



Northern Ireland

e-manual appendix





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What is enforced

There is a large variety of enforceable documents that can be enforced:

- Money judgments
- Judgments under which a person is entitled to possession of any land, including a writ of restitution made upon a conviction for forcible entry or detainer and a warrant issued under Article 10(4) of the Criminal Justice (Northern Ireland) Order 1986 (the warrant for possession of land after conviction of squatter)
- Judgments under which a person is entitled to the delivery of any goods
- Judgments requiring any person to pay any money into court or to do any act within a limited time, and judgments against a company (providing Articles 111 to 113 and Part XI as is applicable to those Articles apply)
- Certain orders under the Domestic Proceedings (Northern Ireland) Order 1980, or Part 1, 2 or 6 of Schedule 16 to the Civil Partnership Act 2004 for the payment of lump sums
- Other judgments to which the 1981 Order may be applied by any statutory provision
- Money judgments given outside Northern Ireland and enforceable in Northern Ireland under any statutory provision
- Orders of the Lord Chancellor to apply the 1981 Order, with modifications if necessary) to any judgment or award of any court or tribunal given or made or having effect or capable of being made effective in Northern Ireland.

Who enforces

In Northern Ireland, the enforcement is organised by the (centralised) Enforcement of Judgments Office (here after EJO), administered by the Northern Ireland Courts and Tribunal Service. EJO also enforces the judgments from outside Northern Ireland, such as England/Wales and Scotland.

The functions exercised within the EJO are:

- Master: a statutory officer, judicial officer, appointed a Master (Enforcement of Judgments).
- Chief Enforcement Officer: the civil servant in the Department of Justice designated as well as the civil servant in that Department designated as deputy.
- Judicial Officer: the statutory officer appointed as Judicial Officer (Enforcement of Judgments).
- Registration officer: the officer designated for the time being to keep the register of judgments.
- Other staff members.
- Nominated Officers and Enforcement Officers each allocated to a district of Northern Ireland.

Enforcement procedure

Any person entitled to enforce a judgment may on payment of the appropriate fee apply to the Office for enforcement of that judgment. Prior to such application, the notice of intent to apply for enforcement needs to be completed.¹ A preliminary application for custody warrant and report can be done in case the outstanding balance of the claim exceeds £3,000.

The application can be sent to the EJO in case the debtor did not settle the claim within 10 days of the date of notice of the intent to apply for enforcement.

Upon receipt of the application for enforcement, EJO will assign a serial number to the application.

As a first stage, EJO will issue a custody warrant. This warrant is served on the debtor. On the service of this custody warrant, all goods (except for those goods that are specified in the warrant or that are exempted by rules) upon all premises occupied by the debtor and in any other place, under the sole control of the debtor or under the joint control of the debtor and his spouse or civil partner or any of the dependants are deemed to be in the custody and possession of the EJO.

Upon service of the custody warrant, the debtor is obliged to give the EJO all information regarding the assets.

The following stage after the service of the custody warrant is the examination of the assets of the debtor. The debtor is obliged to cooperate or in case of refusal be put under arrest.

Based on the report regarding the assets of the debtor, the Master or Chief Enforcement Officer, make a provisional decision disposing of the enforcement application, based on the financial position of the debtor and other relevant circumstances. This not necessarily will result in enforcement but might mean that enforcement is not initiated at all (in which case a certificate of unenforceability will be issued). The parties are notified and given the opportunity to make objections. If no objection is made the decision is confirmed but if an objection is made the matter will be listed for hearing before the Master.

In case EJO has identified that the debtor has any property, which if sold or otherwise realised would satisfy either in whole or in part the claim of the creditor, an order for a specific enforcement procedure may be made by the Master on the application of the Chief Enforcement Officer.

¹ <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/applicationpackmoneyjudgmentv12-7jul20.pdf>

Duration of enforcement procedure

Exact statistics are not available.

