Guidance on Using the Charging Order on Land Template

(Form 51 of the District Court Rules 2014)

About the charging order on land

You will need to file draft copies of this order when making an application for a charging order on land (using form 49).

Please file one copy for the court, one copy for yourself, and one copy for every party to be served.

How to use the template

All the required fields are set out in the template on the following two pages.

The sections that you have to fill out are marked with red text. The red text explains what you need to put in. These are either:

* fillable form fields, so click on the red text and start typing.
* dropdown fields, where you can select and option.

If you want to leave the field blank, just enter a space.

The blue text is explanatory notes. Delete these notes before printing the form.

Formatting your form

Before printing the form, check the following:

That the pages are numbered. Numbering should at page 1 on the page after the cover page (i.e. the cover page should not be numbered). The template is set up to automatically number the pages in this matter.

You may print the form either single or double-sided. However, the cover sheet must not be double sided. If you print double sided you must adjust the margins as follows:

* In the “Margins” section in Word, select “Custom Margins”. In the box that pops up, find the field called “Multiple pages”. Select “Mirror Margins” from the dropdown menu, and click OK.
* The wide margin should now be on the left of every front page, and on the right of every reverse page.

Once you have completed the form, print and sign it.

In the District Court at Choose an item.

No: number of proceeding

Between name (judgment creditor)

And name (judgment debtor)

Charging order on land

Next event date: Next court event date (if known). Delete this line if unknown.

Judicial officer: Judge hearing the next event (if known). Delete this line if unknown.

Fill out the option that applies and delete the other option. **NOTE: enter enough lines above so this section is at the bottom of the cover page.**

For an individual: Filed by Person’s name, the Your role in proceedings, e.g. “plaintiff” in person.

OR; for an organisation: Filed by Person’s name, an authorised officer for the Your organisation’s role in proceedings, e.g. “plaintiff”, Enter the name of the organisation.

On the application of the judgment creditor, this court orders that the estate, right, title, or interest of the specify party, e.g. “judgment debtor” in describe land intended to be affected stand charged with payment of the amount of $amount, being the amount, or part of the amount, for which the judgment creditor has obtained a judgment/order in this proceeding.

Date:

Signature:

(Registrar/Deputy Registrar)

Application was made to the Registrar of the District Court at Court location for the making of this order at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [*time, date*] by name, agent for the judgment creditor.

Date:

Signature:

(Registrar/Deputy Registrar)