

Magistrates Court (Civil Jurisdiction) Rules 2004—Form 74

(see s 294 (1))

Notice requiring financial information

To the Registrar:

The judgment creditor (the person to whom monies are to be paid by the judgment debtor by order of the Court) requests the issue of a notice requiring financial information. Judgment was made against the judgment debtor (the person required to pay money to the judgment creditor by order of the Court) on for \$..... and \$..... is still unpaid. There is no instalment order or garnishee order in force.

Dated:

Judgment creditor/
Solicitor for judgment creditor

To the Judgment Debtor:

The judgment creditor (the person to whom you owe money by order of the Court) has obtained judgment against you as indicated above and may now summon you to attend Court to be examined as to your property and financial circumstances. However, if you give complete answers to all questions attached and forward the form to the judgment creditor (or the judgment creditor's solicitor) at (*insert address for service of notice*) you may avoid being summoned to appear at the Court.

You may come to the office of the Court within 21 days and fill in an application form for an order to pay the judgment debt by instalments. This order may be made immediately by the Registrar or subsequently by the Court. If an order is made, the judgment creditor will not be allowed to

summon you to attend for examination or to take any other step for the enforcement of the judgment against you so long as the instalments are paid when due.

Registrar

	QUESTIONS	ANSWERS
1	What is your full name?	
2	What is your present address?	
3	What is your occupation?	
4	How many dependants do you support?	
5	Do you own or are you purchasing any real property (house/land)? Give details.	
6	Do you own or are you purchasing a motor vehicle? Give details.	

7	Do you own or are you purchasing any furniture, other than bedroom or kitchen furniture? Give details.	
8	Does any person owe you any money? Give details.	
9	Do you have any accounts with a financial institution (eg a bank, building society or credit union)? Give details including balances and whether held solely by you or jointly with any other person. Where possible give account numbers.	
10	Have you any personal property or assets held either in your name or jointly with any other person? Give details.	
11	Who is your employer? What is his/her address? How much do you receive weekly after income tax?	
12	What other sources of income do you have? Give details.	

14	What debts and other liabilities have you? Are there any judgments against you which have not been paid in full? Give details.	
15	What arrangements are you prepared to make to pay this judgment debt?	

Please sign

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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