



**THE ENFORCEMENT OF JUDGMENTS OFFICE**  
**7<sup>TH</sup> Floor Bedford House, Bedford Street, Belfast BT2 7FD**

**Interest on Judgments and  
Orders Appointing Receiver/Orders Charging Land**

Order 42 Rule 9 of the Rules of the Supreme Court (Northern Ireland) 1980 and Order 33 Rule 2 of the County Court Rules (NI) provide that the judgments and decrees of each of these courts carries interest (unless the contrary is stated in the judgment or decree) at the rate of 8%, irrespective of whether or not an Order Charging Land (OCL) is made.

Under Article 127(1) of the Judgments Enforcement (NI) Order 1981, a creditor can ask the Enforcement of Judgments Office (EJO) to recover interest payable up to the date of their application, but should add any interest claimed on their application. No further interest can be collected by the EJO, but interest may still be claimed by a creditor under the Rules of the Supreme Court and County Court as stated above.

To intercept monies due from a re-mortgage or sale of land/property the (EJO) may issue an OCL or an Order Appointing Receiver (OAR); in some cases both Orders may be issued.

There is a subtle difference in the obligations for those dealing with each Order and EJO considers it useful to highlight this difference and to present a 'Best Practice' guide on how to deal with both.

Under Article 127 (2) of The Judgments Enforcement (NI) Order 1981, once an Order Charging Land has issued the 'charge owner' (the creditor) is entitled to claim interest on foot of that order. The EJO however does not calculate nor collect the interest due, therefore anyone seeking to obtain the amount required to discharge an OCL should contact **the creditor** so interest can be accounted for.

On cases where only an Order Appointing Receiver has issued and there is no Order Charging Land, further interest is not applicable or recoverable by the EJO; therefore the outstanding judgment balance can be obtained and paid to the EJO.

Where both an OCL and OAR have issued in respect of the same enforced judgment, **precedence should be given to make payment on foot of the Order Charging Land.**

**Best Practice Guide**

1. If an Order Charging Land has been registered in respect of a judgment the balance outstanding figure (including any interest due) should be obtained from the creditor.
2. Payment (including any interest due) should then be made direct to the creditor or their legal representative.
3. You should ask that the creditor to contact the EJO to confirm payment and also confirm they have no objections to the EJO issuing a Certificate of Satisfaction.
4. A Certificate of Satisfaction can be obtained from the EJO by payment of £10\* per certificate. A certificate is required for each Order Charging Land that has been registered against the debtors' land/property.
5. In cases where only an OAR has issued and there is no OCL, the balance may be obtained from EJO. Once payment has been made to the creditor the Order Appointing Receiver automatically stands discharged by virtue of Rule 68(1) of the Judgments Enforcement (Rules) 1981.

**\*Fee correct as at 5/6/06**

**T Long**  
**Chief Enforcement Officer**