

Application for warrant to recover chattels

When should I use this form?

This form lets you apply for a warrant that will enable a bailiff to recover and return chattels to the person named in the judgment or court order. Use this form if all the following apply:

- you have a judgment or court order saying that chattels are to be returned to you but you have not yet received them
- you can provide an address for the defendant or you have been advised that the Ministry of Justice has found an address.

How do I complete this form?

This form has three sections:

- Section A is for information required to process your application. You must complete all the steps in Section A.
- Section B is for the date and your signature. You must complete Section B.
- Section C is for extra information to assist the enforcement process. You only need to complete the steps in Section C that are relevant to your application.
- You can only use this form to apply for **one warrant for one defendant**. If you have more than one defendant, you must file a separate application for each defendant.

Who can sign this form?

You can only sign this form if you are the plaintiff or their lawyer. Anyone can help you complete the rest of the form.

How much does it cost to make an application?

The application fee is \$200.

What other costs are involved?

When chattels are returned there may be other costs incurred. These costs are payable by the plaintiff.

KEY WORDS

Below are explanations of some of the words we use in this application form.

Chattels All kinds of movable personal property.

Confidential address request A request to the Ministry of Justice to check its records for an address for the defendant.

Court order Issued by a court or tribunal that requires a person or organisation to do, or stop doing, something.

Defendant The person or organisation against whom a claim is made in the civil jurisdiction of the District Court.

Enforcement Action authorised by a court to get the defendant to comply with a judgment or court order.

Judgment The decision of a judge in court proceedings. It also includes the reasons the judge gives for their decision.

Plaintiff The person or organisation making a claim in the civil jurisdiction of the District Court.

Warrant to recover chattels Allows a bailiff or constable to recover chattels and return them to the person named in a judgment or court order.

How do I file my application?

You can file your application by post, in person or electronically through File and Pay. You must pay the fee with your application. You can also make the payment through File and Pay.

By post

Post your application to:
Central Registry,
DX SX10042
Wellington.

In person

See justice.govt.nz/contact-us/find-us for the address of your nearest District Court.

File and Pay

You can file the application electronically and also pay the filing fee through File and Pay on courtsfnz.govt.nz/file-and-pay

What are the next steps after making an application?

The warrant will be sent to a bailiff to action. The bailiff will contact you to advise the outcome of the warrant to recover chattels.

Where can I find more information?

If you need help with this form, you can:

- call **0800 233 222**
- visit justice.govt.nz/fines/about-civil-debt/
- email civilenforcement@justice.govt.nz.

Paying for your application

You must pay the fee with your application.

Applying in person

If you apply in person at a District Court, you can pay by cash or eftpos (Visa or Mastercard credit or debit cards).

File and Pay

You can pay the filing fee through File and Pay on courtsfnz.govt.nz/file-and-pay

More payment options

For more options on how to pay, you can visit:

justice.govt.nz/fines/ways-to-make-or-receive-a-payment/civil-enforcement/

Application for warrant to recover chattels

Section A Information required to process your application

You must complete all the steps in this section.

1. Provide the court reference number this application relates to

For example, CIV-2013-095-123

Court reference number

You must attach a copy of the judgment or court order if you have not already given the court a copy.

- I have attached a copy
- I have already given the court a copy

2. Provide the details of the plaintiff making this application

Full name

Organisation name (if applicable)

Office held by authorised officer making application

Postal Address

Street address (if different)

Email

Phone: Mobile

Business

Home (if applicable)

If you are an applicant and wish to ensure your contact details on this form are kept confidential to the other party, please tick this box.

Indicate your preferred contact address

- my email address
- my postal address
- my lawyer's address (see Section C)
- my debt recovery company's address (see Section C)

3. Provide the details of the defendant

Full name of person or organisation

Person's date of birth (if known)

Address

Do you have an address for the defendant?

Yes, the address is

This address was current on

I would like the Ministry of Justice to check its records and, where they are more recent, use the contact details it holds for the defendant.

No, I do not have an address for the defendant. But I have made a confidential address request and the Ministry of Justice has advised that it has found an address for the defendant.

Other contact details

Provide any other contact details for the defendant.

Email

Phone: Mobile

Business

Home (if applicable)

4. Provide the details of the chattels to be recovered

The chattels recovered by the bailiff can only be returned to the plaintiff who obtained the judgment or court order.

Description of chattels to be recovered	Location of chattels (if different from the address given in Section 3)

Section B Date and signature

This section must be completed by the plaintiff or the plaintiff's lawyer.

Your name


Signature _____

Date

Select one of the following:

- I am the plaintiff
- I am the plaintiff's lawyer

Checklist. . .

-  Have you attached a copy of the judgment or court order?
- Have you signed and dated the form?
- Have you paid the application fee?
- Do you need to complete Section C?

Office use only

Application filed (date and time) _____

Section C Extra information to assist the application process

Only complete the steps in Section C that are relevant to your application.

1. Provide the details of the lawyer representing you

Name of law firm

Name of lawyer

Postal address

Email

Phone

Reference number

2. Provide the details of the debt recovery company managing the enforcement process for you

Company name

Postal address

Email

Phone

Reference number