

Notes for defendant (admiralty limitation claim)

Please read these notes carefully - they will help you decide what to do about this claim.

Further information may be obtained from the Admiralty and Commercial Registry, Counter 8, Rolls Building, 7 Rolls Building, Fetter Lane, London EC4A 1NL. Tel: 020 7947 6112

You have only a limited time to reply to this claim - the notes below tell you what to do.

You may either:

- dispute the court's jurisdiction or contend that the court should not exercise it
- admit the claimant's right to limit liability
- dispute the claim

The response pack, which should accompany the claim form, will tell you which forms to use for your reply

If you **do not** respond in any way the court may grant the claimant a General Limitation Decree in your absence

Court staff can tell you about procedures but they cannot give legal advice. If you need legal advice, you should contact a solicitor or Citizens Advice Bureau immediately.

Responding to this claim

Time for responding

You have from the date the claim form was served on you:

14 days to file an acknowledgment of service disputing the court's jurisdiction

or

28 days to file a completed defence or admission of the claimant's right to limit liability (or, if the claim form was served outside the United Kingdom, within the time specified by CPR Rule 6.35).

If the claim form was:

- sent by post, the date of service is taken as the second business day after posting (see date of postmark on the envelope)
- delivered or left at your address, the date of service will be the second business day after it was delivered
- handed to you personally, the date of service will be the second business day it was given to you.

Completing the acknowledgment of service

You should tick either

- Box A - if you dispute the court's jurisdiction **or**
- Box B - if you contend that the court should not exercise its jurisdiction

and complete all the other details on the form.

You should send the completed form to the court and at the same time send a copy to the claimant.

You should file also an application at the court within 14 days of filing of your acknowledgment of service. The court will arrange a hearing date for the application.

If you do not file the application you will be treated as having accepted that the court has jurisdiction to hear the claim.

Completing the admission

You should complete admission form ADM16 and send it to the court and at the same time send a copy to the claimant. The claimant may file an application for the court to issue a restricted limitation decree limiting liability against any of the named defendants in the claim form who have filed an admission.

Completing the defence

You should file defence form ADM16A at the court and at the same time send a copy to the claimant. Within 7 days of filing of your defence (or filing of defence of other named defendants or expiry of the time for doing so) the claimant must apply for an appointment before the Admiralty Registrar for a case management conference. The court will give directions at this appointment for the future conduct of the case.

Statement of truth

This must be signed by you or by your solicitor, as appropriate.

If you do nothing

The claimant may apply for a limitation decree against you.