



Guidance for miscellaneous payments out of court

Application for payment out of money held in court

You have to submit an application notice, '**N244 - Application Notice**' telling us why you are asking for the payment. You have to provide evidence of any facts you are relying on (see part 10 of the Application Notice). This requirement is in accordance with the Part 37 Practice Direction (37 PD 3 of the Civil Procedure Rules).

If you don't fully complete this form there could be a delay to process the application.

Completion notes for the application notice

At the top right hand corner of the form under the words 'In the' please write or type 'Chancery Division Payment out of Funds application'.

Enter your reference number if you have been given one (or leave blank if not) in the box marked 'Claim no'. The reference number should begin with HC and you should quote this number on all correspondence to the court. Leave the box marked 'Warrant number' blank. In the box marked 'Claimant's name' write or type the name of the applicant, and if you can, the full Court Funds Office Account reference. Unless there is a dispute with another party the box marked 'Defendant's name' should be left blank. Enter the date when you filled in and signed the application notice.

In Part 3, tell us that you are applying for a payment out of court (no draft order is required), with evidence and the circumstances why the money was paid into court and why you are now entitled to payment back.

Please leave parts 5, 6, 7, 8 and 9 blank, because applications are usually dealt with by correspondence on paper in the Chancery Division.

In Part 10 tick the box to indicate the evidence you are relying on to support your application and sign the relevant box below – the Statement of Truth **must** be completed.

Please send photocopies of documents as evidence. Do not send originals. Please say why the payment should be made to you providing any relevant documents such as grant of probate, letters of administration, birth, marriage, death or share certificates, title deeds etc. The evidence must say whether or not anyone else has any claim to the money or any part of it. You must do this whether or not you think that the claim to the money is or may be invalid.

If the money is from proceeds of sale of land or property directed to be paid into court under Acts of Parliament, anyone claiming to be entitled to the money paid in must not only verify their title but also say that they are not aware of any other claim to any or part of the money by any other person. You must make this clear in the Statement of Truth and say why it does not affect the application.

Further information required for payment

- bank name
- full address of bank branch
- sort code of bank branch
- account title
- account number
- evidence of identity (such as a copy of your passport, driving licence and utility bill)

Where to send the documents

Send the application, evidence and a cheque, postal order or banker's draft (payable to HM Courts & Tribunals Service) for the £50 court fee to:

The Miscellaneous Payments Team
Chancery Case Management
Ground Floor
The Rolls Building, 7 Rolls Buildings
Fetter Lane
London EC4A 1NL

Please note that the fee is non-refundable and the fee could be more than the money you are entitled to get back. It is your responsibility to make sure you make the appropriate enquiries before you apply for any money from the Court Funds Office.

If you have difficulty in proving your claim you can talk to Citizens Advice or a solicitor asking for the free legal advice scheme.

Dissenting shareholder claims - please make sure you have details relating to the holding or entitlement due to you, as some claims may be unsuccessful.

Important note

This court cannot conduct searches. It only deals with applications to pay funds out of court.

However if you believe that the Court Funds Office - which holds funds paid into court by courts in England and Wales - is holding funds you should go to the Court Funds Office website, www.gov.uk/find-court-money and search for unclaimed court accounts. This will show if anything is held under the name you are searching for.

If the person is known as a 'Dissenting Shareholder' whose entitlement relates to unclaimed funds lodged in respect of shareholdings, their individual name would not appear in the Unclaimed Balances Index.

If after doing that (even if you find nothing) you believe that the Courts Fund Office is holding funds you should write to:

Court Funds Office
Glasgow
G58 1AB
(DX: 501757)

Or phone 0300 0200 199 with all the relevant information and ask that office to make a search.