

# Notes for guidance on completing the application form to enforce a decision or ACAS conditional settlement (Form COT3) that requires permission of the court to proceed

The following notes are a step-by-step guide to completing form N322A. They tell you what information is needed for each of the paragraphs or sections in the form. It may assist you to consider leaflets EX328 and EX329 as they cover use of this form.

1. Complete details in either the decision or settlement box depending upon the type of your claim - a copy of your decision or ACAS settlement must accompany this application.
2. If you are enforcing an ACAS conditional settlement the rest of this section does not apply to you, go to section 1 - applicant's details.
3. If your claim is to enforce a decision of a Tribunal or a Court other than the High Court or the county court continue with this section.
4. Enter the name of the Tribunal or Court granting the order you wish to enforce.
5. Enter the reference given by that Court or Tribunal to your original case. This can be found on the original copy of your decision.
6. Enter the details of the section and Act that allows you to register this claim with the county court for enforcement (eg. section 36 Child Support Act 1991).

## Section 1 – Applicant's details

7. Enter your full contact details.

## Section 2 – Respondent's details

8. Enter the name and address of the person (company/firm) you are claiming the money from. This should be the same as the details quoted on the original copy of your decision or settlement which you must file with the application.

## Section 3 – Amount now owing

9. Enter in the total amount outstanding on your claim (do not include any of the court costs you will be paying to register or enforce your case in the court. These costs will be added later).

10. Each Tribunal and ACAS has its own rules and regulations regarding interest. If you are entitled to claim interest the details and the calculations should be entered in this section.

## Section 4 – ACAS conditional settlement (Form COT3)

11. If you are **not** enforcing an ACAS conditional settlement do not complete this section or section 5 - declaration in ACAS matters but go to section 6 - statement of truth.
12. Give the details of the first condition attached to your settlement in the first box.
13. Explain how you have complied with that condition in the next box.
14. Do the same for each of the other conditions (if more than one) using the next two boxes and an additional sheet(s) if necessary.

## Section 5 – Declaration in ACAS matters

15. In order to apply to register your settlement with the Court for enforcement you need to confirm to the Court that the Respondent has not applied for a declaration that the money owed to you is not payable. If you are certain this is the case then tick the box.

## Section 6 – Statement of Truth

16. This must be signed by you, by your solicitor or your litigation friend, as appropriate.
17. Proceedings for contempt of court may be brought against any person who signs a statement of truth without an honest belief in its truth.