

Table of Contents

1	Citation
2	Definition of “Act”
3	Amount recoverable
4	Applications to the court
5	Examination of judgment debtor – application
6	Examination of judgment debtor – recording
7	Examination of judgment debtor – orders
8	Examination of judgment debtor – report
9	Examination of judgment debtor – review of order for payment
10	Enforcement instruction
11	Leave requirements
12	Notice of termination of enforcement instruction
13	Demand for information
14	Notice of seizure
15	Record of seizure
16	Sheriff’s certificate of authority
17	Payment order
18	Commencement

Under section 100 of the *Enforcement of Money Judgments Act*, the Lieutenant-Governor in Council makes the following Regulation:

Citation

1 This Regulation may be cited as the *General Regulation – Enforcement of Money Judgments Act*.

Definition of “Act”

2 In this Regulation, “Act” means the *Enforcement of Money Judgments Act*.

Amount recoverable

3 The following amounts are part of the amount recoverable for the purposes of the definition “amount recoverable” in section 1 of the Act:

- (a) the fee payable under the *Personal Property Security Act* for the registration of a judgment in the Personal Property Registry for a period of one year;
- (b) any fee paid under the *Land Titles Act* or the *Registry Act* for the registration of the judgment if the sheriff seizes the land against which the judgment is registered; and
- (c) any fee paid for an application for an order to attend an examination under subsection 33(1) of the Act.

Applications to the court

4(1) Subject to subsections (2) to (6), an application to the court under the Act or this regulation shall be made in accordance with the Rules of Court.

4(2) An application to the court under subsection 10(1), 63(4), 64(2), 68(2), 73(8), 74(9), 75(3), 79(5), 80(4), 86(2) or 93(4) of the Act shall be made by way of a Notice of Motion.

4(3) At the hearing of an application referred to in subsection (2), the court, if it sees fit, may

- (a) hear evidence, and
- (b) determine the issues in a summary manner.

4(4) If an application referred to in subsection (2) is made by a person other than a sheriff and relates to a sheriff's decision, the sheriff may file an affidavit, stating the circumstances of the decision and the reasons for it, and take no further part in the proceedings, unless the court orders otherwise.

4(5) If an application under subsection 10(1) of the Act is made by a sheriff,

(a) despite Rule 37.03(a), the Notice of Motion may state either the precise order sought or the matter or issue on which the court's determination or directions are sought, and

(b) the sheriff, after serving the Notice of Motion and filing proof of service, is not required to take any further part in the proceedings, unless the court orders otherwise.

4(6) A sheriff shall not be ordered to pay costs with respect to an application made under the Act or this regulation.

Examination of judgment debtor – application

5(1) An application for an order to attend an examination under subsection 33(1) of the Act shall be in Form 1 and shall be accompanied by the following:

(a) a certified copy of the judgment;

(b) a verification statement issued under the *Personal Property Security Act* showing the registration of the judgment in the Personal Property Registry;

(c) an affidavit made by the applicant that includes

(i) a statement that the applicant is the judgment creditor,

(ii) a statement of the amount of the judgment, the amount of costs awarded, the interest rate applicable to the judgment, the total amount of any payments that have been made by the judgment debtor and the amount that remains outstanding,

(iii) a statement that the judgment debtor resides in the judicial district in which the application is being made, has a place of business there or has agreed to the examination being held there,

(iv) a statement that the judgment has been registered in the Personal Property Registry and that the registration period has not expired,

(v) a brief description of any attempts made by the applicant to obtain payment from the judgment debtor,

(vi) a statement of whether an enforcement instruction has been delivered to the sheriff and, if so, whether enforcement action is continuing or has been terminated and its results up to the time of the application,

(vii) a brief description of any property, income or other assets that the applicant believes the judgment debtor may have, and a list of any documents the applicant has that support this belief, with copies attached, and

(viii) a list of any documents that the applicant believes the judgment debtor has, or has access to, that may be relevant to the examination and that the judgment debtor should be required to bring to the examination; and

(d) a fee of \$50.

