

The reference in these rules to numbered forms means the forms as numbered in Appendix A hereof, and the appropriate form in the said appendix shall be used in all proceedings to which they apply.

1. The Clerk shall keep for each Court a Judgment Summons Record Book in the form No. 1. The Clerk shall enter in the said book the particulars therein required, taken from the application for a judgment summons, whether such judgment summons is applied for in respect of a judgment or order of that Court or any other Court. Every judgment summons shall be entered in the Record Book in numerical order in each year. No judgment summons shall be issued out of the Court or entered in the Record Book unless and until an application in the form prescribed, together with the necessary affidavit, has been filed in the Court. Every such application shall give in full the names and last known place of address and occupation of the parties in all cases where the same are known.

2. No order under section 6 of the Act shall be made unless a summons to appear and be examined on oath (hereafter called a "judgment summons") shall have been served personally on the judgment debtor. Every order made on a judgment summons shall be recorded in the Civil Record Book of the Court.

3. Every application for a judgment summons under the Act shall be in writing, according to the prescribed form, signed by the judgment creditor or his solicitor, or an agent duly authorized in writing by such judgment creditor; and every such application shall be accompanied by an affidavit made by the applicant, his solicitor or agent as aforesaid, in the appropriate form, or by a statutory declaration to the like effect.

4. When a judgment creditor desires and is entitled to apply to a Magistrate's Court for a judgment summons in respect of any judgment or order of any other Court, he shall obtain from the Clerk or Registrar of such other Court a certified copy of such judgment or order in the form prescribed under the general rules of this Court or of the Court in which the judgment or order was obtained, and shall file the same in the Court out of which he desires to obtain the issue of such judgment summons.

5. Whenever a certified copy of any judgment or order is obtained under the foregoing rule the Clerk or Registrar shall make on the minute of such judgment or order a memorandum of having given such certificate, and no warrant of execution against the goods of the judgment debtor, or judgment summons, or other process shall issue upon such judgment or order out of such other Court issuing the certificate unless it be proved to the Clerk or Registrar thereof that such certificate has not been filed in any Court as in the next rule provided.

6. Whenever any judgment creditor presents to the Clerk any certificate as in the preceding rule mentioned, such Clerk shall enter the particulars thereof in the Civil Record Book of the said Court, and shall add to such entry in the said Civil Record Book the following memorandum: "I certify that the foregoing judgment [or order] was entered herein pursuant to a certified copy of a judgment [or order] of the Court at , which said copy bears date the day of , 19 , " and shall sign the same, adding his official designation and the date of such entry, and shall file the said certified copy as a record of the Court, and thereafter such judgment shall for all purposes be deemed to be the judgment of such Court: Provided that for the purposes of the Act any such judgment may again be removed into any other Court in the same manner in all respects as if it were an original judgment of the Court in which the certificate was filed, and the rules shall apply accordingly to every such removal.

7. Upon such entry being made as in the preceding rule provided the Clerk shall, on application under Rule 3 hereof, issue a judgment summons in the prescribed form, as if such judgment or order had been originally given or made in the Court issuing such judgment summons.

8. Whenever, pursuant to section 139 of the Magistrates' Courts Act, 1908, a judgment creditor desires to obtain the issue of a judgment summons calling upon the judgment debtor to appear in a Court other than the Court giving the judgment or making the order, he shall lodge with the Clerk of the Court giving the judgment or making the order an application in the prescribed form, and no such application shall be received by such Clerk unless and until the particulars required by such form have been properly filled in and an affidavit verifying the same has been made and filed with such application.

9. On receipt of such application and verifying affidavit as in the foregoing rule provided the Clerk shall prepare and sign a judgment summons in the prescribed form, and shall certify on such summons the amount still due on such judgment or order, as the same appears from the record of the said judgment or order, and the application for the issue of such summons. Every such certificate shall be conclusive as to the amount owing on such judgment or order, unless the contrary be proved by the judgment debtor at the hearing of such judgment summons.

10. The Clerk signing such summons, after entering the particulars thereof in the Judgment Summons Record Book of the Court, shall issue the same and forward it to the Clerk of the Court for hearing, who shall enter the particulars thereof in the Judgment Summons Record Book of the said Court, and appoint a day for the hearing of the said summons, and the same shall be served out of the Court for hearing.