

Magistrates Court (Civil Jurisdiction) Rules 2004—Form 59

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

Security for property seized by bailiff under writ of execution

In the Magistrates Court at Canberra No 20 .

Between

(Plaintiff)
(Judgment Creditor)

and

(Defendant)
(Judgment Debtor)

and

Claimant

Whereas judgment in this matter was given or entered up in the Magistrates Court in favour of the abovenamed judgment creditor against the abovenamed judgment debtor;

And whereas a writ of execution to enforce the judgment has been issued;

And whereas a certain property, namely has been seized by a bailiff under the writ of execution, which property has been claimed by the abovenamed claimant;

And whereas under the *Magistrates Court (Civil Jurisdiction) Act 1982*, upon the giving of security to the value of the property, the property shall be released from execution;

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

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).

© Australian Capital Territory 2005