5(2) An application under paragraph 37(1)(c) of the Act shall be in Form 2 and shall be accompanied by an affidavit made by the applicant that includes

- (a) the name and address of the person who is to be examined,
- (b) a brief description of the basis on which the applicant believes that the person has information about the judgment debtor's property or ability to satisfy the judgment,
- (c) a list of any documents that the applicant believes the person has, or has access to, that may be relevant to the examination and that the person should be required to bring to the examination, and
- (d) if the clerk has issued a report under paragraph 37(1)(a) of the Act, a statement that the clerk has done so, with a copy of the report attached.

5(3) Despite subsection (2), if an application is made verbally under oath under paragraph 37(1)(c) of the Act, the applicant may verbally provide the information referred to in paragraphs (2)(a) to (d).

5(4) An application under subsection 55(1) of the Act shall be in Form 2 and shall be accompanied by an affidavit made by the sheriff that includes a brief description of the judgment debtor's failure to comply with the sheriff's requirements under section 52 or 53 of the Act.

5(5) An application under subsection 56(4) of the Act shall be in Form 2 and shall be accompanied by an affidavit made by the sheriff that includes

- (a) the information referred to in paragraphs (2)(a) to (c),
- (b) a statement that the clerk has issued an order authorizing the sheriff to proceed under section 56 of the Act, with a copy of the order attached, and

(c) a statement that the sheriff has delivered a demand for information under subsection 56(2) of the Act and that the information has not been provided, with a copy of the demand attached.

Examination of judgment debtor – recording

6 A party who wishes the proceedings at an examination to be recorded by a court stenographer shall submit his or her request under paragraph 35(1)(d) of the Act at least 15 days before the date of the examination.

Examination of judgment debtor – orders

7(1) An order to attend an examination under section 34 of the Act shall be in Form 3.

7(2) If the clerk issues an order to attend an examination, the applicant shall serve the order on the person to be examined at least 10 days before the date of the examination.

7(3) An order to provide information under subparagraph 37(1)(c)(i) of the Act shall be in Form 4.

7(4) An order for payment under paragraph 38(1)(b) of the Act shall be in Form 5.

Examination of judgment debtor – report

8 A report under paragraph 37(1)(a) or 38(1)(a) of the Act may be in any form that the clerk considers appropriate.

Examination of judgment debtor – review of order for payment

9 A request for a review of an order for payment under subsection 39(1) of the Act shall be in Form 6 and shall be accompanied by the following:

- (a) a copy of the order for payment; and
- (b) an affidavit stating
 - (i) the reason for the requested changes to the order, and
 - (ii) whether the judgment creditor or judgment debtor, as the case may be, agrees to the requested changes.

Enforcement instruction

10 An enforcement instruction under section 42 of the Act shall be in Form 7 and shall be accompanied by the following:

- (a) a certified copy of the judgment or of an abbreviated judgment;
- (b) a verification statement issued under the *Personal Property Security Act* showing the registration of the judgment in the Personal Property Registry;
- (c) a printed search result issued under the *Personal Property Security Act* with respect to a search of the Personal Property Registry under the name of the judgment debtor;
- (d) the fee referred to in paragraph 2(j) of the *Sheriff's Fees Regulation – Sheriffs Act*;
- (e) if the judgment has been registered under the *Land Titles Act*, a certificate of registered ownership showing the registration of the judgment; and
- (f) if the judgment has been registered under the *Registry Act*, the judgment as endorsed by a registrar of deeds.

Leave requirements

11(1) A registered creditor shall not deliver an enforcement instruction under section 42 of the Act more than six years after the date of the judgment without leave of the court.

11(2) The seizure of a judgment debtor's income shall not continue for more than four years without leave of the court.

11(3) On application by an instructing creditor or a sheriff, the court may grant leave for the seizure of a judgment debtor's income to continue for more than four years if it is fair to do so, and may impose any conditions that it considers appropriate.

