

Small Claims Application

Checklist

1. Have you completed the total amount of claim?
2. Have you completed the details of your claim, including the date the claim arose?
3. Have you signed and dated the Statement of Truth?
4. Have you included the correct Court fee? (See fees note attached)
5. Have you provided an additional 2 copies of your application form and any accompanying documentation ?(plus additional copy for each respondent if there is more than 1)
6. If the respondent's address is outside NI have you completed the additional documentation required? (See Outside Jurisdiction Information).

Please note if information is missing or copies are not provided your application will be returned.

Are you also aware the Consumer Line may be able to offer some assistance with consumer issues? Please find their contact details below:

Telephone 0845 6006262

Website: www.consumerline.org

Text Phone: 028 90 253988

Details of other agencies are available at page 47 of the Small Claims Guide.

NI Court Service, Civil Processing Centre
Small Claims
Outside Jurisdiction Information

England and Wales information

If your small claims application requires service in England/Wales you are required to sign and date the certification. Before you decide to proceed with the application it is important that you are aware of the following factors:

1. It takes longer to obtain a decree as additional time is required for service outside the jurisdiction.
2. If you are successful in obtaining a decree and wish to enforce it, you can only enforce it through the enforcement procedures in England/Wales.
3. It is possible in most cases to initiate proceedings in England/Wales where the defendant resides.

If you would like further information on the registration or enforcement procedure in England/Wales you should contact the Queens Bench Action Department of the Central Office of the Royal Courts of Justice, Strand, London. WC2A 2LL (Tel No 020 7947 6089).

Republic of Ireland information

If your small claims application requires service in the Republic of Ireland you are required to sign and date the certification. Before you decide to proceed with the application it is important that you are aware of the following factors:

1. It takes longer to obtain a decree as additional time is required for service outside the jurisdiction.
2. If you are successful in obtaining a decree and wish to enforce it, you can only enforce it through the enforcement procedures in the Republic of Ireland.
3. It is possible in most cases to initiate proceedings in the Republic of Ireland where the defendant resides.

If you would like further information on the registration or enforcement procedure in the Republic of Ireland you should contact the Central Office of the High Court in Dublin (Tel No. 003531 8886576).

Statement form

In order for your application to be processed you are required to formally state that you do not currently have a case against the same respondent based on the same cause of action in any part of the UK or certain other jurisdictions. Please sign the appropriate statement form attached, either Annex A & B or Annex C as appropriate.

**If you have any queries regarding your claim please contact this office on 028 90
725951**

Outside Jurisdiction Information

Please sign this sheet and attach it to your small claim application if the respondent resides in the Republic of Ireland

ANNEX A

ENDORSEMENT REQUIRED TO BE PLACED ON THE SMALL CLAIM APPLICATION FORM

“I state that the Court has power to hear and determine the claim by virtue of the Civil Jurisdiction and Judgments Act 1982 and that no proceedings between the parties concerning the same cause of action are pending in the courts of any part of the United Kingdom or of any other convention territory of any contracting state as defined by section 1(3) of the Act.”

Signed _____ (Applicant) Dated: _____

ANNEX B

UNDERTAKING OF RESPONSIBILITY FOR EXPENSES INCURRED

I, the applicant, hereby undertake to be responsible for the payment of the costs involved in serving the application for small claim on the respondent. The respondent currently resides outside the jurisdiction of this court.

I understand that the cost of translating documents, if required, must be paid before the translation is provided and I undertake to be responsible for this cost.

I also undertake to be responsible for paying any additional sums incurred in the subsequent attempted service of the documents.

Signed: _____ (Applicant) Dated: _____

NI Court Service, Civil Processing Centre
Small Claims
Outside Jurisdiction Information

ANNEX C

**Please sign this sheet and attach it to your small claim application if the
respondent resides in
England, Scotland or Wales.**

ENDORSEMENT REQUIRED TO BE PLACED ON THE SMALL CLAIM
APPLICATION FORM

“I state that the Court has power to hear and determine the claim by virtue of the Civil Jurisdiction and Judgments Act 1982 and that no proceedings between the parties concerning the same cause of action are pending in the courts of any part of the United Kingdom or of any other convention territory of any contracting state as defined by section 1(3) of the Act.”

Signed _____ (Applicant) Dated _____

**If you have any queries regarding your claim please contact this office on 028 90
725951**