

## England & Wales

This document outlines the costs and fees involved at each stage of the debt collection process. Please be aware that invoices are issued to you on the last working day of each week. We may invoice at more frequent intervals. Our terms are 7 days.

### Stage One

To begin the debt collection process where the debtor is a limited company or a firm (partnership) we can send either a Letter Before Action to the debtor, which requests payment from the debtor within seven days or alternatively a Late Payment Demand, which not only claims your basic debt but also claims interest, compensation and your reasonable debt collection costs under the Late Payment of Commercial Debts (Interest) Act 1998, provided both parties were acting in the course of business. Letters Before Action and Late Payment Demands are sent by first class post to safeguard your costs however you can send a copy of the letter via email.

**Letter Before Action only £25.00 (+ VAT) Standard LBA**

**Late Payment Demand only £25.00 (+ VAT) LPD**

#### **Suing individuals.**

To begin the debt collection process where the debtor is an individual the Pre-action Protocol for Debt Claims is applicable. It will only affect you when your debtor is an individual. Our charge is £35 plus VAT and is applicable to letters containing up to 16 printed sheets of A4 paper and postage. When the letter contains between 17 and 50 printed sheets the actual additional postage will be charged in addition to the £35 plus VAT. 50 printed sheets is the maximum we will include in a pre-action protocol letter. Pre-action Protocol can only be sent by first class post.

Please note that if the debt is paid at this stage you will **not** be charged any of the costs or fees listed below.

#### **What is included in the price at stage one**

We will set the debtor account up on our system and create and send the letter to the debtor by first class post. If you have selected the option we will also email a copy of the letter to the debtor.

We will email you to inform you we have done this.

When the debtor sends Thomas Higgins Limited payment we will bank the money into our client account. We will email you the client and in most cases acknowledge to the debtor we have processed the payment. Once the payment has cleared in our client account we will send the payment to you by bank transfer.

If we receive any correspondence from the debtor via post or email we will send you the client a copy. If the debtor has requested, we will acknowledge receipt to the debtor.

All the above information and copies of any letters and past invoices are available on our online website and our apple and android app.

If you the client receives payment you can close your file and enter payments on the website or app. When a case is at stage 1, we will automatically close the file after 6 weeks. If the case has not been progressed to stage 2 we will then completely remove the case from our systems after 6 months.

#### **Time Scales of letters**

The debtors have 7 days to pay from the date of the Letter Before Action and Late Payment demand, and 30 days for Pre-Action Protocol. We will send you the client an email or a push notification on the app when the debtor is due to move onto Stage 2. The system will not allow you to move to stage 2 if the case is not ready to proceed.

#### **Who will be dealing with your Debt Collection.**

Our Debt Collection team of legal clerks have over 200 years' experience on recovering debts. The team is headed up by Mrs Barbara Higgins Managing Director and Supervisor and her deputy Sherry Falconer, New Clients Kelly Sadler, Court Action Cathy Harvey, High Court and County Court Enforcement Ray McGuffie.

#### **Cost on Account**

When issuing first stage letters we will ask you to pay for these letters on our website or app via credit or debit card, we accept Master Card, and Visa credit and debit cards and Apple pay. We send all our vat invoices on a weekly basis.

# Stage Two

## Court Actions in England and Wales

All claims under £100,000 are issued through the County Court Business Centre. VAT is charged on costs, not fees and is not recoverable from the Debtor, but can be reclaimed by you if VAT registered (unless exceptionally you operate under the VAT Flat Rate Scheme).

Claim Value	Costs (+ VAT)	Court Fees	Total (+ VAT on Costs)	Standard LBA Debtor Pays	Standard LBA Non-Recoverable Costs	LPD Debtor Pays
£25 to £200	£80	£35	£115	£85	£30	All
£200 to £300	£90	£35	£125	£85	£40	All
£300 to £500	£100	£50	£150	£100	£50	All
£500 to £600	£130	£70	£200	£140	£60	All
£600 to £1,000	£150	£70	£220	£140	£80	All
£1,000 to £1,500	£170	£80	£250	£160	£90	All
£1,500 to £3,000	£180	£115	£295	£195	£100	All
£3,000 to £5,000	£230	£205	£435	£285	£150	All
£5,000 to £10,000	£250	£455	£705	£555	£150	All
£10,000 to £15,000	£300	5%*	5%* + £300	5%* + £100	£200	All
£15,000 to £50,000	£400	5%*	5%* + £400	5%* + £100	£300	All
£50,000 to £100,000	£500	5%*	5%* + £500	5%* + £100	£400	All

\* of the claim value.

