Template 12: Blank Form 76 – Enforcement Warrant for Redirection of Debt

**MAGISTRATES COURT OF QUEENSLAND**

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

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

**ENFORCEMENT WARRANT - REDIRECTION OF DEBT**

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

**Address:** [Insert your address]

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

**Address:** [Insert Debtor’s address]

**Third Person:** [Insert third party’s name]

**Address:** [Insert third party’s address]

**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 $

Less payments $

Plus interest $

Plus costs $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Total owing**  $

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|  |  |
| --- | --- |
| ENFORCEMENT WARRANT  REDIRECTION OF DEBT | Name: |
| Filed on Behalf of the Applicant/Enforcement Creditor | Address: |
| Form 76, Version 3 |  |
| Uniform Civil Procedure Rules 1999 | Phone No: |
| Rule 840 | Fax No: |
|  | Email: |

**ENFORCEMENT WARRANT**

An enforcement warrant is hereby issued authorising the redirection to the enforcement creditor of a debt belonging to the enforcement debtor from the above third person.

The warrant contains the following conditions:

* + 1. That the third person pay to the enforcement creditor the debt due from the third person to the enforcement debtor or so much as will satisfy the total owing under the judgment.
    2. Payment should be made to the enforcement creditor at the address stated above.
    3. This warrant expires on [date].

This enforcement warrant issued at a.m./p.m. on / / .

**NOTICES TO THIRD PERSON**

* Failure to comply with this warrant may be contempt of court and may entitle the enforcement creditor to obtain an order against you.
* After service on you of this warrant you may apply to the court to set it aside or stay execution.
* The filing of that application does not stay operation of the warrant
* If, on the hearing of that application, you dispute liability to pay, the court may decide summarily the question of liability or give directions for the question to be decided.
* Details of debt claimed to exist between the Enforcement Debtor and the Third Person: *[Set out details of the debt]*
* Relationship claimed to exist between the Enforcement Debtor and the Third person: *[Set out details of relationship, e.g. contractor, XYZ project, identify government department, company branch or financial institution involved, etc]*

**NOTICES TO ENFORCEMENT CREDITOR**

This enforcement warrant must be served on the third person to have effect.

**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:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_