11(4) In determining whether to grant leave under subsection (3), the court may consider, among other things,

- (a) the respective resources of the judgment debtor and the instructing creditor,
- (b) the nature of the original claim,
- (c) the extent to which the judgment consists of interest, including court-ordered interest and interest arising under a contract,
- (d) the efforts the judgment debtor has made to satisfy the judgment, and
- (e) the extent to which the judgment has been satisfied by the judgment debtor.

Notice of termination of enforcement instruction

12 A notice of the termination of an enforcement instruction under subsection 46(1) of the Act shall be in Form 8.

Demand for information

13 A demand for information under subsection 56(2) of the Act shall be in Form 9.

Notice of seizure

14 A notice of seizure under subsection 58(1) of the Act shall be in Form 10.

Record of seizure

15 A record of seizure under subsection 61(1) of the Act shall be in Form 11.

Sheriff's certificate of authority

16 A sheriff's certificate of authority under subsection 66(1) of the Act shall be in Form 12 or, if the certificate is to be attached to a sheriff's deed or a sheriff's transfer, Form 13.

Payment order

17 A payment order under subsection 81(4) of the Act shall be in Form 14.

Commencement

18 *This Regulation comes into force on XX.*

FORM 1

APPLICATION FOR ORDER TO ATTEND AN EXAMINATION
(Enforcement of Money Judgments Act, S.N.B. 2013, c.23, s.33(1))

File number:

IN THE COURT OF QUEEN'S BENCH OF NEW BRUNSWICK
 TRIAL DIVISION
 JUDICIAL DISTRICT OF _____

In the matter of an examination under Part 5 of the
Enforcement of Money Judgments Act, S.N.B. 2013, c.23

Between: _____, Judgment Creditor
 and
 _____, Judgment Debtor

APPLICATION FOR ORDER TO ATTEND AN EXAMINATION

To: The Clerk of The Court of Queen's Bench of New Brunswick for the Judicial District of

(name of judicial district)

1. I apply for an order requiring _____ to attend an examination under Part 5 of the *Enforcement of Money Judgments Act*.
2. I am the judgment creditor.
3. The judgment has not been paid in full.
4. *(Check all that apply)*
 - The judgment debtor resides in this judicial district.
 - The judgment debtor has a place of business in this judicial district.
 - The judgment debtor has agreed to the examination being held in this judicial district.
5. I will use _____ during the examination.
(English or French)

6. All of the following are attached:

- A certified copy of the judgment.
- A verification statement issued under the *Personal Property Security Act* showing the registration of the judgment in the Personal Property Registry.
- The affidavit required under subsection 5(1) of the *General Regulation – Enforcement of Money Judgments Act*.
- A fee of \$50.