The **Total** column is the amount you pay regardless of whether the debt has been paid at this stage. The **Debtor Pays** column is the amount the Debtor pays when an action is successful, this may be after our invoice. The Court calculate the fee on the total of the debt plus interest, which may put the Court fees and costs into the higher band. You will not recover the sum in the **Non-Recoverable** column for a standard LBA. There are very exceptional circumstances where we are able to cancel the court action on the day of processing. Where we are able to do so, a cancellation charge of no more than the equivalent non-recoverable costs element will apply, otherwise the total costs and fees will be payable.

### What you get when issuing a claim

Once we have received your instruction via the website or app, we will acknowledge that we have received your instruction via email if you have continuous updates set on your account.

We will check the information you have supplied and request any clarification and evidence if not already sent. If the debtor is a limited company we will check the status and address of the debtor on the company's house website, if we cannot find a match or the information is different from what you the client has sent us. We will email you for clarification and your instructions. We will prepare your claim to be sent to the Northampton County Court Bulk issuing court. We aim to do this the same day you send us your instructions and we will email you the client once we have issued the claim.

The following working day Thomas Higgins Limited will receive notification from the court that the claim has been issued. We will update the claim details on the website and app and we will write to the debtor with the details of the claim by first class post. The claim is sent by the court by first class post.

When the debtor sends Thomas Higgins Limited payment we will bank the money into our client account, we will email you the client and in most cases acknowledge to the debtor we have processed the payment, once the payment has cleared in our client account we will send the payment to you by bank transfer. If the payment is not for the full amount we will send a letter to the debtor requesting further payment and detailing how much is still owed, if you the client receives the payment you can enter this onto the debtor via the website or the app and request a chasing letter if the payment was not for the full amount.

You can also close the case on the website or app.

If we receive any correspondence from the debtor via post or email we will send you the client a copy and if the debtor has asked we will acknowledge the same to the debtor.

All the above information and copies of any letters and past invoices are available on our online website and our apple and android app.

### **Time Scales of Claims**

The debtors have 14 days to pay from the date of the date of service for England and Wales. We will send you the client an email or a push notification on the app when the debtor is due to move onto Stage 3, The system will not allow you to move to stage 3 if the case is not ready to proceed.

### **Defences, Acknowledgment of Service by the debtor**

If we receive from the debtor or via the court a defence and acknowledgment of service we will write to you via email with a copy of the defence or acknowledgment of service and let you know what you can do next. Matters referred to our litigation department may be charged at £100 to £160 plus VAT per hour. We will clearly notify you in writing before any hourly rate (i.e. £100-£160 plus VAT per hour) is to be incurred.

### **Who will be dealing with your Debt Collection?**

Our Debt Collection team of legal clerks have over 200 years' experience on recovering debts. The team is headed up by Mrs Barbara Higgins Managing Director and Supervisor and her deputy Sherry Falconer, New Clients Kelly Sadler, Court Action Cathy Harvey, High Court and County Court Enforcement Ray McGuffie.

### **Cost on Account**

When issuing court actions we will ask you to pay for this on our website or app via credit or debit card, we accept Master Card, and Visa credit and debit cards and Apple pay. We send all our vat invoices on a weekly basis.

# Stage Three

## Judgment & Enforcement in England and Wales

Action	Judgment Amount	Judgment Costs (+ VAT)	Enforcement Costs (+ VAT)	Enforcement Fees	Total (+ VAT on Costs)	Debtor Pays	Non-Recoverable Costs
Bailiff	£25 to £125	£32	£10	£91	£133	£115.25	£17.75
Bailiff	£125 to £300	£37	£10	£91	£138	£115.25	£22.75
Bailiff	£300 to £500	£37	£15	£91	£143	£115.25	£27.75
Bailiff	£500 to £600	£37	£15	£91	£143	£115.25	£27.75
HCEO	£600 to £1,000	£52	£55	£78	£185	£151.75	£33.25
HCEO	£1,000 to £1,500	£55	£65	£78	£198	£151.75	£46.25
HCEO	£1,500 to £3,000	£57	£75	£78	£210	£151.75	£58.25
HCEO	£3,000 to £5,000	£60	£85	£78	£223	£151.75	£71.25
HCEO	£5,000 to £10,000	£63	£100	£78	£241	£159.75	£81.25
HCEO	£10,000 to £15,000	£65	£110	£78	£253	£159.75	£93.25
HCEO	£15,000 to £50,000	£68	£120	£78	£266	£159.75	£106.25
HCEO	£50,000 to £100,000	£70	£130	£78	£278	£159.75	£118.25

