Application to enforce an ACAS settlement (Form COT3) and request a Writ of Fieri Facias

Name of court
Claim number (To be completed by the court)
Applicant
Respondent

The applicant applies to enforce an ACAS settlement in form COT3 dated ☐☐/☐☐/☐☐☐☐

Please attach the COT3 form to this application.

1. Applicant's details

Name of applicant

Applicant's address

Postcode ☐☐☐☐ ☐☐☐☐

Telephone no.

Ref.

Email address

Address for service *(if different from above)*

Postcode ☐☐☐☐ ☐☐☐☐

2. Respondent's details

Name of respondent

Respondent's address

Postcode ☐☐☐☐ ☐☐☐☐

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3. The amount now owing and the costs claimed

The amount of the settlement including costs £

To claim interest on the settlement please complete this section.

You must show details of your calculations.

[Interest on £ (as per the amount above)

from __/__/____ to __/__/____

at %]

or

[As shown in the attached calculation] £

sub-total £

Solicitor's costs £

Less amount paid £

Total now owing £

4. Declaration in ACAS matters

I certify that a declaration that this sum would not be recoverable against the respondent under the general law of contract has not been made and that no application for any such declaration is pending.

5. Requests

I request that the settlement be filed with the county court for enforcement and that an order be made for its enforcement in the High Court by Writ of Fieri Facias.

I intend to enforce the settlement by execution against goods in the High Court and require a certificate for that purpose.

6. Statement of truth

☐ I believe ☐ The applicant believes

that the facts stated in this application are true and that to (my own) (the applicant's) knowledge there are no applications or other proceedings pending.

Signed _____ Dated ☐☐/☐☐/☐☐☐☐

*(Applicant) (Litigation friend *(where applicant is a child or a Protected Party)*) (Applicant's solicitor or solicitor's agent)

**delete as appropriate*

Full name

Name of applicant's solicitor's firm

Position or office held

(if signing on behalf of firm or company)

7. To be certified by the court *(for court use only)*

I certify that the settlement, the original of which is attached, has been filed at the court and order enforcement in the High Court by Writ of Fieri Facias.

Dated ☐☐/☐☐/☐☐☐☐

Seal

An Officer of the Court

Please Note:

The settlement has been sent to the High Court for enforcement by Writ of Fieri Facias **only**.

The settlement **has not been transferred** to the High Court. Applications for other methods of enforcement or ancillary applications **must** be made to the county court in which the settlement was filed, unless it has since been transferred to a different court, in which case it must be made to that court.

8. Request for Writ of Fieri Facias

In the High Court of Justice

Queen's Bench Division

(Sent from the _____ County Court by

Certificate dated the ___ day of _____)

High Court Enforcement Number

County Court Claim Number

Address of (Debtor)

Seal a Writ of Fieri Facias directed to:

_____ ,

an enforcement officer authorised to enforce writs of execution from the High Court.

against

for:

A. the sum of:

(a) debt **£**

(b) costs and interest **£**

(c) subsequent costs *(if any)* **£**

B. and interest thereon at _____ % per annum from the date of transfer and costs of execution.

Signed

Address for service

Date ☐☐/☐☐/☐☐☐☐