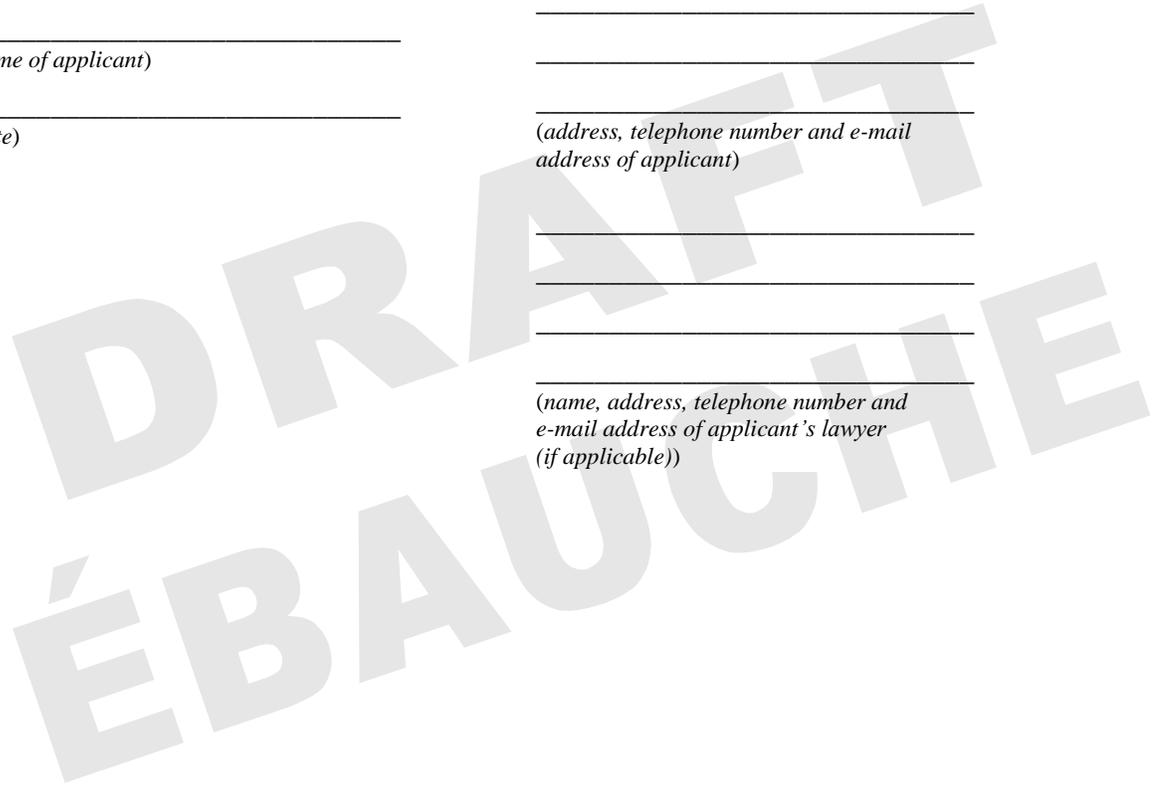
(signature of applicant)

(name of applicant)

(date)

*(address, telephone number and e-mail
address of applicant)*

*(name, address, telephone number and
e-mail address of applicant's lawyer
(if applicable))*



FORM 2

APPLICATION FOR ORDER TO ATTEND AN EXAMINATION
(Enforcement of Money Judgments Act, S.N.B. 2013, c.23, ss.37(1)(c), 55(1), 56(4))

File Number:

IN THE COURT OF QUEEN'S BENCH OF NEW BRUNSWICK
 TRIAL DIVISION
 JUDICIAL DISTRICT OF _____

In the matter of an examination under Part 5 of the
Enforcement of Money Judgments Act, S.N.B. 2013, c.23

Between: _____, Judgment Creditor
 and
 _____, Judgment Debtor

APPLICATION FOR ORDER TO ATTEND AN EXAMINATION

To: The Clerk of The Court of Queen's Bench of New Brunswick for the Judicial District of

(name of judicial district)

1. I apply for an order requiring _____ to attend an examination under Part 5 of the *Enforcement of Money Judgments Act*.
2. I am _____
 (the judgment creditor or a sheriff)
3. The judgment has not been paid in full.
4. *(Check all that apply)*
 - The judgment debtor resides in this judicial district.
 - The judgment debtor has a place of business in this judicial district.
 - The judgment debtor has agreed to the examination being held in this judicial district.
5. I will use _____ during the examination.
 (English or French)

6. The affidavit required under subsection 5(2) (or 5(4) or 5(5)) of the *General Regulation – Enforcement of Money Judgments* is attached.

(signature of applicant)

(name of applicant)

(date)

*(address, telephone number and e-mail
address of applicant)*

*(name, address, telephone number and
e-mail address of applicant's lawyer
(if applicable))*

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FORM 3

ORDER TO ATTEND

(Enforcement of Money Judgments Act, S.N.B. 2013, c.23, s.34)

File Number:

IN THE COURT OF QUEEN'S BENCH OF NEW BRUNSWICK
TRIAL DIVISION
JUDICIAL DISTRICT OF _____

In the matter of an examination under Part 5 of the
Enforcement of Money Judgments Act, S.N.B. 2013, c.23

