

Application for European Enforcement Order Certificate (Judgment in default of a defence or objection)

Name of court	Claim No.
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To be completed where the debtor has failed to object to a claim or has failed to attend a hearing and judgment has been entered against him - Article 3.1(b) and (c)

You cannot get a European Enforcement Order certificate if the judgment conflicts with any of the rules on jurisdiction laid down in Sections 3 and 6 of Chapter II of Council Regulation (EC) No. 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters

About the judgment creditor

Judgment creditor full name

The judgment creditor is

- an individual a company
 an individual trading under a business name a corporation
 a partnership

in whose favour the judgment has been given.

About the judgment debtor

Judgment debtor full name

About you

Your full name

Address (include post code)

Telephone number

Fax number

E-mail address

About the application

- I make this witness statement in support of my application/the application of the judgment creditor for the judgment ('the Judgment') to be certified as an EEO.
- I am duly authorised to make the application.

About the judgment

- The judgment has not been stayed, varied or set aside.
- The judgment includes an enforceable decision on the amount of costs related to the court proceedings and the judgment debtor has not specifically objected to his obligation to bear such costs in the course of the proceedings

The judgment is a judgment in an uncontested claim in that (select one of the following)

- the debtor has failed to object to the claim
- the debtor has failed to attend a hearing

and judgment has been entered against him.

Name of court in which judgment was given

The order is for payment of a specific sum and the principal amount is

Does the claim relate to a contract made by the debtor as a consumer for a purpose which may be regarded as outside his trade or profession?

- Yes No

About service

The judge must be satisfied that the debtor was aware of the proceedings. Your answers to the following questions will help him to decide whether this condition is satisfied.

To obtain an EEO certificate on the basis of service of a document, tick which of the following is true:

1. The judgment was made without a hearing:

- the claim form; or
- the judgment

was served in accordance with the EEO Regulation (see a-i below and tick which applies)

2. The judgment was given after a hearing that the debtor did not attend:

- the claim form; or
- application notice or notice of hearing; or
- the judgment

was served in accordance with the EEO Regulation (see a-i below and tick which applies)

- (a) personal service verified by an acknowledgment, including the date of receipt which is signed by the debtor. A copy of the acknowledgment of receipt is attached to this form.
- (b) personal service attested by a document signed by a competent person who effected service, (give name),

stating that the debtor has received the document or refused to receive it without any legal justification and the date of the service. A copy of the said document is attached to this form.

- (c) postal service attested by an acknowledgment, including the date of receipt which is signed by the debtor. A copy of the acknowledgment of receipt is attached to this form.

- (d) service by fax/e-mail/other electronic means (give details)

attested by an acknowledgment, including the date of receipt, which is signed by the debtor. A copy of the acknowledgment of receipt is attached to this form.

- (e) personal service at the debtor's personal address at

on persons who I believe to be living in the same household as the debtor or are employed there, attested by a document signed by the competent person who effected service (give name),

indicating the method of service used, date of service and (where the document was served on a person other than the debtor) the name of that person and his relation to the debtor/an acknowledgment of receipt signed by the person served (delete as appropriate). A copy of the document verifying service is attached to this form.

- (f) personal service at the debtor's business premises at

on persons who I believe to be employed by the debtor, attested by a document signed by the competent person who effected service (give name),

indicating the method of service used, date of service and (where the document was served on a person other than the debtor) the name of that person and his relation to the debtor/an acknowledgment of receipt signed by the person served (delete as appropriate). A copy of the document verifying service is attached to this form.

- (g) depositing it in the debtor's mailbox at

attested by a document signed by the competent person who effected service (give name),

indicating the method of service used and date of service. A copy of the document verifying service is attached to this form.

- (h) postal service where the debtor has his address in England and Wales, that being

- (i) fax e-mail other electronic means (give details)

attested by an automatic confirmation of receipt (a copy of which is attached), the debtor having expressly accepted delivery by that method, a copy of the acceptance is attached to this form.

If you have ticked any of the boxes (e) to (i) state how you know the debtor's address with certainty

Tick only **one** of the following boxes (3, 4 or 5)

I am relying on the claim form having been served in accordance with one of the above methods, and I confirm that

3. The claim form (together with Particulars endorsed upon it/served with it) and the Response Pack served at the same time as the claim form) contained:
- (i) the names and addresses of the parties
 - (ii) the amount claimed
 - (iii) the amount of interest claimed, if any
 - (iv) a statement of reasons for the claim
 - (v) information about the steps necessary to contest the claim as set out in Article 17 of the Regulation including time limits and the consequences of a failure to do so.
4. I am relying on the application notice having been served in accordance with one of the above methods. I confirm that the application notice was accompanied by information about the steps necessary to contest the claim as set out in Article 17 of the Regulation including time limits and the consequences of a failure to do so.
5. I am relying on the judgment having been served in accordance with one of the above methods and
- (a) it was possible for the debtor to challenge the judgment by application to set it aside and/or appeal; and
 - (b) the debtor has been informed in or together with the judgment of the procedure for such a challenge, and to whom and by what date the application or appeal should be made; and
 - (c) the debtor has not challenged the Judgment because he has not appealed or applied to have the Judgment set aside.

To obtain an EEO certificate other than by service of the document

To obtain an EEO certificate other than on the basis of service of a document tick which of the following is true:

- The judgment was given after a hearing. The debtor did not attend that hearing, but was made aware of it at a previous court hearing on the same claim and a record of this was made by the court.

- Service of the claim form/application notice is proved by the debtor's actions that show he has personally received the claim form/application notice in sufficient time to arrange his defence because:

Checklist

Which of the following documents have you attached to this form

- | | |
|--|--|
| <input type="checkbox"/> the completed EEO Certificate | <input type="checkbox"/> the judgment |
| <input type="checkbox"/> a document attesting service | <input type="checkbox"/> costs certificate |

Statement of truth

- * I believe that the facts stated in this form and the attached European Enforcement Order Certificate are true.
- * I am duly authorised by the judgment creditor to sign this statement.

Print full name _____

Name of judgment creditor's solicitor's firm _____

signed _____ position or office held _____
*(Judgment creditor)(Litigation friend) (if signing on behalf of firm or company)
(Judgment creditor's solicitor)

**delete as appropriate*