

NOTICE OF MOTION TO PAY BY INSTALMENTS - CORPORATION

COURT DETAILS

Court

#Division

#List

Registry

Case number

TITLE OF PROCEEDINGS

[First] plaintiff [name]

#Second plaintiff #Number of
plaintiffs (if more than two)

[First] defendant [name]

#Second defendant #Number of
defendants (if more than two)

FILING DETAILS

Person seeking orders [name] [role of party eg defendant] (**judgment debtor**)

#Filed in relation to [eg plaintiff's claim, (number) cross-claim]
[include only if form to be eFiled]

#Legal representative [solicitor on record] [firm]

#Legal representative reference [reference number]

Contact name and telephone [name] [telephone]

Contact email [email address]

PERSON AFFECTED BY ORDERS SOUGHT

[name] [role of party] (**judgment creditor**)

HEARING DETAILS

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

COURT USE ONLY

Application granted/refused

If refused, state reason

Signature of registrar

Date

[on separate page]

ORDERS SOUGHT

The judgment debt be paid by the judgment debtor to the judgment creditor, by instalments on the following terms:

Amount	\$
Frequency	[#weekly #fortnightly #monthly]
First payment	[date]

SIGNATURE

#Signature of legal representative

#Signature of or on behalf of party
if not legally represented

Capacity [eg solicitor, authorised officer, role of party]

Date of signature

AFFIDAVIT

Name

Address

Occupation

Date

I [#say on oath #affirm]:

- 1 #I am [give details of the capacity of the person making the affidavit and the facts that qualify the person to make the affidavit].
- 2 I believe that the information about the company's present income, assets and liabilities contained in the financial statement that is annexed to this affidavit is true.

#SWORN #AFFIRMED at

Signature of deponent

Name of witness

Address of witness

Capacity of witness

[#Justice of the peace #Solicitor #Barrister #Commissioner for affidavits #Notary public]

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]
#I did not see the face of the deponent because the deponent was wearing a face covering, but I am satisfied that the deponent had a special justification for not removing the covering.*
- 2 #I have known the deponent for at least 12 months. [OR, delete whichever option is inapplicable]
#I have confirmed the deponent's identity using the following identification document:

Identification document relied on (may be original or certified copy) †

Signature of witness

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

[* 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 1: The making of a false statement or the giving of false information in an affidavit is perjury and is an offence punishable by law under the Oaths Act 1900 (NSW).

Note 2: The witness must also sign the annexure certificate endorsed on the financial statement.

Financial Statement

[Add extra lines, if necessary, so that all details of income, assets and liabilities are disclosed.]

INCOME

Estimated gross annual income of business \$ _____
 Nature of business _____

ASSETS

Real estate	\$
Funds in banks/financial institutions, including funds held in off-set accounts	\$
Investments	\$
Motor vehicle	\$
Sundry debtors	\$
Tools and equipment	\$
TOTAL VALUE OF ASSETS	\$

LIABILITIES

Average annual expenses (eg wages, materials, rent, utilities, insurance, superannuation, workers compensation, payments on liabilities listed below) \$ _____

OTHER LIABILITIES:	NAME OF BANK/INSTITUTION	TOTAL AMOUNT OWED
Mortgage		\$
Other loans		\$
Credit cards		\$
Other liabilities (specify)		\$
TOTAL		\$

This is the annexure referred to in the affidavit of [name] [#sworn #affirmed] before me on [date].

 Signature of witness

[on separate page]

JUDGMENT DEBTOR'S DETAILS

Name

Address

#[unit/level number] #[building name]

[street number] [street name] [street type]

[suburb/city] [state/territory] [postcode]

#Telephone

#Fax

#Email