

# Notes for defendant

## Directors disqualification application

**Please read these notes carefully - they will help you to decide what to do about this claim.**

- You have 14 days from the date on which you were served with the claim form (see below) in which to respond to the claim by completing and returning the acknowledgment of service enclosed with this claim form. The acknowledgement of service should be completed and returned to the court office and a copy sent to the claimant named on the claim form.
- If you **do not return** the acknowledgment of service (Form N502), you will be allowed to attend any hearing of this claim but you will not be allowed to take part in the hearing unless the court gives you permission to do so.

**Court staff can tell you about procedures but they cannot give legal advice. If you need legal advice, you should contact a solicitor or Citizens Advice Bureau immediately**

## Responding to this claim

### Time for responding

The completed acknowledgment of service must be returned to the court office and a copy sent to the claimant named on the claim form within 14 days of the date on which the claim form was served on you. If the claim form was

- sent by post, the 14 days begins 7 days from the date of the postmark on the envelope.
- delivered or left at your address, the 14 days begins the day after it was delivered or left.
- handed to you personally, the 14 days begins on the day it was given to you.

### Completing the acknowledgment of service (N502)

You should complete section A, B, or C as appropriate and all of section D.

### Section A - contesting the claim

If you wish to contest the remedy sought by the claimant in the claim form, you should complete section A.

### Section B - mitigation

If you do not wish to resist the claim for a disqualification order, but would like to offer evidence of mitigating circumstances with a view to justifying a shorter period of disqualification, you should complete section B.

### Section C - disputing the court's jurisdiction

You should indicate your intention by completing section C and filing an application disputing the court's jurisdiction within 14 days of filing your acknowledgment of service at the court. The court will arrange a hearing date for the application and tell you and the claimant when and where to attend.

### Section D - Statement of truth

This must be signed by you, by your solicitor or your litigation friend, as appropriate.

Where the defendant is a registered company or a corporation the claim must be signed by either the director, treasurer, secretary, chief executive, manager or other officer of the company or (in the case of a corporation) the mayor, chairman, president or town clerk.

### Written evidence

Any evidence which you wish to be taken into consideration by the court must be filed in court within 28 days from the date of service of the claim form upon you. The evidence must be in the form of an affidavit.

### Serving other parties

At the same time as you file your affidavit evidence with the court, you must also send copies of both the form and any written evidence to the claimant named on the claim form.

### What happens next

The date of the first hearing of the claim is set out under 'Hearing'.