

Form 46 - Notice of motion to pay by instalments - Individual

See UCPR 37.2 for more information.

You must use this form if:

- You are a judgment debtor and want to apply to the court for an order to pay the judgment debt by instalments
- You have been served with a statement of claim, have filed the acknowledgement of the claim (see form 35), and want to apply to the court for an order to pay the amount of the claim by instalments.

You can ask to pay the instalments:

- weekly
- fortnightly
- monthly, or
- in a lump sum by a particular date.

Form 46 also includes a financial statement. You must fill out each section of the financial statement and sign the affidavit stating that the information you completed in the financial statement is true.

You must swear or affirm the affidavit before a justice of the peace, a solicitor, a barrister, a commissioner for affidavits or a notary public.

Form 47 - Notice of motion to pay by instalments - corporation

See UCPR 37.2 for more information.

You must use form 47 if:

- you are authorised to act on behalf of the company
- the judgment debtor is a company and it wishes to apply to the court for an order to pay the judgment debt by instalments
- the company has been served with a statement of claim, has filed the acknowledgement of the claim (see form 35), and wishes to apply to the court for an order to pay the amount of the claim by instalments.

Form 47 also includes a financial statement. An authorised officer of the corporation must fill out each section of the financial statement and sign an affidavit stating that the information that he or she completed in the financial statement is true.

The authorised officer must swear or affirm the affidavit before a justice of the peace, a solicitor, a barrister, a commissioner for affidavits or a notary public.