

Notes for guidance on completing the application form to enforce a decision or ACAS settlement (Form COT3) that does not require permission of the court to proceed

The following notes are a step-by-step guide to completing form N322B. They tell you what information is needed for each of the paragraphs or sections on the form. It may assist you to consider leaflet EX328 as it covers use of this form. If you are trying to enforce an ACAS conditional settlement or a decision which requires a court order to proceed, you must use form N322A.

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 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 Tribunal or Court to your original case. This can be found on the original copy of your decision.
6. Enter details of the section and Act that allows you to file this claim with the county court for enforcement (eg. section 15(1) Employment Tribunals Act 1996 for an order from an Employment Tribunal).

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 enforce your case in the court. These 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 – Declaration in ACAS matters

11. If you are **not** enforcing an ACAS settlement do not complete this section but go to section 5 - statement of truth.
12. If you are enforcing an ACAS settlement you must 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 5 – Statement of Truth

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