

MODEL ESTABLISHED BY THE MINISTER OF JUSTICE

(Compulsory header)

**NOTICE OF EXECUTION DRAWN UP BY THE
JUDGMENT CREDITOR FOR THE RECOVERY
OF SMALL CLAIMS**
(articles 566 and 681 C.C.P.)

SECTION I – IDENTIFICATION OF THE RECORD

(Compulsory wording)

Initial notice of execution

Filed in the court office in case record number: _____
in the district of _____ *(Only one case record number may be indicated)*

(Add the other case record numbers concerned by the initial notice of execution, if applicable)

Other case record numbers concerned: _____

(Insert this information if the notice of execution is amended)

Notice of execution amended on _____ **– read Section VI**
(Enter the date of the last amendment)

(If the amendment of the notice concerns other records, enter the case record numbers)

Other case record numbers concerned: _____

SECTION II – IDENTIFICATION OF THE PARTIES

(Identify the seizer, debtor and garnishee)

Seizer(s)

(name of seizer)

(address)

(Add contact information for the other seizers, if applicable)

Debtor

(name of debtor)

(address)

Garnishee

(name of garnishee)

(address)

(Add contact information for the other garnishees, if applicable)

SECTION III – NOTICE TO THE DEBTOR

FORCED EXECUTION OF A JUDGMENT

You have not voluntarily executed the judgment rendered against you. The seizer is the creditor of the judgment and has decided to seize your income in the hands of third persons.

You can obtain release of seizure by paying the amount you were ordered to pay in the judgement, including the judgment execution costs.

You can oppose the seizure within **15 days** following notification of the notice of execution to the garnishee, in accordance with articles 735 and 736 C.C.P.

In the case of a seizure in the hands of third persons, you can also contest the declaration of the garnishee within **10 days**, in accordance with article 711 C.C.P.

SECTION IV –CONCLUSIONS OF THE JUDGMENT

(Complete this section for each case concerned, if applicable)

(Compulsory wording)

Judgment

Record number: _____

The seizer obtained a judgment against you on _____, which orders you to pay the following amounts:

\$ _____ Amount of the judgment

\$ _____ Interest at the rate of ____ % yearly, beginning on _____
 and, if applicable, the additional indemnity

\$ _____ Legal costs

\$ _____ Interest on
the legal costs at the legal rate beginning on _____

Costs subsequent to the judgment \$ _____

Interest on subsequent costs \$ _____

Cost of this notice of execution \$ _____

This judgment was partially executed in the amount of \$ _____ (enter the amount of the partial payment with the sign (-))

Total \$ _____

The professional fee and other expenses of the bailiff for the execution of this notice of execution will be added.

SECTION V – SEIZURE IN THE HANDS OF THIRD PERSONS OF THE DEBTOR'S INCOME

TO THE GARNISHEE, you are required to declare and to deposit with the court clerk, at the courthouse _____ of _____, situated _____ at _____, in record number _____, the seizable portion of the debtor's income. You _____ (record number for the initial notice of execution) have **10 days** from notification of the notice of execution to make this declaration. In addition, you are required to notify your declaration to the seizer within the same time limit.

You must also disclose any other seizures of the debtor's income made in your hands.

You may be ordered to pay the amount owed to the seizer if you fail to declare, withhold and remit the seizable portion of the debtor's income or if you make a false declaration.

SECTION VI – AMENDMENT(S) TO THE NOTICE OF EXECUTION

(Complete this section each time the notice of execution is amended)

(Also complete sections I, II or IV to reflect the amendments made)

On *(indicate the date of the amendment)*, the notice of execution was amended for the following reason(s):

(Select the appropriate phrase)

The seizer has obtained another judgment against you in case record number _____ (read Sections I and IV).

No additional execution measure is required.

The following additional execution measures are required (read Section II):

At _____, on _____

(Clerk's signature)

(Compulsory wording)

To obtain more information, please contact the court clerk.