

Claim No.

**IN THE HIGH COURT OF JUSTICE OF THE ISLE OF MAN
CIVIL DIVISION**

	PROCEDURE				
<p>Parties</p> <table border="1" data-bbox="363 622 1066 927"><tr><td data-bbox="363 622 1066 757"></td><td data-bbox="1066 622 1401 757">Claimant(s)</td></tr><tr><td data-bbox="363 792 1066 927"></td><td data-bbox="1066 792 1401 927">Defendant(s)</td></tr></table>			Claimant(s)		Defendant(s)
	Claimant(s)				
	Defendant(s)				
<p>Full name of applicant (identifying if you are the claimant or defendant)</p>					
<p>Applicant is</p> <ul style="list-style-type: none">• the/ one of claimant(s)• defendant(s)• other (specify)• seeking a hearing of more than 2 days <i>(additional fee required)</i>					
<p>Description of order applied for (use numbered paragraphs)</p>					

State briefly why the order is applied for
(use numbered paragraphs)

State how the applicant wishes the application to be dealt with:

At a hearing	Without a hearing
At a telephone hearing	

How long is the hearing expected to last?

days	hours	minutes
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Is this time estimate agreed by all the parties? Yes No

Give details of any existing fixed trial date or period

The information relied on in support of this application is in

the attached witness statement
the statement of case/particulars of claim / defence *

All evidence must be typed

the evidence set out below

*indicate as appropriate

Evidence in support
(use numbered paragraphs)

If you need to continue on a separate sheet please use the prescribed form – ‘HCC CONTINUATION SHEET’

Statement of truth [I believe] [The applicant believes] that the facts stated in this section (and any continuation sheets) are true. indicate as appropriate	
Signed (type or print full name here) [Applicant] ['s advocate] [Litigation friend] indicate as appropriate	
Name of applicant's advocate's firm	
Position or office held (if signed on behalf of a company or other corporation):	
Date	
Applicant or applicant's advocate's address in the Isle of Man (including postcode) to which documents should be sent:	Telephone no.
	Fax no. (if appropriate)
	E-mail (if appropriate)
	Reference (if any)

Notes for guidance

Court staff cannot give legal advice. If you need information or advice on a legal problem you should contact an advocate.

Court fee

A court fee may be payable, depending on the type of application you are making. Court staff can give you information about fees.

Completing the form

Heading

Enter the claim number, procedure and parties as on the claim form.

Description of order

Set out what order you are applying for e.g. to set aside a judgment entered against me on (date).

A typed draft of the order must be attached to the application.

Reasons for order

Set out the reasons why you are applying for the order.

Hearing

Most applications will require a hearing and you will be expected to attend. The court will allocate a hearing date and time for the application. Please indicate in a covering letter any dates that you are unavailable, with reasons, within the next 8 weeks.

The court will only deal with the application without a hearing in the following circumstances.

- where all the parties agree to the terms of the order being asked for;
- where all the parties agree that the court should deal with the application without a hearing, or
- where the court does not consider that a hearing would be appropriate.

If your application includes a request that the application or part application be dealt with by a telephone hearing the court may grant or refuse such request.

Duration of hearing

If you do not know how long the hearing will take, do not guess but leave these boxes blank.

For a hearing of more than 2 days an additional fee is required. Court Office staff can tell you how much you have to pay. Alternatively, you can view the current Fees Order at www.courts.im.

Information relied on

In this section set out the information you want the court to take account in support of the application you are making.

- If you wish to rely on a witness statement, tick the appropriate box and attach the typed statement to the application notice. A witness statement form is available on request from the Courts Office.
- If you wish to rely on a statement of case or if you intend to rely on your particulars of claim or defence in support of your application, tick the appropriate box.

- If you wish to rely on written evidence on this form, tick the third box and enter details in the space provided. You must also complete the statement of truth. Proceedings for contempt of court may be brought against a person who signs a statement of truth without an honest belief in its truth.

Signature

The application must be signed and include your current address and contact details. If you agree that the court and the other parties may communicate with you by telephone, fax or email, complete the details before taking or sending the form to the Courts Office, Isle of Man Courts of Justice, Deemsters Walk, Bucks Road, Douglas Isle of Man IM1 3AR.

Address

Insert in this box the address at which you wish to receive documents. The address must be in the Isle of Man. If you are willing to receive documents by fax or e-mail, add details.

Service of application notice

You must take or send a copy of the application notice, with a copy of the draft order and of any witness statement, to every other party.

If a respondent resides outside of the Isle of Man service must be effected pursuant to any relevant order after application is made to the court. Use form HC8C Application Notice (permission to serve outside the jurisdiction) to make your application.

What happens next

If you have asked for the application to be dealt with without a hearing, the Courts Office will refer it to a judge, who will decide whether it is suitable for consideration without a hearing, and may give directions as to the filing of evidence.

If you have asked for a hearing, or the judge decides that the application is not suitable for consideration without a hearing, the Courts Office will notify you of the time and place of the hearing.

You must then notify the other parties of the time and place of the hearing. If the judge directs that any other person should be served with the application, you must also notify them of the time and place of the hearing, and take or send a copy of the application notice, with a copy of the draft order and of any witness statement, to them.