

Example wording of County Court claim made online for bank charges

“The claimant held a current account (*insert number*) with the defendant since before (*insert date*), until (*insert date*).

Between (*insert first date*) and (*insert last date*), the defendant made various deductions from the account in respect of: ‘unauthorised overdraft fees’ (levied daily/ monthly when the account debit balance exceeded the specified overdraft limit) and ‘debit under advice’ (levied if a cheque or direct debit payment was returned unpaid because the specified overdraft limit had been exceeded)¹.

If the defendant is able to establish that the contract between the claimant and the defendant did contain terms purporting to entitle the defendant to levy these charges, the claimant will contend that they are unenforceable at common law, being penalty clauses rather than being liquidated damages clauses.

The claimant claims from the defendant a sum equivalent to the total amount unlawfully debited to the claimant’s account during the above mentioned period, being (*insert total amount of all disputed charges*).

The claimant further claims interest pursuant to s69 of the County Courts Act 1984 at the rate of 8% per annum, being the sum of (*insert amount*).

The claimant further claims the court fee of (*insert amount*).”

¹ You must modify this wording and delete parts of it as appropriate to take account of which types of charges have been made against you. Also ensure that the ‘descriptions of charges’ mirror those in your bank statements. So if, for example, the statement says ‘late charges’ then so too must the claim.