## **Supreme Court Rules 1937—Form 1.58**

(see o 43 r 12)

## Writ of fieri-facias

In the Supreme Court of the Australian Capital Territory

No of (year)

(name/s)
Plaintiff[s]\*

(name/s)
Defendant[s]\*

Elizabeth the Second, by the Grace of God Queen of Australia and her other Realms and Territories, Head of the Commonwealth.

To the Sheriff of the Territory, greeting:

We command you that of the real and personal estate of CD, in your bailiwick you cause to be made the sum of \$ and also interest ,1 which sum of money thereon at the rate of % per annum from and interest were lately before us in the Supreme Court of the Australian Capital Territory in a certain action [or matter there depending intituled 'In the Matter of etc' or as the case may be] wherein AB, is plaintiff and CD defendant by a judgment [or order, as the case may be] of our Court, bearing the date , adjudged [or ordered, as the case may be] to be paid by CD to AB, together with certain costs in the judgment [or order, as the case may be mentioned, and which costs have been taxed and allowed by the taxing officer of our Court at the sum of \$ as appears by the certificate of the taxing officer, dated . And that of the real and personal estate of CD in your bailiwick you further cause to be made the sum of \$ [costs] together with interest thereon at the rate of and that you have that money and interest before 15% per annum from

Approved form under Court Procedures Act 2004, s 8

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us in our Court immediately after the execution hereof to be paid to *AB* under the judgment [*or* order, *as the case may be*]. And in what manner you shall have executed this our writ make appear to us in our Court immediately after the execution thereof. And have there then this writ.

Witness etc

Indorsement

Levy \$ and \$ for costs of execution etc and also interest on \$ at 15% per annum (or other agreed rate) from until payment, besides Sheriff's poundage, officers' fees, costs of levying, the fees, expenses, and costs mentioned in the Supreme Court Rules 1937, order 43 rule 14, if and when incurred, and all other legal incidental expenses.

This writ was issued by of agent for

solicitor for the who resides at

The is a and resides at

in your bailiwick.

Note 1 Day of the judgment or order, or day on which money directed to be paid, or day from which interest is directed by the order to run, as the case may be.

\*(delete if inapplicable)

## 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.

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