



Application for **third party claim**

When should I use this form?

This form lets you make a claim to say that you own or have an interest in property that has been seized or sold by a bailiff to pay a judgment debt. Use this form if all the following apply:

- a bailiff has seized (and may have sold) property to pay a judgment debt
- you are a third party who says that you either own or have an interest in the property that has been seized or sold by the bailiff.

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.

Who can sign this form?

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

How much does it cost to make an application?

There is no fee to make a third party claim.

KEY WORDS

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

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

Enforcement Action authorised by a court to get the judgment debtor 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.

Judgment creditor The person or organisation money is owed to in a judgment or court order.

Judgment debt The sum of money awarded to the successful party (the judgment creditor) in a judgment or court order. The money is owed to the judgment creditor by the unsuccessful party (the judgment debtor).

Judgment debtor The person or organisation who owes money in a judgment or court order.

Third party A person or organisation who is not a party to the judgment or court order. However, the enforcement action taken by the judgment creditor may have affected the third party's property rights.

Warrant to seize property Allows a bailiff or constable to seize and sell property belonging to the judgment debtor to pay a judgment debt.

How do I file my application?

You can file your application by post or in person.

By post

Post your application to:
Central Processing Unit,
DX SX10042
Wellington.

In person

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

What are the next steps after making an application?

A copy of your claim will be sent to the judgment creditor. If the judgment creditor does not accept your claim, a hearing will be required before a District Court judge to make a decision about your claim.

Where can I find more information?

If you need help with this form, you can:

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

Application for third party claim

Section A Information required to process your application

You must complete all the steps in this section

1. Provide the details of the court case this application relates to

Court reference number *(if known)*

Judgment debtor's name

Judgment creditor's name *(if known)*

2. Provide the details of the person making this application

Full name

Organisation name *(if applicable)*

Office held by authorised officer making application

Do you want your personal information to be kept confidential from the other party? YES NO
If YES, please provide a reason (for example, 'because I'm in the witness protection programme')

Postal address

Street address *(if different)*

Email

Phone: Mobile

Business

Home *(if applicable)*

Indicate your preferred contact address:

my email address

my postal address

my lawyer's address

3. Provide details about the type of third party claim

This claim is made in respect of:

Select one of the following

Property seized under an enforcement in this court case.

Proceeds from the sale of property seized under an enforcement in this court case.

The value of the property seized under an enforcement in this court case.

4. Provide details about your claim

List the property that you are claiming

Grounds for your claim

5. Provide details about whether you want to suspend the sale of seized property (where the property has not been sold)

No, I do not want to suspend the sale of seized property. Go to Section B.

Yes, I have already deposited money with a bailiff or court, or provided security to suspend the sale of seized property. Please provide details.

Date the money was deposited with a bailiff or court

Amount paid or security provided

Name of bailiff or name of court

Section B Date and signature

This section must be completed by the applicant or the applicant's lawyer

Your name

Signature _____ Date

Select one of the following:

I am the applicant

I am the applicant's lawyer

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