



**Have you had a CCJ registered
against your Company?**

**How do you protect your company
from enforcement of that CCJ?**

Automatic Actions

Firstly you need to know what a creditor can do once they have obtained judgement against your Company before you can consider how to protect your company from that enforcement process.

When a CCJ is obtained against you there are no automatic actions as regards to the enforcement of the Judgment.

The only automatic actions are purely administrative and include such things as:

1. The Judgment is registered on the Court file,
2. The CCJ is also filed with an organisation called Registry Trust, who produces lists of County Court Judgements made available to third parties, and
3. Finally the CCJ is sent to you by the Court it was made in to advise that a judgment has been made against your company.

Creditors Options

Once a creditor has obtained a CCJ against your company they then have several options to consider which all will require them to pursue the case further. These options include:

- **Seizure of Goods by a bailiff** – This action is otherwise known as a Warrant of Execution and requires the claimant to apply to the court and instruct Bailiffs to attend your property to remove assets. Any assets owned by the company may be removed by them.
- **Statutory Demand** – Once a creditor has obtained judgment they are able to serve a demand on the company requesting payment within 21 days. This document must be served on the company and may require a third party to deliver it, otherwise known as a Process Server. If payment is not made or an agreement reached within the 21 days then the creditor can apply to court for a Winding Up petition and this is considered the first step to Liquidation via the Court.
- **Charging Order** – As the CCJ is a way of confirming the debt owed by the company the claimant may apply for a charge to be registered against any property owned by the company. This effectively will transform any unsecured debt to a secured debt by way of a charge. This debt will continue to incur interest and if repayments are not made then the creditor may be able to force the sale of the property in relation to which the charge is secured on.
- **Third Party Debt Order** – The Claimant can apply to court for an order that the company's bank pays the debt from the company bank account (if in credit) without your authority.

Your Options

Whilst all of the above may sound as if the claimant holds all of the cards we can work with you to avoid the above actions taking place.

DCA Business Recovery provides a free in confidence meeting at our offices or a convenient location at which we will advise you of your options and the consequences of each of the above.

This may mean that the company needs to enter into a formal Insolvency procedure in order to safeguard assets and cash held at bank from creditor recovery action. Equally if a formal Insolvency procedure can be avoided then we will also provide you with the information required to prevent or react to such actions by creditors via informal methods.

To arrange a free meeting or to discuss your options please contact us on our **Freephone Helpline on 0800 066 2544.**