

Enforcement Warrant – Seizure & Sale of Property

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FORM 16 Family Law Rules ~ RULE 20.16

Please type or print clearly and mark [X] all boxes that apply. Attach extra pages if you need more space to answer any question/s.

Filed in:

- Family Court of Australia
 Family Court of Western Australia
 Other (specify) _____

Client ID _____

File number _____

Filed at _____

Filed on _____

This warrant is issued by the Court at the request of the applicant (payee) to enforce the respondent's obligation to pay money. The warrant must be signed, dated and sealed before it is enforceable. The warrant remains in force for 12 months from the date of issue.

Notice to the respondent (payer)

After receiving this warrant you must not sell, transfer or otherwise deal with any property without a Court order.

A person affected by an enforcement warrant may serve a notice of claim on the enforcement officer and if necessary apply to the Court. See Division 20.3.2 of the Family Law Rules.

Part A About the parties

APPLICANT [PAYEE]	RESPONDENT [PAYER]
1 What is your family name as used now? <input type="text"/>	Family name as used now <input type="text"/>
Given names? <input type="text"/>	Given names <input type="text"/>
2 What is your contact address (address for service) in Australia? <input type="text"/>	Respondent's address <input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
State Postcode	State Postcode
Phone Fax *	Phone
DX	<input type="text"/>
Lawyer's code	<input type="text"/>
Email *	<input type="text"/>

* Please do not include email or fax addresses unless you are willing to receive documents from the Court and other parties in that way.

If there is more than one applicant or respondent, attach an extra page with the details for Applicant 2/ Respondent 2, answering Items 1 & 2.

Part B About the obligation to pay money

3 The applicant (payee) is entitled to enforce an obligation to pay money against the respondent (payer) arising out of:

- an order** made by _____ on ____/____/____ (date)
- an assessment** by the Child Support Agency made on ____/____/____ (date)
- an agreement** between _____ and _____
made on ____/____/____ (date)

4 The respondent's obligation to the applicant is as follows:

Amount owed	\$ _____	
Less any amounts paid	\$ _____	
Balance owing		\$ _____
Interest owing (if any)		\$ _____
Costs of application for enforcement warrant (Schedule 3 Part 4 of the Family Law Rules)		\$ _____
TOTAL AMOUNT OWED		\$ _____

Part C Notice to Marshal or Other Authorised Enforcement Officer

5 To the Marshal or other Authorised Enforcement Officer

Take notice:

- You are directed to seize and sell such of the real or personal property (other than prescribed property) of the respondent (payer) as will satisfy the total amount owed and the fees and expenses of enforcing this warrant.
- You are to report in writing to this Registry concerning the enforcement of the warrant.
- You should refer to Part 20.3 of the Family Law Rules.

6 The known property of the respondent is:

Real property:

Address _____

Registered owner/s _____

Title reference _____

Note: If it is intended to enforce this warrant against real property it must first be registered on the Land Titles Register.

Personal property:

Note: Certain prescribed property cannot be attached under this warrant. This includes clothes, bed, bedding, kitchen furniture (not including an automatic dishwasher or microwave), a washing machine and ordinary tools of trade, plant and equipment, professional instruments and reference books, not exceeding the aggregate value of \$5000.

Part D **Signature** [COURT USE ONLY]

Signature

Date

	/ /
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FOR REGISTRAR

This warrant was prepared by

applicant/s

lawyer

PRINT NAME AND LAWYER'S CODE