

Supreme Court Rules 1937—Form 1.8

(see o 14 r 4)

Affidavit in support of application for default judgment for debt

In the Supreme Court of the Australian Capital Territory

No _____ of (*year*)

(*name/s*)

Plaintiff[s]*

(*name/s*)

Defendant[s]*

On (*date, eg 14 June 2005*), I (*name, address and occupation*) *[say on oath/solemnly affirm]—

1 [Set out the facts entitling you to make this affidavit.]

† [Set out the source of your knowledge of the facts deposed.]

† I believe that the defendant is indebted to me/the plaintiff* for the cause of action set out in the originating application (*dated*) for \$ _____, plus costs and interest accruing from the date of this affidavit to the date of judgment*, made up as follows:

Amount claimed in originating application: \$ _____

Less payments made or credit accrued: \$* _____

[If applicable: insert date and amount of any payments or credits made since the beginning of the proceeding that reduces the amount for which judgment is sought.]

Total of claim: \$ _____

[If applicable: explain any discrepancy between this amount and the amount claimed in the statement accompanying the originating application claiming for a debt or liquidated demand (form 1.3)]

Plus interest of: \$*

[If applicable: insert the amount on which interest is calculated, the rate of interest and the period for which the rate is applicable. Repeat for each change in the amount or rate of interest.]

Total amount claimed: \$

(excluding costs and interest accruing from the date of this affidavit to the date of judgment.)

† No payment has been made, and no credit has accrued, since the beginning of the proceeding that reduces the amount for which judgment is sought.*

† I am/The plaintiff* is entitled to claim interest on the total amount claimed mentioned above at the rate of \$ per day until the date of judgment.*

[If applicable: the interest is to be calculated in accordance with the Supreme Court Rules 1937, o 14 r 4 (3) or o 31 r 2(3).]

† I am/The plaintiff* is entitled to judgment for costs of \$ made up as follows:

[Insert particulars of how costs are made up.]

(signature of person making affidavit)

*[Sworn/Affirmed] at

before me:

(signature of person before whom affidavit is taken)

*[Justice of the Peace/Barrister/Solicitor/(other)]

**(delete if, or whichever is, inapplicable)*

† *Number as appropriate.*

Endnote

- 1 This form was originally in the *Supreme Court Rules 1937*. Under the *Court Procedures Act 2004* A2004-59, pt 8, the form became a form approved under that Act.

© Australian Capital Territory 2005