

Magistrates Court (Civil Jurisdiction) Rules 2004—Form 81

(see s 309 (1))

Agreement for payment of judgment debt by instalments

The judgment creditor and judgment debtor agree that the amount due in relation to the judgment is \$.....calculated as follows:
\$

- | | | |
|-------|---|----------|
| (i) | amount of judgment debt (including interest awarded by the Court): | ..... |
| (ii) | plus judgment costs: | ..... |
| | Subtotal | ..... |
| (iii) | less amounts paid since judgment: | ..... |
| | Subtotal | ..... |
| (iv) | plus interest from the date of judgment to the date of this application or so much of the judgment debt as remains payable from time to time calculated as follows: | ..... |
| | From ...../...../.....to...../...../..... .....days @.....% | ..... |
| | From ...../...../.....to...../...../..... .....days @.....% |etc |
| | Subtotal | ..... |
| (v) | Plus: | |
| | (a) costs incurred since judgment: | ..... |
| | (summarise costs incurred) | |
| | Total amount owing | ..... |

It is further agreed that this amount be paid by instalments of \$.....
per the first payment to be made on or before

.....
Judgment creditor

.....
Judgment debtor

.....
Witness

.....
Witness

[To be signed by or on behalf of each party entering into the agreement and each signature if not of a barrister or solicitor, to be witnessed by the Registrar or a barrister, solicitor or justice of the peace].

Agreement to vary or revoke instalment order

The judgment creditor and judgment debtor agree that the instalment order made on// be:

- *(a) revoked; or
- *(b) varied from today so that the amount of the instalments are \$..... per the first payment to be made on or before//

*delete as applicable.

.....
Judgment creditor

.....
Judgment debtor

.....
Witness

.....
Witness

[To be signed by or on behalf of each party entering into the agreement and each signature if not of a barrister or solicitor, to be witnessed by the Registrar or a barrister, solicitor or justice of the peace].

Endnotes

- 1 This form was originally in the *Magistrates Court (Civil Jurisdiction) Act 1982* (the **authorising Act**), schedule 1. Under amendments made by the *Legislation (Consequential Amendments) Act 2001*, the form was omitted from the authorising Act and became a form approved under section 471 of that Act (see amdt 1.2791, amdt 1.2793).
- 2 Under the *Court Procedures Act 2004* A2004-59, pt 8, this form became a form approved under that Act.
- 3 This republication includes amendments made under the Legislation Act, part 11.3 (Editorial changes).

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