MAGISTRATES' COURT GENERAL CIVIL PROCEDURE RULES 2020

Rule 72.02(4), 72.04(3), 72.05(5)(a) FORM 72C

**JUDGMENT DEBTOR’S STATEMENT OF FINANCIAL POSITION**

IN THE MAGISTRATES' COURT Court Number

OF VICTORIA AT

|  |  |
| --- | --- |
|  | Judgment creditor |

Of: *(address)*

and

|  |  |
| --- | --- |
|  | Judgment debtor |

Of: *(address)*

|  |  |  |  |
| --- | --- | --- | --- |
| Date of Document |  |  |  |
| Filed on behalf of: |  |  |  |
| Australian lawyer name: |  | Code: |  |
| Address: |  | Telephone: |  |
| Reference |  |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| To |  | | | | | | | | | | | | |
|  | *(judgment debtor)* | | | | | | | | | | | | |
| of |  | | | | | | | | | | | | |
|  | *(address)* | | | | | | | | | | | | |
| TAKE NOTICE: Complete this form by giving the information requested below.  The completed forms signed by you must be sent to | | | | | | | | | | | | | |
|  | | | | | | | | | *(judgment creditor)* | | | | |
| at *(address)* | | | |  | | | | | | | | | |
| before *(day of hearing named in the summons)* | | | | | | |  | | | | | | |
| If you do not do this, the Court may make an order that you attend before the Court and give the information. | | | | | | | | | | | | | |
| Dated: | | |  | | |  | | | |  | | | |
|  | | | | | | | | | | *(Signed by judgment creditor or Australian lawyer )* | | | |
| **1.** | **AMOUNT AND SOURCE OF WEEKLY INCOME** | | | | | | | | | | | | |
|  | Occupation | | | |  | | | | | | | | |
|  | If working for an employer: | | | | | | |  | | | | | |
|  |  | Name of Employer | | |  | | | | | | | | |
|  |  | Address of Employer | | |  | | | | | | | | |
|  |  | Gross Wage | | | | | | | | | | $ |  |
|  |  | Current overtime (if any) | | | | | | | | | | $ |  |
|  |  | Car and other allowances and commissions | | | | | | | | | | $ |  |
|  | | | | | | | | | | | | | |
|  | If self-employed or in partnership | | | | | | | | | | |  |  |
|  |  | | Average pre-tax earnings for last 12 months | | | | | | | | | $ |  |
|  |  | |  | | | | | | | | |  |  |
|  | If unemployed | | | | | | | | | | |  |  |
|  |  | | State length of last employment | | | | | |  | |  |  |  |
|  |  | | Date when last employment ceased | | | | | | /      / | |  |  |  |
|  |  | | Gross weekly amount earned | | | | | | | | | $ |  |
|  |  | | Pension or other benefit received | | | | | | | | | $ |  |
|  |  | | Workers’ compensation received | | | | | | | | | $ |  |
|  |  | | Other monies | | | | | | | | | $ |  |
|  |  | | Maintenance received | | | | | | | | | $ |  |
|  |  | | Superannuation received | | | | | | | | | $ |  |
|  |  | | Board or rent received | | | | | | | | | $ |  |
|  |  | | Average weekly income including any interest from banks and building societies, and [*any income from*] investment in shares, etc: | | | | | | | | | $ |  |
|  |  | | Average weekly dividend on shares | | | | | | | | |  |  |
|  |  | | Other income *( give details)* | | | | | | | | | $ |  |
|  |  | |  | | | | | | | | |  |  |
|  |  | |  | | | | | | | | |  |  |
|  | **TOTAL GROSS WEEKLY INCOME** | | | | | | | | | | | **$** |  |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **2.** | **PROPERTY AND ASSETS** | | | | | | | | | | | | | | | | | |  | | |
|  | Land, including vacant land – For each piece of land: | | | | | | | | | | | | | | | | | |  | | |
|  |  |  | | | Market value | | | | Amount of mortgage | | | | | | Net value | | | | | | |
|  |  | (1) | | | $ |  | | | $ |  | | | | | $ |  | | | | | |
|  |  | (2) | | | $ |  | | | $ |  | | | | | $ |  | | | | | |
|  |  | (3) | | | $ |  | | | $ |  | | | | | $ |  | | | | | |
|  |  |  | | | | | | | | | | | | | | | | |  | |  |
|  | Motor vehicle(s) - For each motor vehicle | | | | | | | | | | | | | | | | | |  | |  |
|  |  | | | | | | Vehicle 1 | | | | Vehicle 2 | | | | | | Vehicle 3 | | | | |
|  |  | Year | | | | |  |  | | |  |  | | | | |  | |  | | |
|  |  | Make | | | | |  |  | | |  |  | | | | |  | |  | | |
|  |  | Model | | | | |  |  | | |  |  | | | | |  | |  | | |
|  |  | Market Value | | | | | $ |  | | | $ |  | | | | | $ | |  | | |
|  |  | Amount owing to finance company | | | | | $ |  | | | $ |  | | | | | $ | |  | | |
|  |  | Net Value | | | | | $ |  | | | $ |  | | | | | $ | |  | | |
|  |  | | | | | | | | | | | | | | | | | |  |  | |
|  | Deposit in banks, buildings societies, etc. | | | | | | | | | | | | | | | | | | $ |  | |
|  | Cash presently in your possession | | | | | | | | | | | | | | | | | | $ |  | |
|  | Value of other investments including shares, debentures, bonds | | | | | | | | | | | | | | | | | | $ |  | |
