

FORM 60F

NOTICE OF GARNISHMENT
by maintenance creditor
(Section 13.1 of *The Garnishment Act*)

THE KING'S BENCH (FAMILY DIVISION)
_____ Centre

BETWEEN:

(name)

creditor

- and -

(name)

debtor

- and -

(name)

garnishee

NOTICE OF GARNISHMENT
by maintenance creditor
(Section 13.1 of *The Garnishment Act*)

TO: (name and address of garnishee)

THE DEBTOR OWES MAINTENANCE PAYMENTS TO THE CREDITOR pursuant to a court order. The creditor claims:

- A) that you pay wages or make other payments to the debtor; or
- B) that you owe money to the debtor; or
- C) that you may owe money to the debtor at any time after the day of service of this Notice of Garnishment.

The creditor has directed this Notice of Garnishment to you as garnishee in order to seize this money to enforce the debtor's maintenance obligation.

THIS NOTICE OF GARNISHMENT BINDS:

- A) **wages** that are due and payable by you to the debtor on and after the first day, other than a holiday, after the day of service; and
- B) **any money other than wages that is owing or payable** by you to the debtor at the time of service; and
- C) **any money other than wages that becomes owing or payable** by you to the debtor at any time after the day of service.

1. **YOU ARE REQUIRED TO** deduct from the wages or other money bound by this Notice of Garnishment

A) the sum of \$ _____ ; and

B) the sum of \$ _____

(describe future periodic payment requirement)

and **WITHIN SEVEN DAYS** after deduction to forward the amounts so deducted to

(address of the court)

for so long as you continue to make payment to the debtor or until this Notice of Garnishment has been terminated, revoked, or replaced by another Notice of Garnishment relating to this maintenance obligation.

CHEQUES must be made payable to _____
(creditor's name)

2. **YOU ARE REQUIRED TO** file with the court the Garnishee's Statement attached to this notice

A) within seven days after the day of service of this notice **if** there is no money currently owing or payable from you to the debtor; or

B) within seven days after you are required to deduct the amount(s) under paragraph 1 **if** you do not deduct and forward the required amount(s).

3. **YOU ARE REQUIRED TO** deliver or mail a copy of this Notice of Garnishment without delay to the debtor.

IF YOU FAIL TO OBEY THIS NOTICE, THE COURT MAY MAKE AND ENFORCE AN ORDER AGAINST YOU for payment of the amount(s) 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 REQUIRED TO PAY AGAIN.

THIS NOTICE OF GARNISHMENT HAS PRIORITY OVER ANY OTHER NOTICE OF GARNISHMENT SERVED ON YOU OR ANY DEBT OWED BY THE DEBTOR TO YOU.

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

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

(date)

Registrar

Address of Court Office

Creditor's address

Telephone number _____

DEBTOR'S FULL NAME AND ADDRESS:

