Template 6: Form 70 Enforcement Hearing Summons

**MAGISTRATES COURT OF QUEENSLAND**

|  |  |
| --- | --- |
| REGISTRY: [INSERT] |  |
| NUMBER: [INSERT] |  |

|  |  |
| --- | --- |
| Applicant/Enforcement Creditor: | [Insert your name] |
|  | AND |
| Respondent/Enforcement Debtor: | [Insert Debtor’s name] |

**ENFORCEMENT HEARING SUMMONS**

**Enforcement Creditor:** **[Your name]**

**Enforcement Debtor:** **[Debtor’s name]**

**TO:** **[Debtor’s name]**

**OF:** **[Debtor’s address]**

YOU ARE REQUIRED TO ATTEND an enforcement hearing before the Court at [address of Court] on [insert date] at [insert time] to answer questions about the enforcement debtor’s property and other means of satisfying the order debt; and

YOU ARE REQUIRED TO PRODUCE, at the hearing, the following documents and things:-

*[Insert description of document or things]*

This summons also requires you to complete a statement of the enforcement debtor’s financial position. *[Delete this sentence and the note below if not required]*

NOTE: The Statement of Financial Position must be in Form 71 or Form 71A to the *Uniform Civil Procedure Rules 1999*. It must be completed and forwarded to the enforcement creditor at [insert your address] at least 4 business days before the day set for the enforcement hearing.

|  |  |
| --- | --- |
| ENFORCEMENT HEARING SUMMONS | Name: |
| Filed on Behalf of the Enforcement Creditor  | Address: |
| Form 70, Version 3 |  |
| Uniform Civil Procedure Rules 1999 | Phone No: |
| Rule 808 | Fax No: |
|  | Email:  |

**NOTICE**

YOU ARE NOTIFIED that the time and place appointed for your attendance and examination is at the Court at [address of court] at [time] on [date].

Date of money order: [Insert date]

Amount outstanding as at [Insert date] is $[Insert]

IF YOU FAIL TO COMPLY with this summons you may be liable to punishment for contempt of Court.

And further, IF YOU FAIL TO ATTEND a warrant may be issued to arrest you and have you brought before the Court.

ISSUED WITH THE AUTHORITY OF THE MAGISTRATES COURT

Registrar: *[Registrar to sign and seal]*

Dated: [Insert date]

Example 6: Form 70 Enforcement Hearing Summons

**MAGISTRATES COURT OF QUEENSLAND**

 REGISTRY: Brisbane

 NUMBER: M100/22

Applicant: **JOHN SMITH**

 AND

Respondent: **SAM JONES**

**ENFORCEMENT HEARING SUMMONS**

Enforcement Creditor: **JOHN SMITH**

Debtor : **SAM JONES**

**TO: Mr Sam Jones**

of 1 Brisbane Road, Brisbane in the State of Queensland

**YOU ARE REQUIRED TO ATTEND** an Enforcement Hearing before the Court

at: the Brisbane Magistrates Court

on: \_\_\_\_\_\_\_\_\_\_\_

to answer questions about the Debtor 's property and other means of satisfying the order debt; and

**YOU ARE REQUIRED TO PRODUCE**, at the hearing, the following documents and things:

* 1. Copies of statements for accounts held in financial institutions (such as banks or credit unions) for the previous 3 months, including statements for any loan or mortgage accounts;
	2. Copies of documents relating to the ownership of any property or business that you have an interest in, including, but not limited to, share scripts, debentures, unit trust scripts, title deeds, vehicle registration papers and rates notices;
	3. Copies of any statements as to wage or salary income, including copies of 4 previous payslips (if applicable) and/or a current statement from Centrelink detailing the type and amount of any benefits received, as well as copies of any other documents showing other income such as commissions and royalties; and
	4. Copies of any documents showing debts you owe to someone else, or someone else owes to you.

|  |  |
| --- | --- |
| ENFORCEMENT HEARING SUMMONS | John Smith |
| Filed on Behalf of the Enforcement Creditor  | 1 Brisbane Road |
| Form 70, Version 3 | Brisbane QLD 4000 |
| Uniform Civil Procedure Rules 1999 | (07) 3232 0202 |
| Rule 808 | John.smith@gmail |

This summons also requires you to complete a statement of the enforcement debtor’s financial position.

**NOTE:** The statement of financial position must be in Form 71 or Form 71A to the *Uniform Civil Procedure Rules*. It must be completed and forwarded to the enforcement creditor at 1 Brisbane Road, Brisbane QLD 4000 within 4 business days before the day set for the Enforcement Hearing.

NOTICE

**YOU ARE NOTIFIED** that the time and place appointed for your attendance and examination is at the Court at 363 George Street, Brisbane, at \_\_\_\_\_\_\_\_\_\_\_am/pm on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of Money Order : 1 January 2022

Amount outstanding as at 6 April 2022is $10,000.00

**IF YOU FAIL TO COMPLY** with this summons you may be liable to punishment for contempt of Court.

And further, **IF YOU FAIL TO ATTEND** a warrant may be issued to arrest you and have you brought before the Court.

ISSUED WITH THE AUTHORITY OF THE BRISBANE MAGISTRATES COURT

Registrar:

Dated: