

Pre-Action Protocol DEBTOR's Reply Form.

You have 30 days from the date of the top of the enclosed Letter of Claim to fill in and return this form.

If you don't, it could result in court proceedings

If you have any questions or would like to discuss the debt, please call the business that sent you this form as soon as possible.

<i>Full Name:</i>	
<i>Address and Postcode:</i>	
<i>Email Address:</i>	
<i>Reference:</i>	

SECTION 1: Do you owe the debt?

Fill in one of the boxes in this section. Use more pages if you need to.

It is recommended that you seek debt advice if you have any doubt about whether you owe the debt and whether you can pay it now, or if you want advice on any rights and protections you may have.

BOX A

I agree I owe the debt.

Tick this box if you agree you owe the debt and agree the amount of the debt is correct.

IF YOU WILL PAY THE DEBT, GO TO SECTION 2.

IF YOU NEED DEBT OR LEGAL ADVICE, GO TO SECTION 3

BOX B

I owe some of the debt, but not all of it.

Tick this box if you agree you owe some of the debt, but not all of it, for example if you think too much interest has been added or you haven't been credited for payments you made in the past.

The amount of debt I owe to you is £.....

Say how much you think you owe.

I don't owe any more than this because

Explain on a separate piece of paper why you don't owe all of the debt. Give as much detail as possible and provide copies of any supporting documents.

IF YOU WILL PAY THE PART OF THE DEBT YOU OWE, GO TO SECTION 2.

IF YOU NEED DEBT OR LEGAL ADVICE, GO TO SECTION 3.

OTHERWISE, GO TO SECTION 4.

└ **BOX C**

I don't know whether I owe the debt.

Tick this box if you're not sure whether you owe the debt and/or you need help from a debt adviser to work out whether you should pay.

NOW GO TO SECTION 3.

└ **BOX D**

I dispute the debt.

Tick this box if you don't owe the debt, for example because the debt should be paid by someone else, because you have already paid it, or because there is a legal problem with the credit agreement.

I dispute the debt because

Explain on a separate piece of paper why you dispute the debt. Give as much detail as possible and provide copies of any supporting documents.

NOW GO TO SECTION 4.

SECTION 2: How will you pay?

Only complete this section if you ticked Box A or Box B in Section 1 and you want to pay now.

This letter from the business will tell you how to pay. Keep a record of the payments you make.

└ **BOX E**

I will pay what I owe now.

Tick this box if you agree that you owe all or part of the debt and you are able to pay what you owe now. You should pay using the payment details in the letter from the business. Keep a copy of any proof of payment you receive.

└ **BOX F**

I will pay but I need time to pay.

Tick this box if you agree that you owe all or part of the debt, but you can't pay right now.

If you offer to make repayments, you must be able to afford them. You should consider getting debt advice about how much you afford to pay. If you are seeking debt advice, complete Section 3.

My proposals for repayment are.....

Explain on a separate piece of paper how you intend to pay the debt. Say how much you could pay now and how you will pay the remainder. For example, say how much you could pay each week, fortnight or month and when your first payment would be made.

I have provided a Financial Statement showing my current financial situation:

- Yes
- No

To help the business ensure you can afford your proposed repayments, fill out the Financial Statement that is attached to this form. You should also attach a copy of any budget or financial statement that a debt advice organisation has helped you prepare.

SECTION 3: Do you intend to get, or are you already getting, debt advice?

Only complete this section if you are getting debt advice about whether you owe the debt or whether you can afford to pay.

┘ **BOX G**

I am getting or intend to get debt advice.

I am getting advice from

Insert the name and contact details of the person or organisation giving you advice.

I am getting advice about

Explain on a separate piece of paper what you are getting advice about, for example whether you owe the debt or how you could pay.

I have an appointment with an adviser on

If you have an appointment with a debt adviser, give the appointment date and time.

I can't obtain advice within 30 days of returning this Reply Form because

If it will take you longer than 30 days to get debt advice, explain on a separate piece of paper the reason for the delay and when you expect advice will be available.

NOW COMPLETE SECTION 4.

SECTION 4: What documents are you sending with this form? What information do you need?

Complete the boxes below if you want to provide or get more information.

┘ **BOX H**

I have provided documents.

Tick this box if you want to provide documents about the debt, for example you might want to provide a letter showing you have an appointment for debt advice or a receipt showing you paid some of the debt.

I have enclosed the following documents

Describe on a separate piece of paper the documents you have provided and why they are important.

┘ **BOX I**

I need more documents or information.

Tick this box if you need more information, such as copies of documents you don't currently have.

I need a copy of

.....
.....

Additional documents or information that you might need could include:

- *A copy of the written contract for the debt*
- *A full statement of account, including details of all interest and charges included on the outstanding balance of the debt, explaining how they have been calculated, and any payments already made toward the debt*
- *A calculation of the interest claimed 13*
- *The annual or daily rate of interest*
- *A description of the nature and amount of any administrative charges included in the debt*
- *A copy of the notice of assignment of the debt*

Signature

Print Name

Date

*Sign and date this Reply Form once you have filled it in. Then send it to the address given in the **Letter of Claim** from the business.*

MAKE SURE YOU KEEP A COPY OF THIS FORM FOR FUTURE REFERENCE.

If your circumstances change, please update the business as soon as possible.

Further details can be found at:

<https://www.justice.gov.uk/courts/procedure-rules/civil/pdf/protocols/pre-action-protocol-for-debt-claims.pdf>