Template 11: Blank Form 75 – Enforcement Warrant for Seizure and Sale of Property

**MAGISTRATES COURT OF QUEENSLAND**

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

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

**ENFORCEMENT WARRANT - SEIZURE AND SALE OF PROPERTY**

**Enforcement Creditor**: [Insert your name]

**Debtor :** [Insert Debtor’s name]

**AMOUNT OWING**

The enforcement creditor obtained a judgment on [date] against the enforcement debtor.

The amount outstanding by the enforcement debtor is as follows:-

Judgment amount (including costs, if any) $

Less payments $\_\_\_\_\_\_\_\_

 $

Plus interest accrued to (date) $

Costs of preparing warrant [[1]](#endnote-1) $\_\_\_\_\_\_\_\_

 $

Plus interest thereafter at $ (amount) per day

[calculated at (percentage) % pursuant to (authority)] $

Plus enforcement officer’s fees $

|  |  |
| --- | --- |
| ENFORCEMENT WARRANTSEIZURE AND SALE OF PROPERTY | Name: |
| Filed on Behalf of the Applicant/Enforcement Creditor  | Address: |
| Form 75, Version 3 |  |
| Uniform Civil Procedure Rules 1999 | Phone No: |
| Rule 828 | Fax No: |
|  | Email:  |

Plus other incidental expenses

(poundage, storage, advertising expenses etc.) $\_\_\_\_\_\_\_\_

Total owing $\_\_\_\_\_\_\_\_

 **TO ENFORCEMENT OFFICER:**

* You are to seize and sell such of the real and personal property (other than exempt property) in which the enforcement debtor has a legal or beneficial interest as will satisfy the total amount owing on the judgment.
* (“exempt property” means - property that is not divisible among yous of a bankrupt under the relevant bankruptcy law as in force from time to time.)
* You are to report in writing to the registrar concerning your execution of this warrant and the results.
* Your attention is drawn to the provisions of Part 4 of Chapter 19 of the Uniform Civil Procedure Rules concerning -

 - Order of selling property;

 - Payment by Debtor before sale

 - Storage before sale;

 - Nature of sale;

 - Sale at best price obtainable;

 - Advertising;

 - Postponement of sale;

 - Accountability for, and distribution of, money received;

- Reserve price provisions.

* The known property of the enforcement debtor is as follows-

 ............................................................................................

This warrant expires on [date]*.*

This Enforcement Warrant issued at [time] a.m./p.m.on / / *.*

# **NOTICE TO ENFORCEMENT DEBTOR**

You may apply to the court to set this warrant aside or to stay its enforcement at any time.

 Registrar: *(registrar to sign and seal)*

 Dated:

1. Solicitors costs - see Schedules 1, 2 & 3 to the *Uniform Civil Procedure Rules 1999* [↑](#endnote-ref-1)