

2009 No. 474

SUPREME COURT OF ENGLAND AND WALES
COUNTY COURTS, ENGLAND AND WALES

The Register of Judgments, Orders and Fines (Amendment)
Regulations 2009

<i>Made</i> - - - -	<i>3rd March 2009</i>
<i>Laid before Parliament</i>	<i>5th March 2009</i>
<i>Coming into force</i> - -	<i>1st April 2009</i>

The Lord Chancellor, in exercise of the powers conferred by sections 98(1), (2) and (3) and 108(6) of the Courts Act 2003(a), makes the following Regulations.

Citation and commencement

1. These Regulations may be cited as the Register of Judgments, Orders and Fines (Amendment) Regulations 2009 and come into force on 1st April 2009.

Amendment of the Register of Judgments, Orders and Fines Regulations 2005

2. The Register of Judgments, Orders and Fines Regulations 2005(b) are amended as follows.

3. In regulation 3 (interpretation)—

- (a) in the definition of “appropriate officer”, in paragraph (a), after “entered” insert “or with which a tribunal decision is filed”;
- (b) in the definition of “debt”, for “administration order or fine” substitute “administration order, fine or tribunal decision”; and
- (c) at the end of the definition of “Technology and Construction Court”, insert—
“;
“tribunal decision” includes an award”.

4. In regulation 5(a) (performance of steps under these Regulations)—

- (a) at the end of sub-paragraph (i), omit “and”;
- (b) in sub-paragraph (ii), after “applies” insert—
“; and
(iii) the registration of tribunal decisions to which regulation 8(1)(d) applies”.

(a) 2003 c. 39; sections 98(1) and (2) were amended by the Tribunals, Courts and Enforcement Act 2007 (c. 15), section 48(1) and Schedule 8, paragraph 55.
(b) S.I. 2005/3595.

5. In the heading to regulation 8, for “administration orders and fines” substitute “administration orders, fines and tribunal decisions”.

6. At the end of regulation 8(1)(c) (registration of judgments, administration orders, fines and tribunal decisions), insert—

“;

(d) subject to regulation 9A, every tribunal decision made by—

- (i) the First-tier Tribunal;
- (ii) the Upper Tribunal;
- (iii) an employment tribunal; or
- (iv) the Employment Appeal Tribunal,
in pursuance of which a sum of money is payable”.

7. After regulation 9 (exempt judgments – High Court and county courts), insert—

“Exempt tribunal decisions

9A Regulation 8(1)(d) does not apply until, pursuant to rule 70.5(2A)(a) of the 1998 Rules—

- (a) in the case of a tribunal decision made by the First-tier Tribunal or the Upper Tribunal, a copy of the tribunal decision is filed with the High Court or a county court; or
- (b) in the case of a tribunal decision made by an employment tribunal or the Employment Appeal Tribunal, a copy of the tribunal decision is filed with a county court.”.

8. At the end of regulation 10(h)(ii) (information contained in the appropriate officer’s return), insert—

“;

(i) in respect of a return sent by virtue of regulation 8(1)(d)—

- (i) the name of the court with which the tribunal decision was filed in accordance with regulation 9A; and
- (ii) the date on which the tribunal decision was filed with the court”.

9. At the end of the heading to regulation 11, insert “or tribunal decisions”.

10. In regulation 11 (cancellation or endorsement of entries relating to judgments of the High Court or a county court or tribunal decisions)—

- (a) in paragraph (1), after “court” insert “or to which regulation 8(1)(d) applies (tribunal decisions)”;
- (b) in paragraph (2)—
 - (i) in sub-paragraph (a), for “; or” substitute “or the date on which the tribunal decision was filed with the court in accordance with regulation 9A;”;
 - (ii) in sub-paragraph (b), after “reversed” insert—
“; or”
 - (c) the tribunal decision to which the entry relates has been set aside”; and
- (c) in paragraph (3), after “judgment” insert “or the date on which the tribunal decision was filed with the court in accordance with regulation 9A”.

11. In regulation 14 (cancellation of entries in the Register – additional provisions)—

- (a) at the end of paragraph (a), omit “or”;
- (b) in paragraph (b), after “registered” insert—

“; or”

(c) the date on which the tribunal decision was filed with the court in accordance with regulation 9A”.

12. In regulation 18(1) (application for, and issue of, a certificate of satisfaction), after “court)”, insert “or to which regulation 8(1)(d) applies (tribunal decisions)”.

13. In regulation 20(1) (amendment of the Register in respect of the amount registered)—

(a) at the end of sub-paragraph (a), omit “or”;

(b) in sub-paragraph (b), after “debt” insert—

“; or

(c) in the case of an entry to which regulation 8(1)(d) applies, a tribunal decision on appeal”.

14. In the heading to regulation 21, for “administration order or fine” substitute “administration order, fine or tribunal decision”.

15. In regulation 21(1) (correction of registered details of the judgment, administration order, fine or tribunal decision), for “administration order or fine” substitute “administration order, fine or tribunal decision”.

16. At the end of regulation 26(b) (removal of entries in the Register), insert—

“;

(c) by virtue of regulation 8(1)(d), six years from the date on which the tribunal decision was filed with the court in accordance with regulation 9A”.

Transitional provision

17. If, before 6th April 2009—

(a) any step is taken in the High Court or a county court to enforce a tribunal decision made by the First-tier Tribunal or the Upper Tribunal; or

(b) any step is taken in a county court to enforce a tribunal decision made by an employment tribunal or the Employment Appeal Tribunal,

regulation 7 of these Regulations is to apply to the tribunal decision as if a copy of the tribunal decision was filed with that court when that step was taken.

Signed on behalf of the Lord Chancellor

3rd March 2009

Bridget Prentice
Parliamentary Under Secretary of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Register of Judgments, Orders and Fines Regulations 2005 to make provision for registration of decisions and awards made by—

- (a) the First-tier Tribunal;
- (b) the Upper Tribunal;
- (c) employment tribunals; and
- (d) the Employment Appeal Tribunal,
pursuant to section 98(1)(f) of the Courts Act 2003.

In particular, these Regulations make provision for—

- (a) such decisions and awards to be registered when copies of the decisions and awards are filed with the High Court or a county court (regulations 4 to 8);
- (b) cancellation of entries relating to such decisions and awards in the Register, and endorsement of notices against entries (regulations 9 to 11);
- (c) certification as to payment in full of a debt owed under such a decision or award (regulation 12);
- (d) amendment of entries in the Register relating to such decisions or awards (regulations 13 to 15); and
- (e) removal of entries in the Register relating to such decisions or awards (regulation 16).

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