The court calculate the **Enforcement Fee** on the Judgment total, which may put the fee into the higher band. If the debtor files an Acknowledgement of Service the costs increase by £3 for debts up to £5,000 and by £5 on debts over £5,000. The HCEO will collect their charges from the debtor direct. However, in the event of the HCEO being unsuccessful there will be an abortive fee, which is generally £75 plus VAT. We will automatically instruct the Enforcement Officer (HCEO) in every case over £600.00. Stage 3 costs are based on default proceedings where the High Court Enforcement Officer (HCEO) or Bailiff is instructed. **Judgment Costs** are calculated on the total of the balance of the debt plus the fixed costs and fees on issue plus interest.

Matters referred to our litigation department may be charged at £100 to £160 plus VAT per hour. We will clearly notify you in writing before any hourly rate (i.e. £100-£160 plus VAT per hour) is to be incurred.

### What you get when issuing a Judgment and Execution.

Once we have received your instruction via the website or app, we will acknowledge that we have received your instruction via email if you have continuous updates set on your account.

Thomas Higgins Limited will check to make sure the case is ready to issue the Judgment and Execution, once we have sent the instructions to the Northampton Bulk Issuing Court we will email you the client.

If we receive any correspondence from the debtor, county court bailiff or enforcement officer we will send you the client a copy via email and update the case on the website and app.

### Time Scales of Judgement and Execution

Usually 48 hours after Thomas Higgins Limited has sent the instruction to the Northampton Bulk Issuing Court we will receive notification that the Judgment and execution has been issued. We will then update the case details on the website and app and we will write to the debtor with the details of the Judgment and execution by first class post, if the debt is over £600.00 Thomas Higgins Limited transfers these up to the high court and we will instruct the enforcement officer to proceed to collect the debt. If the debt is under £600.00 we instruct the County Court Bailiff.

The enforcement officer will send by first class post a 7 day letter to the debtor requesting payment, after the 7 days the enforcement officer will attend the debtor's premises to collect the debt or take goods to the value outstanding. This will include their charges.

### Who will be dealing with your Debt Collection?

Our Debt Collection team of legal clerks have over 200 years' experience on recovering debts. The team is headed up by Mrs Barbara Higgins Managing Director and Supervisor and her deputy Sherry Falconer, New Clients Kelly Sadler, Court Action Cathy Harvey, High Court and County Court Enforcement Ray McGuffie.

### Cost on Account

When issuing Judgment and Execution we will ask you to pay for this on our website or app via credit or debit card, we accept Master Card, and Visa credit and debit cards and Apple pay. We send all our vat invoices on a weekly basis.



## Scotland & Northern Ireland (undisputed commercial debts)

This document outlines the costs and fees involved at each stage of the debt collection process. Please be aware that invoices are issued to you on a weekly basis for all work carried out in that week. We will send you a payment link via email to pay any costs and fees via credit or debit card. Our terms are 7 days.

### Stage One

To begin the debt collection process where the debtor is a limited company or a firm (partnership) we can send either a Letter Before Action to the debtor, which requests payment from the debtor within seven days or alternatively a Late Payment Demand, which not only claims your basic debt but also claims interest, compensation and your reasonable debt collection costs under the Late Payment of Commercial Debts (Interest) Act 1998, provided both parties were acting in the course of business.

**Letter Before Action only £25.00 (+ VAT) Standard LBA**

**Late Payment Demand only £25.00 (+ VAT) LPD**

#### Suing individuals.

To begin the debt collection process where the debtor is an individual the new Pre-action Protocol for Debt Claims is applicable from 1 October 2017. It will only affect you when your debtor is an individual. Our charge is £35 plus VAT and is applicable to letters containing up to 16 printed sheets of A4 paper and postage. When the letter contains between 17 and 50 printed sheets the actual additional postage will be charged in addition to the £35 plus VAT. 50 printed sheets is the maximum we will include in a pre-action protocol letter.

Please note that if the debt is paid at this stage you will **not** be charged any of the costs or fees listed below.

### Stage Two

#### Court Actions in Scotland, Northern Ireland

For these regions, Court Actions are issued through the County Court Money Claims Centre. VAT is charged on costs, not fees and is not recoverable from the Debtor, but can be reclaimed by you if VAT registered (unless exceptionally you operate under the VAT Flat Rate Scheme).

