

[Debt Form 16.

JUDGMENT SUMMONS ON AN ORDER OR JUDGMENT UNDER SECTION 139, MAGISTRATES' COURTS ACT, 1908.

The Imprisonment for Debt Limitation Act, 1908, and the Magistrates' Courts Act, 1908.

No. of plaint : /19 . No. of judgment summons : /19 .

In the Magistrate's Court holden at

Between , of [Address and description], plaintiff, and , of [Present address and description, and, if known, place of employment], defendant.

WHEREAS the plaintiff obtained a judgment [or, if no judgment has been obtained, or if a fresh order has been obtained upon a judgment, an order] against you, the above-named defendant, in the Magistrate's Court holden at , on the day of , 19 , for the payment of £ for debt [or damages] and costs, and subsequent costs have been incurred in pursuance thereof amounting to £ :

And whereas it appears you have made default in payment of the sum payable in pursuance of the said judgment [or order], and that there is now due and owing thereunder to the plaintiff the sum of £ :

You are therefore hereby summoned to appear personally at the Magistrate's Court at [Place where Court holden], on such day and at such hour as the Clerk of Court there shall appoint, to be examined on oath by the Court as to whether [Strike out paragraph No. 1 or 2 so as to follow application]—

- (1.) After providing for the reasonable maintenance of yourself and your family you have not since the date of the judgment [or order] had sufficient money to pay the debt ; or
- (2.) You have not since the date of the order to pay the debt by instalments had sufficient money to pay the instalments so due [as the case may be] ; or
- (3.) [If fraud is alleged it must be specifically stated as in the application for judgment summons] ;

and also to show cause why you should not be committed to prison for such default.

Given under my hand, and the seal of the Court, this day of , 19 , Clerk of the Court.

	£	s. d.
Amount of judgment [or order] and costs
Costs of warrant against the goods, if any
Cost of previous judgment summons
Deduct {		
Paid on account
Amounts which were not required to have been paid before the date of summons
Sum payable		
Cost of the summons
Amount upon the payment of which no further proceedings will be had until default in payment of next instalment		
 £

I certify that the sum of £ : : is due and owing on this judgment. , Clerk of the Court.

I appoint , the day of , 19 , at the hour of in the forenoon, as the time for the hearing of this summons. , Clerk of the Court for hearing.

I, , Bailiff of the Magistrate's Court at , do swear that I have duly served the within-named with a summons, a true copy of which is within written, by delivering the same to him personally at , on the day of , 19 .

Sworn at , this day of , 19 , before me, [Signature of Deponent.] , a Justice of the Peace for New Zealand [or Clerk of Court, or Solicitor].