

# Magistrates Court (Civil Jurisdiction) Rules 2004—Form 56

(see s 240 (1))

## Application by defendant for interpleader relief

*(Heading in form 1)*

I am the defendant in the above proceedings which have been brought for or in respect of the following debt, money or goods, namely:

The subject matter of the proceedings is claimed by

of

I apply for relief by way of interpleader in the proceedings.

The address for service of notices upon me is:

Dated 20 .

Defendant

### *Affidavit*

I, of make oath and say:

- 1 I am the defendant in these proceedings and the applicant for relief by way of interpleader.
- 2 I claim no interest in the subject matter in dispute in these proceedings other than for charges or costs.
- 3 I am not in collusion with the person who claims the subject matter in dispute in these proceedings.
- 4 I am willing to pay or transfer the subject matter in dispute in these proceedings into court.

## Endnotes

- 1 This form was originally in the *Magistrates Court (Civil Jurisdiction) Act 1982* (the **authorising Act**), schedule 1. Under amendments made by the *Legislation (Consequential Amendments) Act 2001*, the form was omitted from the authorising Act and became a form approved under section 471 of that Act (see amdt 1.2791, amdt 1.2793).
- 2 Under the *Court Procedures Act 2004* A2004-59, pt 8, this form became a form approved under that Act.
- 3 This republication includes amendments made under the Legislation Act, part 11.3 (Editorial changes).

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