

FORM 60E.1

NOTICE OF GARNISHMENT
to enforce a restitution order
(Section 14.5 of *The Garnishment Act*)

THE QUEEN'S BENCH
_____ Centre

BETWEEN:

(name)

creditor

- and -

(name)

debtor

- and -

(name)

garnishee

NOTICE OF GARNISHMENT
to enforce a restitution order
(Section 14.5 of *The Garnishment Act*)

TO: (name and address of garnishee)

THE DEBTOR OWES MONEY TO THE CREDITOR pursuant to a restitution order. The creditor claims that you owe or will owe a debt to the debtor. The creditor has had this notice of garnishment directed to you as garnishee in order to seize certain debts that you owe or will owe to the debtor.

1. YOU ARE REQUIRED TO PAY to the Court of Queen's Bench (name of judicial centre) at the following address:

(a) WITHIN SEVEN DAYS after this notice is served on you, all debts due at the time of service, from you to the debtor, other than wages;

(b) WITHIN SEVEN DAYS after they become payable, all debts that are accruing due as of the date of service of this notice on you; and

(c) WITHIN SEVEN DAYS after they become payable, all wages that become due or payable by you to the debtor within one year after this notice takes effect. Under subsection 4(2) of *The Garnishment Act*, the garnishment of wages takes effect on the first Monday following the day it is served;

subject to the exemptions provided by *The Garnishment Act*. The maximum amount you are required to pay is not to exceed \$_____.

A NOTICE OF GARNISHMENT TO ENFORCE MAINTENANCE PAYMENTS TAKES PRIORITY OVER THIS NOTICE OF GARNISHMENT.

THIS NOTICE OF GARNISHMENT TAKES PRIORITY OVER A NOTICE OF GARNISHMENT ISSUED BY A GENERAL CREDITOR OR ANY DEBT OWED BY THE DEBTOR TO YOU.

CHEQUES MUST BE MADE PAYABLE TO THE MINISTER OF FINANCE

2. IF YOU DO NOT PAY within 7 days after service of this notice on you, or if you pay an amount that is less than the maximum amount, you are required within that time to file with the court the garnishee's statement attached to this notice.

3. THIS NOTICE OF GARNISHMENT REMAINS IN EFFECT, with respect to garnishment of wages, until the earliest of the following occurs:

- (a) the garnishee pays the amount shown into court;
- (b) this notice is discontinued or revoked by the court;
- (c) the debtor ceases to be employed by the garnishee;
- (d) one year passes from the date this notice takes effect.

IF YOU FAIL TO OBEY THIS NOTICE, THE COURT MAY MAKE AND ENFORCE AN ORDER AGAINST YOU for payment of the amount set out above and the costs of the creditor.

IF YOU MAKE PAYMENT TO ANY PERSON OTHER THAN AS REQUIRED BY THIS NOTICE, YOU MAY BE LIABLE TO PAY AGAIN.

IF THIS NOTICE OF GARNISHMENT BINDS WAGES AND THE DEBTOR CEASES TO BE EMPLOYED BY YOU, YOU MUST ADVISE THE COURT AND THE CREDITOR IN WRITING.

(Date)

Issued by _____
Registrar

Address of court office

creditor's address

debtor's FULL NAME and address

telephone number _____

* * * * *

TO THE CREDITOR, THE DEBTOR AND THE GARNISHEE

Any party may make a motion to the court to determine any matter in relation to this notice of garnishment.