Template 14: Blank Form 78 – Enforcement Warrant for Redirection of Earnings

**MAGISTRATES COURT OF QUEENSLAND**

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

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

**ENFORCEMENT WARRANT – FOR REDIRECTION OF EARNINGS**

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

**Address:** [Insert your address]

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

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

**Employer of Debtor:**  [Insert employer’s name]

**Address:** [Insert employer’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 WARRANTREDIRECTION OF EARNINGS | Name: |
| Filed on Behalf of the Applicant/Enforcement Creditor  | Address: |
| Form 78, Version 3 |  |
| Uniform Civil Procedure Rules 1999 | Phone No: |
| Rule 858 | Fax No: |
|  | Email:  |

**ENFORCEMENT WARRANT**

An enforcement warrant is hereby issued authorising redirection to the enforcement creditor of particular earnings of the enforcement debtor from the above employer.

The warrant contains the following conditions:-

* 1. That the employer deduct each pay period from the enforcement debtor’s earnings the amount specified below and pay it to the enforcement creditor -

 Amount of earnings each pay period after tax $

 Less amount determined by the Court for

 necessary expenses and liabilities $\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Amount to be deducted each pay day $

 Less administration charge $\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **Amount to be paid to enforcement creditor** $

1. payment of that amount must be made to the enforcement creditor at the address stated above.

(c) This warrant expires on [date]*.*

(d) The total amount that the employer must deduct under this warrant is $

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

**NOTICES TO EMPLOYER**

* A notice informing you of the effect of this order and your obligations should have been served on you with this copy of the warrant.
* A copy of the notice that you may use if the enforcement debtor is not employed by you should also have been given to you.
* An employer must not dismiss an employee, or otherwise prejudice an employee in his or her employment, because an enforcement warrant authorising redirection of the employee’s earnings has been made. [Maximum penalty - 100 penalty units].

**NOTICES TO PARTIES**

* This form must be served on the enforcement debtor and the employer.
* A notice in Form 79 and a copy of Form 80 must also be served on the enforcement debtor’s employer.
* Either party may apply to the court to set aside, suspend or vary this Enforcement Warrant .

 Registrar: *(registrar to sign and seal)*

 Dated: