

CHAPTER II

FORM 3C

AFFIDAVIT IN SUPPORT OF ENFORCEMENT
(Service and Execution of Process Act 1992)

IN THE MAGISTRATES' COURT
 OF VICTORIA
 AT

Court Number:

BETWEEN

Plaintiff

And

Defendant

Date of Document
 Filed on behalf of:
 Australian lawyer name:
 Address:

Code:
 Telephone:
 Reference

I [name] _____
 of [address] _____
 in the State of _____ MAKE OATH AND SAY

1. I am *the plaintiff
 * a solicitor in the firm of [name of firm] _____

_____ solicitors for the plaintiff, and I have the care and conduct of this matter and make this affidavit according to my information and belief.

2. Judgement was entered in the [name of court] _____
 at [place] _____ in the State of [State] _____
 on [date] _____ The terms of the judgment were that the defendant
 pay the plaintiff the sum of \$[claim] _____ with \$[interest] _____
 and \$[costs] _____

3. The nature of the proceedings was for [describe the nature of the proceedings/cause of action]

4. The amount of the judgement which is sought to be enforced is \$[amount] _____
 And is the extent the judgment is capable of being enforced in the court of rendition.
- 5(a) The reasonable costs and expenses of and incidental to obtaining and lodging the copy of the judgment are \$[amount] _____ being the sum paid to obtain a sealed copy of the judgment and \$[amount] _____ being the cost of registering the judgement in Victoria, making a total of \$[amount] _____

- 5(b) The costs and expenses reasonably incurred in attempting to execute the judgement in the court of rendition or in another state are – *[set out details of the costs and expenses]*

6. Pursuant to section *[description]* _____
of the *[name of the relevant legislation]* _____
interest is payable on the judgement from *[date]* _____
to the date of payment of the judgement
[describe the provisions of the legislation referred to which provides the basis of interest calculation]

7. At the date of judgement that applicable interest rate was *[percentage figure]* _____ %
On *[date]* _____ the interest rate *will be/was* varied to *[percentage figure]* _____ %.

8. At the date of swearing this affidavit, interest in the sum of \$*[amount]* _____
has accrued and is calculated as follows-

_____ to _____, _____ days @ _____ % = \$ _____
[date of judgment] *[date]* *[number]* *[percentage figure]*

*[If relevant, provide additional calculations taking into account payments or variations interest rate e.g. –
[date] to [date], [number] days @ [percentage figure] % = \$ _____.]*

Sworn/Declared at
In the State of
On
Before me:

* Delete if not applicable