|  |
| --- |
| DEFENCE / COUNTERCLAIM FORM |
| **FOR COURT USE ONLY**  |
| Case No. | Click here to enter text. |  |
| Date Filed | Click here to enter text. |
| \*Notes for guidance are available which will help you complete this form. Please read them carefully before you complete each section. |
| **SECTION 1 - DETAILS OF THE PARTIES** |
| * Please provide your details below.
 |
| **Full Name** | Click here to enter text. | **Case No. (if known)** | Click here to enter text. |
|  | **Nationality** | Click here to enter text. |
| **Address** | Click here to enter text. | **ID No.** | Click here to enter text. |
| **ID Type** | Click here to enter text. |
| **Telephone** | Click here to enter text. |
| **Fax** | Click here to enter text. |
| **Email** | Click here to enter text. |
| * Details of the party to who is making the claim against you (‘**The Claimant**’)
 |
| **Full Name** | Click here to enter text. | **Nationality** | Click here to enter text. |
|  | **ID No.** | Click here to enter text. |
| **Address** | Click here to enter text. | **ID Type** | Click here to enter text. |
| **Telephone** | Click here to enter text. |
| **Fax** | Click here to enter text. |
| **Email** | Click here to enter text. |
| **SECTION 2 – CONTESTING THE JURISDICTION OF THE COURT** |
| **Are you contesting the jurisdiction of the court?** |  | Yes |  | No |
| **If you are contesting the jurisdiction of the Court, please provide details below as to why you say the Court does not have jurisdiction to hear the case against you. You do not need to complete sections 3-6 but do need to ensure that you include any supporting evidence when filing this response with the Registry and serving it on the Claimant.** |
| Click here to enter text. |

|  |
| --- |
| **SECTION 3 – ADMITTING THE CLAIM** |
| **Do you admit the claim, or any part of it, against you?** |  | Yes |  | No |
| **If you have indicated ‘yes’, please explain below whether you admit the full claim or only part of it. If only part of it, please indicate which part(s) you admit.** |
| Click here to enter text. |
| **SECTION 4 – DISPUTING THE CLAIM** |
| **If you dispute the claim against you, or any part of it, please provide details below. Please set out, as briefly as possible, any facts relied upon and attach to this Defence any documents that are of particular importance. Please also identify any law (such as QFC Law or Regulations) which you consider relevant to your case.** |
| Click here to enter text. |

|  |
| --- |
| **SECTION 5 - COUNTERCLAIMS** |
| **If you wish to make a claim against the Claimant (a ‘counterclaim’) then please identify your reasons for doing so and briefly include any facts relied upon and attach any documents which are of particular importance. Please also identify any law (such as QFC Law or Regulations) which you consider relevant to your case.** **If you do not wish to make a counterclaim, please leave this section blank.** |
| Click here to enter text. |
| **SECTION 6 – SUPPORTING DOCUMENTATION** |
| **Are you submitting any additional documentation along with this Defence and Counterclaim Form? If so, please list the documents below and, if you have not already done so in the preceding sections, briefly explain why you are relying upon them.** |
| Click here to enter text. |
| **SECTION 7 – EXTENSIONS OF TIME** |
| **If you wish to contest the jurisdiction of the Court, you must notify the Registry and the Claimant (using this form) within 14 days of service on you of the Claim Form. If you are admitting or disputing the claim, or any part of it, you must file and serve a copy of this Defence on the Registry and the Claimant within 28 days\* of service (or deemed service) of the Claim Form. If you are responding out of time, you must explain why your response is late and why it would be in the interests of justice for the Court to consider it.****\**But if the Court has allocated the claim to the Small Claims Track, then you will need to file and serve a copy of this Defence within 14 days of service (or deemed service) of the Claim Form*.**  |
| Click here to enter text. |
| **SECTION 8 - LEGAL REPRESENTATION** |
| **Are you legally represented?** |  | Yes |  | No |
| * Please provide the following further information (if applicable):
 |
| **Solicitor’s Name** | Click here to enter text. |
| **Solicitor’s Address** | Click here to enter text. | **Telephone** | Click here to enter text. |
| **Fax** | Click here to enter text. |
| **Email** | Click here to enter text. |
| **Reference No.** **(if applicable)** | Click here to enter text. |
| **Counsel/Advocate’s name (if known and if different from the above)** | Click here to enter text. |
| **Counsel/ Advocate’s Address** | Click here to enter text. | **Telephone** | Click here to enter text. |
| **Fax** | Click here to enter text. |
| **Email** | Click here to enter text. |
| **Reference No. (if applicable)** | Click here to enter text. |
| **SECTION 9 - LANGUAGE** |
| **Proceedings before the Court will usually be conducted in English; however parties before the Court shall be entitled to conduct proceedings in Arabic if they wish to do so. Please state below whether you wish to have your case conducted in English or in Arabic (tick appropriate box).** |
|  | English |  | Arabic |

|  |
| --- |
| **SECTION 10 - ACKNOWLEDGEMENTS AND STATEMENT OF TRUTH** |
| I acknowledge that:1. If a completed Defence Form fails to meet the requirements of Article 20 of the Court’s Regulations and Procedural Rules, it will not be accepted by the Registry but will instead be returned to the party submitting it;
2. If you are contesting the jurisdiction of the Court, you must ensure that you notify the Registry and the Claimant (using this form) within 14 days of service on you of the Claim Form;
3. If you are admitting the claim (or any part of it) or are defending the claim, you must file and serve your Defence on the Registry and the Claimant within 28 days\* of the date of service, or deemed service, of the Claim Form [\**However, this period is reduced to 14 days if the claim is a Small Claim – please check the Letter of Issue to see whether the claim is a Small Claim]*;
4. To constitute valid service, a Defence Form (and any documents relied upon as part of the defence), must be served in accordance with Article 18.3 of the Court’s Regulations and Procedural Rules; and
5. Upon the determination of any claim, including any counterclaim, the Court has the power to make such orders as it thinks fit in relation to the issue of costs but that the general rule shall be that the unsuccessful party pays the costs of the successful party.
6. I have read and understood the corresponding Notes for Guidance prior to completing this form.
 |
| **STATEMENT OF TRUTH** |
|[ ]  I believe that the facts stated in this Defence/Counterclaim are true and I acknowledge and understand the points listed above. |
|[ ]  The Defendant believes that the facts stated in this Defence/Counterclaim are true and the Defendant acknowledges and understands the points listed above. I am duly authorised on behalf of the Defendant to sign this form. |
| **Full Name** | Click here to enter text. |
| **Name Of Defendant’s Solicitor’s Firm (If Applicable)** | Click here to enter text. |
| **Signed** | **Position or Office Held** |
|  | Click here to enter text. |
| \*(Defendant/Defendant’s Solicitor) | \*(if signing on behalf of a firm or company) |
| **Date:** Click here to enter a date. |  |