Between: _____, Judgment Creditor
and
_____, Judgment Debtor

ORDER TO ATTEND

To: _____

On the application of _____ for an order requiring you to attend an
examination under Part 5 of the *Enforcement of Money Judgments Act* concerning your (or the
judgment debtor's) property and ability to satisfy the judgment,

YOU ARE ORDERED to attend an examination at
_____ on _____ at _____
(time) (date) (address)

YOU ARE ALSO ORDERED to bring to the examination the following:

The applicant has chosen to use _____ during the examination.
(English or French)

If you would like to use _____, you must notify me immediately.
(French or English)

DATED at _____ this _____ day of _____, 20_____

(signature)

*Court
Seal*

_____, Clerk of The Court of Queen's Bench
of New Brunswick for the Judicial District of _____

(address and telephone number)

FORM 4

ORDER TO PROVIDE INFORMATION

(Enforcement of Money Judgments Act, S.N.B. 2013, c.23, s.37(1)(c)(i))

File Number:

IN THE COURT OF QUEEN'S BENCH OF NEW BRUNSWICK
TRIAL DIVISION
JUDICIAL DISTRICT OF _____

In the matter of an examination under Part 5 of the
Enforcement of Money Judgments Act, S.N.B. 2013, c.23

Between: _____, Judgment Creditor
and
_____, Judgment Debtor

ORDER TO PROVIDE INFORMATION

To: _____

On the application of _____ for an order requiring you to provide
information concerning the judgment debtor's property and ability to satisfy the judgment,

YOU ARE ORDERED to provide the following information to me:

This information is to be provided no later than _____ at the address below.

DATED at _____ this _____ day of _____, 20_____

(signature)

*Court
Seal*

_____, Clerk of The Court of Queen's Bench
of New Brunswick for the Judicial District of _____

(address and telephone number)

FORM 5

ORDER FOR PAYMENT

(Enforcement of Money Judgments Act, S.N.B. 2013, c.23, s.38(1)(b))

File Number:

IN THE COURT OF QUEEN'S BENCH OF NEW BRUNSWICK
TRIAL DIVISION
JUDICIAL DISTRICT OF _____

In the matter of an examination under Part 5 of the
Enforcement of Money Judgments Act, S.N.B. 2013, c.23

Between: _____, Judgment Creditor
and
_____, Judgment Debtor

ORDER FOR PAYMENT

To: _____

After an examination under Part 5 of the *Enforcement of Money Judgments Act* concerning your property and ability to satisfy the judgment,

YOU ARE ORDERED to make payments to the judgment creditor as follows:

(Add if applicable)

YOU ARE ALSO ORDERED to attend a review of this matter at

_____ on _____ at _____
(time) (date) (address)

DATED at _____ this _____ day of _____, 20_____

(signature)

*Court
Seal*

_____, Clerk of The Court of Queen's Bench
of New Brunswick for the Judicial District of _____

<p>I acknowledge that I have received a copy of this order.</p> <p>_____ <i>(signature of judgment debtor)</i></p> <p>_____ <i>(name of judgment debtor)</i></p> <p>_____ <i>(date)</i></p>

FORM 6**REQUEST FOR REVIEW***(Enforcement of Money Judgments Act, S.N.B. 2013, c.23, s.39(1))*

File Number:

IN THE COURT OF QUEEN'S BENCH OF NEW BRUNSWICK
 TRIAL DIVISION
 JUDICIAL DISTRICT OF _____

In the matter of an examination under Part 5 of the
Enforcement of Money Judgments Act, S.N.B. 2013, c.23

Between: _____, Judgment Creditor
 and
 _____, Judgment Debtor

REQUEST FOR REVIEW

To: The Clerk of The Court of Queen's Bench of New Brunswick for the Judicial District of

(name of judicial district)

1. I request a review of the order for payment you made on _____
(date)

2. I am the _____
(judgment debtor or judgment creditor)

3. *(Check one)*

I request that the order be cancelled.

