**TASMANIA**

**MAGISTRATES COURT (CIVIL DIVISION)**

**APPLICATION TO REDUCE GARNISHEE PAYMENTS**

|  |  |  |
| --- | --- | --- |
| **MAGISTRATES COURT AT**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  | ACTION No. \_\_\_\_\_\_\_\_\_\_\_\_ |

**JUDGMENT CREDITOR**

*(Name only)*

**JUDGMENT DEBTOR**

*(Name only)*

**GARNISHEE**

*(Full name, address)*

*(Registered office if corporation*)

Phone No. FAX No. DX No.

**APPLICATION**

I,……………………………………of:.……………………………………………………………..Ph No:.……………… being the abovenamed judgment debtor make application pursuant to rule 129I of the *Magistrates Court (Civil Division) Rules 1998* to have the current garnishee amount reduced-

 From: $…………..per week/fortnight/month

To: $…………..per week/fortnight/month

OR

From: ……………% per week/fortnight/month of net earnings

To: ……………% per week/fortnight/month of net earnings

In support of my application I submit the attached Statement of Financial Circumstances.

……………………………………… Dated: ….../….../20….

**Judgment Debtor**

*Registry to complete:*

THE APPLICATION WILL BE HEARD at the Magistrates Court at:

|  |  |  |  |
| --- | --- | --- | --- |
| 🗖23-25 Liverpool Street, Hobart | 🗖 73 Charles Street, Launceston | 🗖 8 Griffith Street, Devonport | 🗖 38 Alexander Street Burnie |

on ……………………………………………………… at (time) ……………………am/pm

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Registrar Date

**NOTE: IF THE JUDGMENT CREDITOR CONSENTS TO THIS APPLICATION, PLEASE SIGN THE CONSENT BELOW AND RETURN TO THE COURT PRIOR TO THE SCHEDULED LISITING DATE ABOVE.**

**CONSENT**

I/We ………………………………………………………… consent to the application to reduce garnishee payments in the above terms.

……………………………………… Dated: ….../….../20….

**Judgment Creditor/Solicitor**

\*\*Forward a copy of this consent to the Magistrates Court and the Judgment Debtor.

**AFFIDAVIT VERIFYING ASSETS AND LIABILITIES**

 **Action No. …………….**

**Judgment Creditor: …………………………………………….………**

**Judgment Debtor: ……………………………………………………...**

**INCOME: Per Week**

Wage/salary (**please provide last two pay slips**) $………………

Family Tax Benefit Part A/Part B/Other Govt. Payments $………………

Any additional income (eg. Shares, Stocks, Benefits etc) $……………...

**TOTAL INCOME $.......................**

**EXPENSES:**

Rent/Mortgage payments $………………

Credit/Store cards $………………

Land Tax/Rates $………………

Gas/Electricity/Heating (including wood) $………………

Telephone (Home/Mobile/Internet/Pay TV) $………………

Medical (Includes Health Insurance payments) $………………

Clothing, Groceries and Incidentals (for family) $………………

Insurance (Home, Car etc) $………………

Motor vehicle expenses (running, petrol etc) $………………

Transport (Bus) $………………

Hire Purchase or Loans (Name each Company) $………………

1.…………………..……….2………………..…………….3………….….………………

Child Support $………………

School fees/books etc $………………

Any other expenses …………………………………………………. $………………

**TOTAL EXPENSES** **$.......................**

I……….................……………………………………………………………………… of…………………………………………………………...……………………………

swear/affirm/declare to the best of my knowledge and belief the information contained in this Statement is true and correct.

Sworn/Affirmed/Declared by the deponent at ……………………...in Tasmania on ….../.…../20….

Before me

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Justice of the Peace Deponent