



Northern Ireland

Judicial auctions - Northern Ireland

The Enforcement of Judgments Office (EJO) is a branch within the Northern Ireland Courts and Tribunal Service (an agency of the Department of Justice) and is responsible for the enforcement of civil court orders in Northern Ireland relating to money, goods and property. The Judgments Enforcement (Northern Ireland) Order 1981 allows for the seizure and sale of goods to satisfy an amount of money recoverable on foot of a judgement.

The EJO has a number of powers to enforce the payment of a debt under a money judgement made by a court order. These powers include an order of seizure made under Article 31 of the Judgments Enforcement (Northern Ireland) Order 1981.

Under the 1981 Order, the EJO has the right to seize property and sell it off at auction using the net proceeds of sale (after payment of the costs and expenses of seizure) to pay the unpaid debts (see Articles 31, 34 and 40 of the 1981 Order). In the execution of an Order of Seizure, the EJO has the right, under Article 38 of the 1981 Order, to enter any land occupied or used by a debtor, their spouse or any of his defendant or, in some circumstances, land occupied or used by any other person.

The EJO may issue this type of Order (upon application to the Master under Rule 30 (1) of the Judgments Enforcement Rules (Northern Ireland) 1981) when it appears that there are sufficient sizeable goods to satisfy the debt. In practice, it will look for other relevant means of enforcement such as an Attachment of Earnings Order (whereby a sum of money is deducted from the debtors salary) before deciding to make an application to the Master for an Order of Seizure.

There are limitations on the types of goods that can be seized (for example, the debtors clothes and essential household furniture cannot be seized (see Article 33 of the 1981 Order).

Rule 30 - 33 of The Judgment Enforcement (Northern Ireland) Rules 1981 sets out the procedure followed by the EJO in respect of the making of an order of seizure.

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