1972. No. 27 **[NC]**

ENFORCEMENT OF JUDGMENTS OFFICE

PROCEDURE

Judgment Enforcement (Amendment) (No. 1) Rules 1972

We, the Northern Ireland Supreme Court Rules Committee, being the authority having for the time being power under section 117 of the Judgments (Enforcement) Act (Northern Ireland) 1969(a) to make rules (in like manner as rules of court are made) for the purpose of regulating the exercise of the jurisdiction conferred on the Enforcement of Judgments Office by that Act, hereby exercise those powers and all other powers enabling us in that behalf as follows:—

1. The Judgment Enforcement Rules 1971(b) shall be amended as follows:—

(1) for paragraph (2) of rule 4 there shall be substituted the following paragraph—

"(2) Where the application relates to the enforcement of a judgment for possession of land, the applicant must also serve on every person in possession of the land a copy of the notice of intention and the judgment served on the respondent in accordance with paragraph (1)."

(2) for sub-paragraph (*e*) of rule 5(2) there shall be substituted the following sub-paragraph—

"(*e*) in an application relating to a judgment for possession of land, an affidavit specifying the persons (if any) who are in possession,"

(3) for paragraph (3) of rule 23 there shall be substituted the following paragraph—

"(3) The Office must send—

(*a*) a copy of the enforcement officer's report and a notice in Form 15 to the creditor, and

(*b*) a notice in Form 15 to the debtor,

and there must be not less than 14 days between the date on which the notice is sent and the date named in the notice for the hearing."

(4) for rule 31 there shall be substituted the following rule—

"**31.**—(1) An order for the delivery of the possession of land under section 53 of the Act shall be in Form 23.

(2) A designated officer shall, before making such order, give the respondent an opportunity of being heard, as provided in paragraph (3).

(a) 1969. c. 30 (N.I.). (b) S.R. & O. (N.I.) 1971, No. 5.