Template 8: Blank Form 9 Application for Enforcement Warrant or Instalment Order

**MAGISTRATES COURT OF QUEENSLAND**

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

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

**APPLICATION**

TAKE NOTICE that the Applicant (the **Enforcement Creditor**) is applying to the Court for the following orders:

1. An enforcement warrant for [Insert description of type of warrant] be issued under rule [Insert] of the *Uniform Civil Procedure Rules 1999* (Qld).

*OR*

*[For order for payment by instalments:]* An instalment order be made under rule 868 of the *Uniform Civil Procedure Rules 1999* (Qld) requiring the Respondent (the **Enforcement Debtor**) to pay the Enforcement Creditor by instalment payments.

1. The Enforcement Debtor pay the Enforcement Creditor’s costs (if any) of the application.

*[For enforcement warrant:]* The Applicant requests that this application be dealt with by the Registrar without a formal hearing, pursuant to rule 817(5) of the UCPR.

*OR*

*[For order for payment by instalments:]* The Applicant requests that this application be dealt with by the Registrar without a formal hearing under rule 868 of the UCPR.

Filed in the [INSERT] Registry on \_\_\_\_\_\_\_\_\_\_:

Registrar:

|  |  |
| --- | --- |
| APPLICATION | Your name |
| Filed on Behalf of the Applicant | Your Address |
| Form 9, Version 1 |  |
| Uniform Civil Procedure Rules 1999 | Your Phone No |
| Rule 31 | Your Email |

On the hearing of the Application the Applicant intends to rely on the following:

1. Form 74 Statement of [Insert your name] sworn/affirmed on [date statement sworn or affirmed].

Signed: [*Sign here*]

Description: [Your name]

Applicant/Enforcement Creditor

Dated: [INSERT]

This application is to be served on:

Respondent/Enforcement Debtor

[Debtor’s name]

[Debtor’s address]

Example 8: Form 9 Application for Enforcement Warrant or Instalment Order

**MAGISTRATES COURT OF QUEENSLAND**

REGISTRY: Brisbane

NUMBER: M100/22

Applicant/Enforcement Creditor: **JOHN SMITH**

AND

Respondent/Enforcement Debtor: **SAM JONES**

**APPLICATION**

TAKE NOTICE that the Applicant (the **Enforcement Creditor**) is applying to the Court for the following orders:

1. An enforcement warrant for redirection of earnings be issued under rule 817 of the *Uniform Civil Procedure Rules 1999* (Qld) (**UCPR**).
2. The Respondent (**Enforcement Debtor**) pay the Enforcement Creditor’s costs (if any) of the application.

The Applicant requests that this application be dealt with by the Registrar without a formal hearing, pursuant to rule 817(5) of the UCPR.

Filed in the Brisbane Registry on 3 August 2022

Registrar:

On the hearing of the Application the Applicant intends to rely on the following:

1. Form 74 Statement in support of Application of John Smith sworn 1 August 2022.

Signed: *John Smith*

Description: John Smith

Applicant/Enforcement Creditor

Dated: 3 August 2022

|  |  |
| --- | --- |
| APPLICATION | John Smith |
| Filed on Behalf of the Applicant | 1 Brisbane Road |
| Form 9, Version 1 | Brisbane QLD 4000 |
| Uniform Civil Procedure Rules 1999 | (07) 3232 0202 |
| Rule 31 | John.smith@gmail |

This application is to be served on:

Respondent/Enforcement Debtor

Sam Jones

1 Sunshine Road

Brisbane QLD 4000