## Magistrates Court (Civil Jurisdiction) Rules 2004—Form 59

(see s 241 (2) (d) (ii))

In the Magistrates

be released from execution;

## Security for property seized by bailiff under writ of execution

Nο

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111 till 1:100 Bistitute	1100 .
Court at Canberra	
Between	
	(Plaintiff)
	(Judgment Creditor)
and	
	(Defendant)
	(Judgment Debtor)
and	
	Claimant
<i>y</i>	matter was given or entered up in the Magistrates e abovenamed judgment creditor against the btor;
And whereas a writ of exe	ecution to enforce the judgment has been issued;
-	perty, namely has been seized by a xecution, which property has been claimed by the
	Magistrates Court (Civil Jurisdiction) Act 1982 ty to the value of the property, the property shal

Now this deed witnesses that we of (the abovenamed claimant) and of and of (the *sureties*) and our and each of our heirs, executors, administrators and assigns acknowledge ourselves to be

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Court Procedures Act 2004, s 8

jointly and severally bound to pay to the bailiff by whom the writ of execution was executed, in accordance with any order made for the enforcement of this security under the Act, such amount, not exceeding \*\$ as the claimant and sureties, or any of them, may be ordered to pay in or by any such order.

Signed and sealed this day of 20

Claimant: Witness:

Surety: Witness: Surety: Witness:

\* Insert value of property determined in accordance with the Act.

## **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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