I request that the order be amended as follows:

4. *(Check one)*

The _____ agrees with this request.
(judgment creditor or judgment debtor)

The _____ does not agree with this request.
(judgment creditor or judgment debtor)

I do not know whether the _____ agrees with this request.
(judgment creditor or judgment debtor)

5. Both of the following are attached:

- A copy of the order for payment.
- The affidavit required under paragraph 9(b) of the *General Regulation – Enforcement of Money Judgments Act*.

(signature)

(name)

(date)

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FORM 7

ENFORCEMENT INSTRUCTION

(Enforcement of Money Judgments Act, S.N.B. 2013, c.23, s.42)

To: A sheriff for the Province of New Brunswick

You are instructed to take enforcement action in relation to the following judgment:

Court: _____
Date of judgment: _____
Instructing creditor: _____
Judgment debtor: _____
Amount of judgment: _____ plus costs of _____
plus interest at _____%

Additional information is provided below.

*(signature of instructing creditor or
instructing creditor's lawyer)*

(name)

(date)

*(address and telephone number of
instructing creditor)*

*(name, address, telephone number and
e-mail address of instructing creditor's
lawyer (if applicable))*

A. ENFORCEMENT

Judgment to be enforced

- The judgment to be enforced is attached.

Has the judgment debtor already made payments in respect of the judgment?

- Yes, the judgment debtor has paid \$_____
- No.

Is the instructing creditor aware of any court order that affects or limits the enforcement of the judgment?

- Yes. A copy of the order is attached.
- No.

Is this the first enforcement instruction delivered by the instructing creditor in relation to the judgment?

- Yes.
- No. There is a previous enforcement instruction dated _____
The present enforcement instruction is being delivered because *(check all that apply)*
- the instructing creditor has new information that will assist in enforcing the judgment. Details are provided in Part E below.
 - the judgment debtor has failed to comply with a payment arrangement in reliance on which the previous enforcement instruction was withdrawn or terminated.
 - two years have passed since the previous enforcement instruction was withdrawn or terminated on _____

B. REGISTRATION

Registration in the Personal Property Registry

- The judgment has been registered in the Personal Property Registry. A verification statement and a printed search result are attached.

Date of the registration: _____

Expiry date of the registration: _____

Date of the printed search result: _____

Has the judgment been registered under the Land Titles Act?

- Yes. A certificate of registered ownership showing the registration of the judgment is attached.
- No.

Has the judgment been registered under the Registry Act?

- Yes. The judgment as endorsed by a registrar of deeds is attached.
- No.

C. INSTRUCTING CREDITOR

Full legal name of the instructing creditor: _____

D. JUDGMENT DEBTOR

Name of the judgment debtor as stated on the judgment: _____

Full legal name of the judgment debtor (if known): _____

Other names used by the judgment debtor (if known): _____

Address of the judgment debtor as stated on the judgment: _____

Other addresses of the judgment debtor (if known): _____

Name and address of the judgment debtor's lawyer (if applicable and known): _____

E. JUDGMENT DEBTOR'S PROPERTY

(Provide below any known information about the judgment debtor's property, assets and employment, and any other information that may assist the sheriff in enforcing the judgment. Attach copies of any relevant documents.)

F. INSTRUCTING CREDITOR'S RECOVERABLE EXPENSES

The following expenses have been incurred by the instructing creditor and may form part of the amount recoverable (check all that apply and enter the amounts):

- Fee for the registration of a judgment in the Personal Property Registry for a period of one year: \$ _____
- Fee for the registration of the judgment under the *Land Titles Act*: \$ _____
- Fee for the registration of the judgment under the *Registry Act*: \$ _____
- Fee accompanying this enforcement instruction: \$ _____
- Fee accompanying an application for an order to attend an examination: \$ _____
- Costs ordered to be part of the amount recoverable under subsection 10(4) of the *Enforcement of Money Judgments Act*. The order is attached. \$ _____

G. ATTACHMENTS

The following are attached:

- A certified copy of the judgment or of an abbreviated judgment.
- A verification statement issued under the *Personal Property Security Act* showing the registration of the judgment in the Personal Property Registry.
- A printed search result issued under the *Personal Property Security Act* with respect to a search of the Personal Property Registry under the name of the judgment debtor.
- The \$120 fee payable on delivery of this enforcement instruction (cash or a money order or cheque made payable to the Minister of Finance).
- _____
- _____
- _____

