

WARRANT TO SEIZE PROPERTY

**IN THE MAGISTRATES' COURT
OF VICTORIA AT**

Court Number

BETWEEN

_____ **Plaintiff**

Of: (address) _____

and

_____ **Defendant**

Of: (address) _____

NATURE OF COMPLAINT: (state shortly)

ORIGINAL/EXECUTION COPY

REQUEST FOR WARRANT

To the registrar

_____ is owed money.
(name)

_____ of _____
(name) (address)

was ordered to pay money in the above matter

*on _____ by the Magistrates' Court at _____
(date) (venue)

*on _____ by VCAT
(date)

*on _____ by _____
(date) (name of court or tribunal)
by order which was registered with this Court on _____
(date)

Please issue a warrant to seize property to recover _____ which is the amount now owing.
(amount)

This amount is calculated—

Amount ordered \$ _____

Costs ordered \$ _____

Interest ordered \$ _____

Subtotal A \$ _____

Less amount paid since order \$ _____

Subtotal B \$ _____

Interest from order to this date

_____ to _____, _____ days @ _____ % \$

_____ to _____, _____ days @ _____ %	\$ _____
	Subtotal C \$ _____
Prior costs of recovering amount ordered	\$ _____
Fees on warrant	\$ _____
Professional Costs	\$ _____
	Subtotal D \$ _____
The Amount	Total \$ _____

* In accordance with section 100(7) of the **Magistrates' Court Act 1989**, interest accruing from the date of the issue of the warrant is sought on the amount stated at Subtotal B, from the date of this request, at the rate prescribed from time-to-time under the **Penalty Interest Rates Act 1983**. At time of issue of making this request the interest rate is _____ % per annum, or, \$ _____ per day.

*In accordance with section 108 of the Service and Execution of Process Act 1992 of the Commonwealth interest accruing from the date of issue of the warrant is sought on the amount stated at Subtotal B from the date of this request, at the rate prescribed at the Court of Rendition, which rate is _____ % per annum, or, \$ _____ per day.

This request is made by _____
(name of Australian lawyer or person making request)

(address) _____ *(telephone number)*

It is believed that the personal property of the person ordered to pay can be found at—

(address)

Dated: _____
(dd/mm/yyyy)

 Applicant / Australian Lawyer

WARRANT TO SEIZE PROPERTY

To the Sheriff:

You are authorised to seize the personal property of the person ordered to pay. If:

- (a) the amount payable on the date of issue on this warrant; and
- (b) the further interest accruing at the rate of _____ % per annum, \$ _____ per day on the amount stated at Subtotal B from the date of issue of this warrant; and
- (c) your costs of execution set out in the request for this warrant are not paid, you are to sell the property and pay the amount due to _____ *[judgement creditor]*
 You or your officer must endorse details of execution on this warrant.

Issued at:

Dated: _____
(dd/mm/yyyy)

 Registrar