Claim Value	Costs (+ VAT)	Court Fees	Total (+ VAT on Costs)	Standard LBA Debtor Pays	Standard LBA Non-Recoverable Costs	LPD Debtor Pays
£25 to £200	£80	£35	£115	£85	£30	<b>All</b>
£200 to £300	£90	£35	£125	£85	£40	<b>All</b>
£300 to £500	£100	£50	£150	£100	£50	<b>All</b>
£500 to £600	£130	£70	£200	£140	£60	<b>All</b>
£600 to £1,000	£150	£70	£220	£140	£80	<b>All</b>
£1,000 to £1,500	£170	£80	£250	£160	£90	<b>All</b>
£1,500 to £3,000	£180	£115	£295	£195	£100	<b>All</b>
£3,000 to £5,000	£230	£205	£435	£285	£150	<b>All</b>
£5,000 to £10,000	£250	£455	£705	£555	£150	<b>All</b>
£10,000 to £15,000	£300	5%*	5%* + £300	5%* + £100	£200	<b>All</b>
£15,000 to £50,000	£400	5%*	5%* + £400	5%* + £100	£300	<b>All</b>
£50,000 to £100,000	£500	5%*	5%* + £500	5%* + £100	£400	<b>All</b>

\* of the claim value.

The **Total** column is the amount you pay regardless of whether the debt has been paid at this stage. The **Debtor Pays** column is the amount the Debtor pays when an action is successful, this may be after our invoice has been issued. The Court calculate the fee on the total of the debt plus interest, which may put the Court fees and costs into the higher band. You will not recover the sum in the **Non-Recoverable** column for a standard LBA. There are very exceptional circumstances where we are able to cancel the court action on the day of processing. Where we are able to do so, a cancellation charge of no more than the equivalent non-recoverable costs element will apply, otherwise the total costs and fees will be payable.

# Stage Three

## Judgment & Enforcement in SCOTLAND only

Application for Judgment	Costs (+ VAT)	Disbursements	Court Fees
Debt amount £25 to £125	£32		£119
Debt amount £125 to £300	£37		£119
Debt amount £300 to £500	£37		£119
Debt amount £500 to £600	£37		£119
Debt amount £600 to £1,000	£52		£119
Debt amount £1,000 to £1,500	£55		£119
Debt amount £1,500 to £3,000	£57		£119
Debt amount £3,000 to £5,000	£60		£119
Debt amount £5,000 to £10,000	£63		£119
Debt amount £10,000 to £15,000	£65		£119
Debt amount £15,000 to £50,000	£68		£119
Debt amount £50,000 to £100,000	£70		£119
Affidavit fee no exhibit		£14(+ VAT)	
Affidavit fee with exhibit		£16(+ VAT)	

If the debtor files an Acknowledgement of Service the costs increase by £3 for debts up to £5,000 and by £5 on debts over £5,000.

Application for Enforcement:	Costs (+ VAT)	Disbursements	Court Fees
To make an application	£100		£119
Registration fee	£39	£20	

### Scottish Messenger-at-Arms (Sheriff's Officer) Fees

Fees are dependent on the defendant's location (add 30% for remote rural areas) and the method of enforcement selected. The enforcement procedure in Scotland is significantly different from that in England and Wales. They proceed to each stage separately and render a fee note after completion of each step. Sheriff's fees may be recoverable from the defendant provided the Sheriff is successful. Fees quoted below are exclusive of VAT.

The feeing structure for Messenger-at-Arms is strictly regulated by the procedural laws issued by the Court of Sessions in Edinburgh. Scottish Officers of Court are not allowed to negotiate any kind of discount or deals with clients, therefore, regardless of which firm is instructed the fee will be exactly the same.