|  | Money owing to you | | | | | | | | | | | | | | | | | |  |  | |
|  | From | | |  | | | | | | | | | $ |  | | | |  |  |  | |
|  | From | | |  | | | | | | | | | $ |  | | | |  |  |  | |
|  |  | Total | | | | | | | | | | | | | | | |  | $ |  | |
|  |  |  | | | | | | | | | | | | | | | | |  |  | |
|  | Value of interest in partnership or business | | | | | | | | | | | | | | | | | | $ |  | |
|  | Furniture, household and personal goods | | | | | | | | | | | | | | | | | |  |  | |
|  |  | Market Value | | | | | | | | | | | | | | | | | $ |  | |
|  |  | Amount owing to finance company | | | | | | | | | | | | | | | | | $ |  | |
|  |  | Net value | | | | | | | | | | | | | | | | | $ |  | |
|  |  |  | | | | | | | | | | | | | | | | |  |  | |
|  | Life insurance policies – Give particulars and surrender value of each policy | | | | | | | | | | | | | | | | | |  |  | |
|  |  |  |  | | | | | | | | | | | | | |  | | $ |  | |
|  |  |  |  | | | | | | | | | | | | | |  | | $ |  | |
|  |  |  |  | | | | | | | | | | | | | |  | | $ |  | |
|  |  | | | | | | | | | | | | | | | | | |  |  | |
|  | Other assets *(give particulars)* | | | | | | | | | | | | | | | | | | $ |  | |
|  |  |  |  | | | | | | | | | | | | | |  | |  |  | |
|  |  |  | | | | | | | | | | | | | | | | |  |  | |
|  | **TOTAL PROPERTY AND ASSETS** | | | | | | | | | | | | | | | | | | **$** |  | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **3.** | | **DEBTS, LIABILITIES AND OTHER FINANCIAL OBLIGATIONS** | | | | | | | | | | |  |  |
|  | | **(a)** | **Weekly expenses** | | | | | | | | | |  |  |
|  | |  |  | Income tax | | | | | | | | | $ |  |
|  | |  |  | Superannuation | | | | | | | | | $ |  |
|  | |  |  | Housing *(mortgage, board, rent, hospital or institution)* | | | | | | | | | $ |  |
|  | |  |  | Municipal Rates | | | | | | | | | $ |  |
|  | |  |  | Water and sewerage rates | | | | | | | | | $ |  |
|  | |  |  | Land tax | | | | | | | | | $ |  |
|  | |  |  | Child care costs incurred for the purpose of earning income | | | | | | | | | $ |  |
|  | |  |  | Maintenance actually paid | | | | | | | | | $ |  |
|  | |  |  | Instalment payments such as for household goods or tools of trade | | | | | | | | |  |  |
|  |  | | | To | | |  | | $ |  |  | |  |  |
|  |  | | | To | | |  | | $ |  |  | |  |  |
|  |  | | | To | | |  | | $ |  |  | |  |  |
|  |  | | | Total | | | | | | |  | | $ |  |
|  | |  |  |  | | | | | | | | |  |  |
|  | |  |  | Electricity and Gas | | | | | | | | | $ |  |
|  | |  |  | Food | | | | | | | | | $ |  |
|  | |  |  | Other general household expenses | | | | | | | | | $ |  |
|  | |  |  | Motor vehicle expenses *(registration, insurance, maintenance, fuel)* | | | | | | | | | $ |  |
|  | |  |  | Fares | | | | | | | | | $ |  |
|  | |  |  | Telephone | | | | | | | | | $ |  |
|  | |  |  | Insurance policy premiums | | | | | | | | | $ |  |
|  | |  |  | School fees and other school expenses | | | | | | | | | $ |  |
|  | |  |  | Clothing and shoes | | | | | | | | | $ |  |
|  | |  |  | Medical and chemist expenses | | | | | | | | | $ |  |
|  | |  |  | Entertainment | | | | | | | | | $ |  |
|  | |  |  | Payments on court orders and fines | | | | | | | | | $ |  |
|  | |  |  | Other expenses *(give details)* | | | | | | | | | $ |  |
|  | |  |  |  |  | | | | | | |  |  |  |
|  | |  | | | | | | | | | | |  |  |
|  | |  | **Total weekly expenses** | | | | | | | | | | **$** |  |
|  | |  |  | | | | | | | | | |  |  |
|  | | **(b)** | **Other debts outstanding** | | | | | | | | | |  |  |
|  | |  | Give particulars of debts under hire purchase, leasing, credit card or other credit contracts, department store accounts, guarantee or personal loan: | | | | | | | | | |  |  |
|  |  | | To | | |  | | due on | |  |  | | $ |  |
|  |  | | To | | |  | | due on | |  |  | | $ |  |
|  |  | | To | | |  | | due on | |  |  | | $ |  |
|  |  | | Total | | | | | | | |  | | $ |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **4.** | If any of the assets referred to in paragraph 2 above is owned jointly, identify each asset and give the name of the other owner or owners: | | | |
|  |  | | | |
|  |  | | | |
| **5.** | If any of the debts referred to in paragraph 3 is due jointly, identify each debt and give the name of the other debtor or debtors: | | | |
|  |  | | | |
|  |  | | | |
| **6.** | Give particulars of any other circumstances which affect the financial situation of the judgment debtor such as the number and age of dependants, marital status and health: | | | |
|  |  | | | |
|  |  | | | |
| Date | |  |  |  |
|  | | | | *Signature of judgment debtor* |