MAGISTRATES' COURT GENERAL CIVIL PROCEDURE RULES 2020

Rule 72.02(4), 72.04(3), 72.05(5)(a) FORM 72C

**JUDGMENT DEBTOR’S STATEMENT OF FINANCIAL POSITION**

IN THE MAGISTRATES' COURT Court Number

OF VICTORIA AT

|  |  |
| --- | --- |
|       | Judgment creditor |

Of: *(address)*

and

|  |  |
| --- | --- |
|       | Judgment debtor |

Of: *(address)*

|  |  |  |  |
| --- | --- | --- | --- |
| Date of Document |       |  |  |
| Filed on behalf of: |       |  |  |
| Australian lawyer name: |       | Code: |       |
| Address: |       | Telephone: |       |
| Reference |       |

|  |  |
| --- | --- |
| To |       |
|  | *(judgment debtor)* |
| of |  |
|  | *(address)* |
| TAKE NOTICE: Complete this form by giving the information requested below. The completed forms signed by you must be sent to |
|  | *(judgment creditor)* |
| at *(address)* |  |
| before *(day of hearing named in the summons)*  |  |
| If you do not do this, the Court may make an order that you attend before the Court and give the information. |
| Dated: |  |  |  |
|  | *(Signed by judgment creditor or Australian lawyer )* |
| **1.** | **AMOUNT AND SOURCE OF WEEKLY INCOME** |
|  | Occupation |       |
|  | If working for an employer: |  |
|  |  | Name of Employer |       |
|  |  | Address of Employer |       |
|  |  | Gross Wage | $ |       |
|  |  | Current overtime (if any) | $ |       |
|  |  | Car and other allowances and commissions | $ |       |
|  |
|  | If self-employed or in partnership |  |  |
|  |  | Average pre-tax earnings for last 12 months | $ |       |
|  |  |  |  |  |
|  | If unemployed |  |  |
|  |  | State length of last employment |       |  |  |  |
|  |  | Date when last employment ceased |      /      /      |  |  |  |
|  |  | Gross weekly amount earned | $ |       |
|  |  | Pension or other benefit received | $ |       |
|  |  | Workers’ compensation received | $ |       |
|  |  | Other monies | $ |       |
|  |  | Maintenance received | $ |       |
|  |  | Superannuation received | $ |       |
|  |  | Board or rent received | $ |       |
|  |  | Average weekly income including any interest from banks and building societies, and [*any income from*] investment in shares, etc: | $ |       |
|  |  | Average weekly dividend on shares |  |       |
|  |  | Other income *( give details)* | $ |       |
|  |  |       |  |  |
|  |  |  |  |  |
|  | **TOTAL GROSS WEEKLY INCOME** | **$** |       |

|  |  |  |
| --- | --- | --- |
| **2.** | **PROPERTY AND ASSETS** |  |
|  | Land, including vacant land – For each piece of land: |  |
|  |  |  | Market value | Amount of mortgage | Net value |
|  |  | (1) | $ |       | $ |       | $ |       |
|  |  | (2) | $ |       | $ |       | $ |       |
|  |  | (3) | $ |       | $ |       | $ |       |
|  |  |  |  |  |
|  | Motor vehicle(s) - For each motor vehicle |  |  |
|  |  | Vehicle 1 | Vehicle 2 | Vehicle 3 |
|  |  | Year |  |       |  |       |  |       |
|  |  | Make |  |       |  |       |  |       |
|  |  | Model |  |       |  |       |  |       |
|  |  | Market Value | $ |       | $ |       | $ |       |
|  |  | Amount owing to finance company | $ |       | $ |       | $ |       |
|  |  | Net Value | $ |       | $ |       | $ |       |
|  |  |  |  |
|  | Deposit in banks, buildings societies, etc. | $ |       |
|  | Cash presently in your possession | $ |       |
|  | Value of other investments including shares, debentures, bonds | $ |       |
|  | Money owing to you  |  |  |
|  |  From |       | $ |       |  |  |  |
|  |  From |       | $ |       |  |  |  |
|  |  | Total |  | $ |       |
|  |  |  |  |  |
|  | Value of interest in partnership or business  | $ |       |
|  | Furniture, household and personal goods |  |  |
|  |  | Market Value | $ |       |
|  |  | Amount owing to finance company | $ |       |
|  |  | Net value | $ |       |
|  |  |  |  |  |
|  | Life insurance policies – Give particulars and surrender value of each policy |  |  |
|  |  |  |       |  | $ |       |
|  |  |  |       |  | $ |       |
|  |  |  |       |  | $ |       |
|  |  |  |  |
|  | Other assets *(give particulars)* | $ |       |
|  |  |  |       |  |  |  |
|  |  |  |  |  |
|  | **TOTAL PROPERTY AND ASSETS** | **$** |       |