Service of Notice:	Scottish Messenger-at-Arms (Sheriff's Officer) Fee
Charge for payment	£123.10 to £160.03
Additional copy at same address	£24.28

<b>Attachment of Goods (if no payment following charge):</b>	<b>Scottish Messenger-at-Arms (Sheriff's Officer) Fee</b>
This is the process of attaching the debtor's goods. The goods are inventoried and valued. Ultimately they will be exposed for sale by auction if the debt remains unpaid. The fees for attachment are based on the value of the goods attached.	
Service of notice of entry if necessary	£13.63
Arranging and executing attachment where appraisal value is:	
£708 or under	£119.33
Over £708 and up to £2,845	£184.98
Over £2,845 and up to £28,648	10% of appraised value
Over £28,648 and up to £143,231	10% up to £28,648; 5% thereafter
Over £143,231	10% up to £28,648; 5% up to £143,231; 1% thereafter
Reporting attachment	£11.31

<b>Attachment of motor vehicle, heavy plant or machinery:</b>	<b>Scottish Messenger-at-Arms (Sheriff's Officer) Fee</b>
Arranging and executing attachment where appraisal value is:	
£708 or under	£119.33
Over £708 and up to £3,147	£184.98
Over £3,147 and up to £143,231	5% of appraised value
Over £143,231	5% up to £143,231; 1% thereafter
Reporting attachment	£11.31
Unsuccessful Attachment	£101.99

#### **Auction:**

The process of realizing the value of attached articles is held at a public auction. At the conclusion the Officer is required to submit a report to the Court. This is audited after which the Officer will disperse the funds. Fees for auction will differ depending on the nature of the goods to be disposed of and the Auctioneers used. Indicative costs should be requested on a case by case basis.

<b>Other Enforcement Procedures:</b>	<b>Scottish Messenger-at-Arms (Sheriff's Officer) Fee</b>
Earnings arrestment (charge for payment must be served first)	£80.64
Bank arrestment on one named bank	£123.10 to £160.03
All five main banks	£319.04
3 <sup>rd</sup> party arrestment	£123.10 to £160.03

<b>Inhibition (charge over property or land):</b>	<b>Scottish Messenger-at-Arms (Sheriff's Officer) Fee</b>
Property search	£19.50
Inhibition	£123.10 to £160.03
Additional defendant (at same address)	£39.61
Registering execution of inhibition	£22.63
Fee to register in Scotland	£25

## Judgment & Enforcement in NORTHERN IRELAND only

Enforcement in Northern Ireland is significantly different to England & Wales. The Enforcement of Judgment Office take full control of the enforcement process (once you have decided to proceed with enforcement). The EJO decide what steps to take and advise accordingly. Please note that this can be a long, slow process and can be quite costly.

Application for Judgment	Costs (+ VAT)	Disbursements	Court Fees
Debt amount £25 to £125	£32		£119
Debt amount £125 to £300	£37		£119
Debt amount £300 to £500	£37		£119
Debt amount £500 to £600	£37		£119
Debt amount £600 to £1,000	£52		£119
Debt amount £1,000 to £1,500	£55		£119
Debt amount £1,500 to £3,000	£57		£119
Debt amount £3,000 to £5,000	£60		£119
Debt amount £5,000 to £10,000	£63		£119
Debt amount £10,000 to £15,000	£65		£119
Debt amount £15,000 to £50,000	£68		£119
Debt amount £50,000 to £100,000	£70		£119
Affidavit fee		£14(+ VAT)	

If the debtor files an Acknowledgement of Service the costs increase by £3 for debts up to £5,000 and by £5 on debts over £5,000.

Application to register the Judgment:	Costs (+ VAT)	Disbursements	Court Fees
To make an application	£100		£119
Registration Fee	£39		

Application for Enforcement:	Costs (+ VAT)	Disbursements	Court Fees
Form 1		£28	
Enforcement of Judgments Office (EJO) search	£10	£28	
Bankruptcy search	£10	£28	
Form 3	£12		Variable *
Form 6 (debts over £3,000) - Application for questioning			£213

\* Fee is calculated based upon the amount of Judgment debt. We will inform you at this stage the value of the Court Fee.

Potential additional charges:	Costs (+ VAT)	Disbursements	Court Fees
Conditional order process server fee (per defendant)		From £100	
Debtor's travelling expenses (per defendant)		£15	
Registration of order charging land with land registry in Northern Ireland		Variable *	

\* Solicitor agent's fees (+ VAT). We will inform you at this stage.

Matters referred to our litigation department may be charged at £100 to £160 plus VAT per hour.





## Out of Jurisdiction Letters

### Stage One

To begin the debt collection process we can send either a Letter Before Action to the debtor, which requests payment from the debtor within seven days or alternatively a Late Payment Demand, which not only claims your basic debt but also claims interest, compensation and your reasonable debt collection costs under the EU Directive.

**Letter Before Action only £25.00 (+ VAT) Standard LBA**

**Late Payment Demand only £25.00 (+ VAT) LPD**

**We can send a Letter Before action anywhere in the world, but we cannot issue court action on the defendant.**