

AFFIDAVIT IN SUPPORT OF APPLICATION FOR ATTACHMENT OF EARNINGS ORDER

IN THE MAGISTRATES' COURT OF VICTORIA AT

Court Number:

BETWEEN

Plaintiff

Of (Address of Plaintiff):

and

Defendant

Of (Address of Defendant):

Date of Document
Filed on behalf of:
Australian lawyer name:
Address:

Code:
Telephone:
Reference

I _____
(judgment creditor) (occupation)
of (address) _____

the judgment creditor, make oath and say/declare that

1. By order dated _____ it was ordered that _____
(judgment debtor)
pay me the sum of \$ _____ together with costs.
(amount)

2. \$ _____ is due and unpaid in respect of the order, being :
(amount)
- (a) \$ _____ due under the order;
 - (b) \$ _____ costs of this attachment application;
 - (c) \$ _____ other costs incurred subsequent to order;
 - (d) \$ _____ interest to date

OR

_____ has persistently failed to comply with an order
(judgment debtor)
by the Court on (date) _____ that: (insert terms of order not complied with)

3. _____
(*judgment debtor*)
is employed by: _____
(*name of employer*)
of _____
(*address of employer*)
as a (*occupation*) _____

4. No warrant committing _____
(*judgment debtor*)
to prison under the *Imprisonment of Fraudulent Debtors Act 1958* has been issued.

OR

A warrant committing _____
(*judgment debtor*)
to prison under the *Imprisonment of Fraudulent Debtors Act 1958* has been issued and has been returned unexecuted.

*I acknowledge that this declaration is true and correct and I make it in the belief that a person making a false declaration is liable to the penalties of perjury.

*SWORN/ DECLARED AT
in the State of Victoria on
(*date*)

Signature of person making affidavit:

Before me: _____

*Delete whichever is inapplicable