



## Enforcement summons

### Form 46

#### Family Law Rules Order 33 rule 3

1 Full name and address

TO<sup>1</sup>:

2 Date

3 Amount and period

4 Name

1 An order was made (or a maintenance agreement was registered) or the parties entered into a financial agreement *or* a debt for an amount of child support has been found, under a notice of assessment given to you under section 76 of the *Child Support (Assessment) Act 1989*, to be payable by you to (*name of carer entitled to child support*)) on <sup>2</sup> / / requiring that you pay <sup>3</sup> of <sup>4</sup> for the benefit

2 Payments under the order or agreement are in default or in arrears in the amount of \$ at this date.

\* Omit if not applicable

3 You are hereby summoned to attend at this court on / / at <sup>2</sup> \*am/pm to be orally examined on all matters relating to your refusal or failure to comply with the order or agreement and to produce any book, document or thing in your possession, custody or control described in the Schedule to this summons.

4 The court, on hearing this summons and on being satisfied that you have failed to comply with an obligation mentioned in clause 1, may make such of the following orders as it thinks fit:

- (a) an order for the payment of the amount of money owing under the obligation mentioned in clause 1;
- (b) a garnishment order in respect of money owing to you, including any wages or salary;
- (c) an order for seizure and sale of personal property belonging to you;
- (d) an order that your estate be sequestrated;
- (e) an order for seizure and sale of any interest in land belonging to you;
- (f) such other orders as it thinks necessary to enable enforcement of its orders or the agreement or to prevent the dissipation of property or the wasting of assets.

Dated / / 20

\_\_\_\_\_  
Registrar

#### SCHEDULE

NOTES: 1 Subrule 3(6) of Order 33 of the Family Law Rules provides that a person, who without reasonable excuse, fails to attend before the court as required by a summons commits an offence punishable by a fine not exceeding 50 penalty units.

2 Further, subrule 3(7) of Order 33 of the Family Law Rules provides that, where a person fails to attend before a court as required by a summons, the court may issue a warrant directing that the person be taken into custody and brought before the court.

3 If you intend to apply to vary the order or agreement on which the payments are based, you should do so before the date specified in paragraph 3 above.