Cost of enforcement procedure

The enforcement of judgments system in Northern Ireland is funded by fees paid by its users. The fees can be found in the Judgments Enforcement Fees Order (Northern Ireland) 1996 (as amended) (SR 1996/101):

PART I

Number of fee	Item	Amount of fee
1	On lodging notice of intent to apply for enforcement under rule 6; in respect of each person to be served	£26.00
2	On lodging an application for enforcement under Article 22 of the Order; in respect of each respondent Where the sum due on foot of the judgment—	
	(1) does not exceed £300	39p in the £1.00 Minimum fee £20.00
	(2) exceeds £300 but does not exceed £1,000	£127.00 plus £16.00 per additional £100.00 or part thereof of the sum due in excess of £300
	(3) exceeds £1,000 but does not exceed £3,000	£273.00 plus £12.00 per additional £100.00 or part thereof of the sum due in excess of £1,000
	(4) exceeds £3,000 but does not exceed £10,000	£568.00 plus £3.00 per additional £100.00 or part thereof of the sum due in excess of £3,000
	(5) exceeds £10,000	£841.00 plus £2.00 per additional £100.00 or part thereof of the sum due in excess of £10,000
3	On lodging an application under Article 23(1) of the Order, including one copy of the report: for each respondent Where an application is made under Article 22 of the Order subsequent to an application	£195.00

	under Article 23(1) of the Order the fee paid under Fee No 2 shall be reduced by the amount of the fee paid under Fee No 3.	
4	On lodging an application for repossession of land	£673.00
5	On lodging an application for restitution of goods	£216.00
6	On lodging an application under rule 104	£26.00 £12.00
7	(1) On an application for a search in the register of judgments	As from 1/4/2020 £20.00 As from 1/4/2021 £26.00
	(2) Additional payment where the search is carried out by an EJO of the court	As from 1/4/2020 £14.00 As from 1/4/2021 £14.00
8	On a copy, including a photographic copy, of all or any part of any document not otherwise provided for	
	(a) five sheets or less	£6.00
	(b) for each sheet thereafter	£0.50
9	For a certificate of satisfaction	£20.00
10	On an administration order made under Article 80 of the Order	For every £1.00 of the money paid into the EJO in respect of debts due to creditors, 10p This fee is payable out of the money paid into the EJO
11	(i) For the removal, in accordance with an order of seizure under Article 31 of the Order, of goods, or taking steps to remove such goods to a place of deposit. This fee includes the reasonable expenses of feeding and caring for animals	The reasonable expenses thereof
	(ii) For any sale by auction of property seized (to cover all the expenses of sale or incurred in connection therewith including valuation, advertisement, auctioneers' fees)	The reasonable expenses thereof
	(iii) Where goods are sold otherwise than at auction, for the valuation of the goods	The reasonable expenses thereof

PART II JUDGMENT ENFORCEMENT (RECOVERY OF ADMITTED DEBTS) RULES (NORTHERN IRELAND) 1985

Recovery of Certain Debts Without Judgment

12	On lodging notice of intention to apply for recovery of debt under rule 8; in respect of each person to be served	£20.00
13	On lodging an application for recovery of debt under Article 95(1) of the Order; in respect of each debtor	£20.00
14	On the Chief Enforcement Officer's direction for recovery of an admitted debt under rule 16 (1): in respect of each debtor Where the admitted debt—	
	(1) does not exceed £300	39p in the £1.00 less £15.00 Minimum fee £14.00
	(2) exceeds £300 but does not exceed £1,000	£107.00 plus £16.00 per additional £100.00 or part thereof of the debt in excess of £300
	(3) exceeds £1,000 but does not exceed £3,000	£255.00 plus £12.00 per additional £100.00 or part thereof of the debt in excess of £1,000
15	On lodging a certificate of corresponding debt under rule 18: in respect of each debtor	£20.00
16	On the master's direction for enforcement of corresponding debt under rule 20(1): in respect of each debtor Where the sum certified as corresponding debt—	
	(1) does not exceed £300	39p in the £1.00 less £15.00 Minimum fee £14.00
	(2) exceeds £300 but does not exceed £1,000	£107.00 plus £16.00 per additional £100.00 or part thereof of the debt in excess of £300
	(3) exceeds £1,000 but does not exceed £3,000	£255.00 plus £12.00 per additional £100.00 or part thereof of the debt in excess of £1,000

