Districts as set out in the High Court Enforcement Officers Regulation 2004