

1/02

IN THE ENFORCEMENT OF JUDGMENT OFFICE

PRACTICE DIRECTION NO. 1 OF 2002

THE HUMAN RIGHTS ACT 1998

This Act came into force on the 2 October 2000 to bring the provisions of the European Convention of Human Rights into force of domestic law in the United Kingdom. The Act places the responsibility on the domestic Court to put compliance with the Convention before adherence to domestic law.

1. **No cases** will be accepted under Articles 95 and 96 of the 1981 Order - *Procedure for recovery of certain admitted debts* - without a direction from the Master.
2. **No warrant for arrest** of any person will issue without the express authorization of the Master.
3. **No seizure of goods** will take place under Article 32 of the 1981 Order, which authorises the Office, under certain circumstances, to seize the goods of the debtor's spouse - without a direction from the Master.
4. In the execution of all **Orders for Possession** of premises only those persons whose names appear on the Order as Defendants or Notice Parties shall be evicted from the property unless the Master (Enforcement of Judgment Office) otherwise directs. If it appears that there are persons of full age claiming a right to possession in occupation of the property, no eviction of such persons will take place until such a direction or an order has been obtained. In all such cases the officer/s involved should seek a direction from the Master as soon as the claim of such non-party is ascertained.
5. **All hearings** before the Master, whether on an existing list or *ex parte*, are *Public hearings* unless the Master expressly directs that in the interests of Justice, any persons or the public are to be excluded from attending at any sitting.

Paragraph 4 has
been superseded
by PD No 5/14

2nd October 2002

J CHRISTOPHER NAPIER
MASTER (Enforcement of Judgment Office)