

## Sample notice of motion - garnishee order for wages or salary

This is an example of a completed notice of motion – garnishee order. It is important to complete this form using own details and based on your own circumstances. If you need more help, get legal advice.

Form 69 (version 7)  
UCPR 39.34

### NOTICE OF MOTION GARNISHEE ORDER

#### COURT DETAILS

Court	Local Court
Division	Small Claims Division
Registry	Blacktown
Case number	SC20xx/766

#### TITLE OF PROCEEDINGS

plaintiff	<b>Meena Vishwana</b>
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defendant	<b>Fiona Frame trading as Fantastic Florists</b>
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#### JUDGMENT DETAILS

Date of judgment to be enforced	22 January 20xx
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#### FILING DETAILS

Person seeking orders	Meena Vishwana, plaintiff ( <b>judgment creditor</b> )
Contact name and telephone	Meena Vishwana 02 2222 1111
Contact email	meena.vishwana@chillmail.com

#### PERSON AFFECTED BY ORDERS SOUGHT

**Fiona Frame** defendant (**judgment debtor**)  
ABCD Furniture Pty Ltd (**proposed garnishee**)

#### HEARING DETAILS

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

[on separate page]

## ORDERS SOUGHT

- 1 A garnishee order against ABCD Furniture Pty Ltd for wages/salary in the amount of \$4,216.47.

## SIGNATURE

Signature of or on behalf of party *Meena Vishwana*  
if not legally represented

Capacity Judgment creditor

Date of signature 2 March 20xx

## DETAILS ABOUT PROPOSED GARNISHEE

### Proposed garnishee

Name ABCD Furniture Pty Ltd

Address Unit 2, 28 Main Street, Blacktown NSW 2638

[on separate page]

## AFFIDAVIT

Name	Meena Vishwana
Address	12/32 Campbell Street, Blacktown NSW 2750
Occupation	IT Consultant
Date	2 March 20xx

I affirm:

- 1 I am the judgment creditor.
- 2 Fiona Frame is a person liable to pay the judgment.
- 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 \$4,182.10.
- 4 Interest payable under section 101 of the Civil Procedure Act 2005 is \$34.37.
- 5 The amounts claimed for costs for the issue of the order are:

Service fees	\$ 0.00
Solicitors fees	\$ 0.00
TOTAL	\$ 0.00
- 6 The proposed garnishee is identified in the notice of motion at DETAILS ABOUT PROPOSED GARNISHEE.
- 7 The proposed garnishee order is in relation to wages/salary.
- 8 Any debts are, or are reasonably likely to be owed by the garnishee to the judgment debtor because the proposed garnishee is the employer of the judgment debtor. In January 20xx, the judgment debtor continued to work for the garnishee.
- 9 The judgment is not stayed by an order of the court, by an instalment order or by a suspension under sections 86 or 90 of the [Legal Profession Uniform Law Application Act 2014](#) that has not been ended.

AFFIRMED at Parramatta  
Signature of deponent Meena Vishwana  
Name of witness George Fisher  
Address of witness 2/32 Campbell Street, Blacktown  
Capacity of witness Justice of the peace

And as a witness, I certify the following matters concerning the person who made this affidavit (the **deponent**):

1 I saw the face of the deponent. [OR, delete whichever option is inapplicable]

2 I have confirmed the deponent's identity using the following identification document:  
NSW Driver Licence  
Identification document relied on (may be original or certified copy) †

Signature of witness George Fisher

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

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[\* The only "special justification" for not removing a face covering is a legitimate medical reason (at April 2012).]

[† "Identification documents" include current driver licence, proof of age card, Medicare card, credit card, Centrelink pension card, Veterans Affairs entitlement card, student identity card, citizenship certificate, birth certificate, passport or see Oaths Regulation 2011.]

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