

NOTICE OF MOTION CHARGING ORDER

COURT DETAILS

Court

#Division

#List

Registry

Case number

TITLE OF PROCEEDINGS

[First] plaintiff **[name]**

#Second plaintiff #Number of
plaintiffs (if more than two)

[First] defendant **[name]**

#Second defendant #Number of
defendants (if more than two)

JUDGMENT DETAILS

Date of judgment to be enforced

FILING DETAILS

Person seeking orders **[name]** [role of party eg plaintiff] (**judgment creditor**)

#Filed in relation to [eg plaintiff's claim, (number) cross-claim]
[include only if form to be eFiled]

#Legal representative [solicitor on record] [firm]

#Legal representative reference [reference number]

Contact name and telephone [name] [telephone]

PERSON AFFECTED BY ORDERS SOUGHT

[name] [role of party eg defendant] (**judgment debtor**)

HEARING DETAILS

This motion is to be dealt with in the absence of the parties.

[on separate page]

ORDERS SOUGHT

- 1 A charging order in favour of the judgment creditor to apply to the following security interests:

[list]
- 2 The chargee be restrained from dealing with the security interests otherwise than in accordance with the directions of the judgment creditor, until further order of the court or until the judgment debt against the judgment debtor[s] is satisfied in full.

SIGNATURE

#Signature of legal representative

#Signature of or on behalf of
party if not legally represented

Capacity

[eg solicitor, authorised officer, role of party]

Date of signature

[on separate page]

AFFIDAVIT

Name

Address

Occupation

Date

I [#say on oath #affirm]:

1 #I am the judgment creditor.

#I am [give details of the capacity of the person making the affidavit and the facts that qualify the person to make the affidavit].

2 #No payments have been made to reduce the judgment debt.

#Payments of \$[amount] have been made to reduce the judgment debt.

3 The amount payable under the judgment (including any prior enforcement costs but excluding interest after judgment under section 101 of the Civil Procedure Act 2005) as at the date of this affidavit is \$[amount].

4 Interest payable under section 101 of the Civil Procedure Act 2005 is \$[amount].

5 The amounts claimed for costs for the issue of the order are:

Service fees	\$
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Solicitors fees	\$
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TOTAL	\$
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6 The proposed chargee is [name] of [address].

7 #The judgment is not stayed by an order of the court, by an instalment order or by a suspension under section 377(1) or 386(1) of the Legal Profession Act 2004 that has not been ended.

#The judgment debt was the subject of an instalment order that has ceased to have effect for the following reason:

[set out reason]

#SWORN #AFFIRMED at

Signature of deponent

Signature of witness

Name of witness

Address of witness

Capacity of witness [#Justice of the peace #Solicitor #Barrister #Commissioner for affidavits #Notary public]

Note: The deponent and witness must sign each page of the affidavit. See UCPR 35.7B.