|  |  |  |  |
| --- | --- | --- | --- |
| **3.** | **DEBTS, LIABILITIES AND OTHER FINANCIAL OBLIGATIONS** |  |  |
|  | **(a)** | **Weekly expenses** |  |  |
|  |  |  | Income tax | $ |       |
|  |  |  | Superannuation | $ |       |
|  |  |  | Housing *(mortgage, board, rent, hospital or institution)* | $ |       |
|  |  |  | Municipal Rates | $ |       |
|  |  |  | Water and sewerage rates | $ |       |
|  |  |  | Land tax | $ |       |
|  |  |  | Child care costs incurred for the purpose of earning income | $ |       |
|  |  |  | Maintenance actually paid | $ |       |
|  |  |  | Instalment payments such as for household goods or tools of trade |  |  |
|  |  |  To |       | $ |       |  |  |  |
|  |  |  To |       | $ |       |  |  |  |
|  |  |  To |       | $ |       |  |  |  |
|  |  | Total |  | $ |       |
|  |  |  |  |  |  |
|  |  |  | Electricity and Gas | $ |       |
|  |  |  | Food | $ |       |
|  |  |  | Other general household expenses | $ |       |
|  |  |  | Motor vehicle expenses *(registration, insurance, maintenance, fuel)* | $ |       |
|  |  |  | Fares | $ |       |
|  |  |  | Telephone | $ |       |
|  |  |  | Insurance policy premiums | $ |       |
|  |  |  | School fees and other school expenses | $ |       |
|  |  |  | Clothing and shoes | $ |       |
|  |  |  | Medical and chemist expenses | $ |       |
|  |  |  | Entertainment | $ |       |
|  |  |  | Payments on court orders and fines | $ |       |
|  |  |  | Other expenses *(give details)* | $ |       |
|  |  |  |  |       |  |  |  |
|  |  |  |  |
|  |  | **Total weekly expenses** | **$** |       |
|  |  |  |  |  |
|  | **(b)** | **Other debts outstanding** |  |  |
|  |  | Give particulars of debts under hire purchase, leasing, credit card or other credit contracts, department store accounts, guarantee or personal loan: |  |  |
|  |  |  To |       | due on |       |  | $ |       |
|  |  |  To |       | due on |       |  | $ |       |
|  |  |  To |       | due on |       |  | $ |       |
|  |  | Total |  | $ |       |

|  |  |
| --- | --- |
| **4.** | If any of the assets referred to in paragraph 2 above is owned jointly, identify each asset and give the name of the other owner or owners: |
|  |       |
|  |  |
| **5.** | If any of the debts referred to in paragraph 3 is due jointly, identify each debt and give the name of the other debtor or debtors: |
|  |       |
|  |  |
| **6.** | Give particulars of any other circumstances which affect the financial situation of the judgment debtor such as the number and age of dependants, marital status and health: |
|  |       |
|  |  |
| Date |       |  |  |
|  | *Signature of judgment debtor* |