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Where You As A Business Are Seeking Payment Of A Debt From An Individual.

The Civil Procedure Rules set out the specific information to be provided in a debt claim by a Claimant who is a Business (you) against a Defendant who is an Individual. The information should be provided by you to your Debtor before you instruct us to send a Letter Before Action.

The Rules provide that you should :-

1. Provide details of how the money can be paid (for example the method of payment and the address to which it can be sent).
2. State that the Defendant can contact the Claimant to discuss possible repayment options and provide the relevant contact details.
3. Inform the Defendant that free independent advice and assistance can be obtained from organisations. The Rules list some of the organisations available; which include National Debtline on 0808 808 4000; Citizens Advice; Community Legal Advice on 0845 345 4345.

Please ensure that your invoices, statements or chasing letters that you send to your Debtor, before you instruct us, contain this information. You could have difficulty in claiming your costs if your Debtor states that he did not have this information.

If the Individual Defendant responds to the Letter Before Action informing you that he is seeking Debt Advice, he should also inform you who he is seeking advice from and when he expects to be in a position to provide a full response. The Rules state you should allow a Defendant a reasonable time of up to 14 days to obtain Debt Advice. However you need not allow any time if you know that the Defendant has already received relevant Debt Advice and his circumstances have not significantly changed; or the Defendant has previously asked for time to seek Debt Advice but has not done so.

These requirements only apply where your Debtor is an Individual