H. DECLARATION

I believe the information provided in this enforcement instruction to be true. I understand that I may incur liability if any of the information is not given in good faith. I am aware of the requirements of subsection 44(1) of the *Enforcement of Money Judgments Act*, which states:

An instructing creditor shall promptly notify the sheriff or withdraw the enforcement instruction if

- (a) all or any portion of the judgment is discharged by a court order, or is satisfied by a payment of money or transfer of property,
- (b) enforcement of the judgment is stayed by an order of the court, by an agreement or otherwise, or
- (c) the instructing creditor becomes aware of any other material change of circumstances.

(signature of instructing creditor or
instructing creditor's lawyer)

(name)

(date)

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FORM 8

NOTICE OF TERMINATION OF ENFORCEMENT INSTRUCTION

(Enforcement of Money Judgments Act, S.N.B. 2013, c.23, s.46(1))

Subject: Enforcement of the following judgment:

Court: _____ Court file number: _____

Instructing creditor: _____ Judgment debtor: _____

Sheriff file number: _____

To: _____

Address: _____

Under subsection 46(1) of the *Enforcement of Money Judgments Act*, the enforcement instruction you delivered on _____ in relation to the judgment referred to above is terminated.

Reason for termination of enforcement instruction:

- Enforcement action has been taken and enough property has been recovered to satisfy the judgment.
- Enforcement action has been taken or partial payment has been received and I consider that the judgment has been as fully enforced as is reasonably practicable.
- You have agreed to a payment arrangement with the judgment debtor.
- I am unable to locate any property of the judgment debtor that can be realized in order to satisfy the judgment.
- The registration of the judgment in the Personal Property Registry has ceased to be effective.

(Delete if not applicable)

You will be notified when the amount that will be paid to you has been determined.

(signature of sheriff)

(name of sheriff)

(date)

(address and telephone number)

FORM 9**DEMAND FOR INFORMATION***(Enforcement of Money Judgments Act, S.N.B. 2013, c.23, s.56(2))*

Subject: Enforcement of the following judgment:

Court: _____ Court file number: _____

Instructing creditor: _____ Judgment debtor: _____

Sheriff file number: _____

To: _____

Address: _____

Under subsection 56(2) of the *Enforcement of Money Judgments Act* and as authorized by the attached order, I demand that you provide the following information:_____

(signature of sheriff)_____
(name of sheriff)_____
(address and telephone number)_____
(date)**NOTE:**Section 56 of the *Enforcement of Money Judgments Act* states (in part):

(3) A person who receives a demand for information shall, within 21 days,

(a) provide the information to the sheriff, or

(b) advise the sheriff in writing that the person does not have the information.

(4) If the person who receives the demand does not reply to it or replies under paragraph (3)(b), the sheriff may, if the sheriff believes that the person does have information about the judgment debtor's property or resources, apply to the clerk under Part 5 to order the person to attend an examination.

FORM 10

NOTICE OF SEIZURE

(Enforcement of Money Judgments Act, S.N.B. 2013, c.23, s.58(1))

Subject: Enforcement of the following judgment:

Court: _____ Court file number: _____

Instructing creditor: _____ Judgment debtor: _____

Sheriff file number: _____

To: _____

Address: _____

Under subsection 58(1) of the *Enforcement of Money Judgments Act*, the following property is seized for the purposes of enforcing the judgment referred to above:

(Delete if not applicable)

You are required to comply with the attached directions.

(signature of sheriff)

(name of sheriff)

(address and telephone number)

(date)

NOTE:

Sections 62 and 63 of the *Enforcement of Money Judgments Act* state (in part):

Effect of seizure

62(1) When property has been seized by the sheriff

(a) the judgment debtor or other person affected can only deal with the property to the extent permitted by the sheriff, and

(b) a transaction that the judgment debtor or other person affected enters into in relation to the property without the sheriff's consent is invalid.

