

Magistrates Court (Civil Jurisdiction) Rules 2004—Form 87

(see s 343 (2))

Application for issue of writ of execution

To the Registrar:

I,
(full name, address and occupation)

make *oath and say/*affirm

- (1) I am the judgment creditor (or the judgment creditor's solicitor).
- (2) Judgment was entered against the judgment debtor on
- (3) I apply for the issue of a writ of execution to seize and sell property of the judgment debtor to recover \$, which is the amount now owing calculated as follows:

	\$
(i) Amount of judgment (including interest awarded by the court):
(ii) Judgment costs:
Subtotal
(iii) Less amounts paid or credited since judgment:
Subtotal
(iv) Plus interest from the date of judgment to the date of swearing this affidavit on so much of the judgment debt as remains payable from time to time calculated as follows:	
From . . / . . / . . to . . / . . / . . days @ . . %
From . . / . . / . . to . . / . . / . . days @ . . %
Subtotal

- (v) Plus:
- (a) Fees payable on this writ:
 - (b) Professional costs for the issue of this writ:
 - (c) Costs incurred since judgment:
- (summarise costs incurred)
- Subtotal
- And interest accruing at the daily rate of%
- Total amount owing**

(4) It is believed that the personal property of the judgment debtor can be found at.....
(address)

(5) I acknowledge that no payments will be accepted by or on behalf of the judgment creditor while the writ of execution remains in force without notifying the Registrar.

*Delete as applicable

Sworn (or affirmed) by the deponent at Canberra
in the Australian Capital Territory
on

.....
Deponent

Before me:

.....

Endnotes

- 1 This form was approved by the Attorney-General on 31 March 1995 by determination No 27 of 1995 under the *Magistrates Court (Civil Jurisdiction) Act 1982*, section 471.
- 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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