Objection

63(1) A person who claims to own or have an unregistered interest in any property seized by the sheriff, or who objects to a seizure for any other reason, shall notify the sheriff and the judgment debtor without delay.

FORM 11**RECORD OF SEIZURE***(Enforcement of Money Judgments Act, S.N.B. 2013, c.23, s.61(1))*

Subject: Enforcement of the following judgment:

Court: _____ Court file number: _____

Instructing creditor: _____ Judgment debtor: _____

Sheriff file number: _____

To: _____

Address: _____

The property described below or in the attached notice of seizure has been seized for the purpose of enforcing the judgment referred to above:

_____*(Delete if not applicable)*You are required to comply with the attached directions *(or payment order)*.

If you require further information, contact me at the address or telephone number below.

*(signature of sheriff)*_____
*(name of sheriff)*_____
*(address and telephone number)*_____
*(date)***NOTE:**Sections 62 and 63 of the *Enforcement of Money Judgments Act* state (in part):**Effect of seizure**

62(1) When property has been seized by the sheriff

(a) the judgment debtor or other person affected can only deal with the property to the extent permitted by the sheriff, and

(b) a transaction that the judgment debtor or other person affected enters into in relation to the property without the sheriff's consent is invalid.

Objection

63(1) A person who claims to own or have an unregistered interest in any property seized by the sheriff, or who objects to a seizure for any other reason, shall notify the sheriff and the judgment debtor without delay.

FORM 12

SHERIFF'S CERTIFICATE OF AUTHORITY

(Enforcement of Money Judgments Act, S.N.B. 2013, c.23, s.66(1))

Subject: Enforcement of the following judgment:

Court: _____ Court file number: _____

Instructing creditor: _____ Judgment debtor: _____

Sheriff file number: _____

Under subsection 66(1) of the *Enforcement of Money Judgments Act*, I certify that the following action was taken under the authority of section 65 of that Act:

(signature of sheriff)

(name of sheriff)

(date)

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FORM 13

**SHERIFF'S CERTIFICATE OF AUTHORITY – SHERIFF'S DEED
OR SHERIFF'S TRANSFER**

(Enforcement of Money Judgments Act, S.N.B. 2013, c.23, s.66(1))

Subject: Enforcement of the following judgment:

Court: _____ Court file number: _____

Instructing creditor: _____ Judgment debtor: _____

Sheriff file number: _____

Under subsection 66(1) of the *Enforcement of Money Judgments Act*, I certify that the sheriff's deed (*or* transfer) to which this certificate is attached was executed under the authority of section 65 of that Act.

(signature of sheriff)

(name of sheriff)

(date)

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FORM 14

PAYMENT ORDER

(Enforcement of Money Judgments Act, S.N.B. 2013, c.23, s.81(4))

Subject: Enforcement of the following judgment:

Court: _____ Court file number: _____

Instructing creditor: _____ Judgment debtor: _____

Sheriff file number: _____

To: _____

Address: _____

Under subsection 81(4) of the *Enforcement of Money Judgments Act*, you are directed to deduct the following amounts from the money that is or will become owed and payable to _____ and to forward them to me until further notice:

Amount of each deduction: \$ _____

Frequency of deductions: _____

Date of first deduction: _____

The amounts must be paid by cheque or money order (made payable to the Minister of Finance – in trust) and forwarded to me at: _____

(address)

(Delete if not applicable)

This payment order revokes and replaces the payment order served on you on _____

(signature of sheriff)

(name of sheriff)

(date)

NOTE:

Section 81 of the *Enforcement of Money Judgments Act* states (in part):

(7) An employer shall not dismiss, suspend, lay off, penalize, discipline or discriminate against an employee for a reason related to the issuing of a payment order to the employer.

(8) An employee who alleges that he or she has been the subject of a contravention of subsection (7) may apply to the court, and the court, if it finds the allegation to be true, may make any order in favour of the employee that it considers just, including an order for reinstatement and an award of damages.