

CHARGING ORDER

Magistrates Court of South Australia (Civil Division)

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Enforcement of Judgments Act 1991

Section 8

Court Use

Date Filed:

This document must be served on the respondent personally

Trial Court				Action No	
Address	Street		Telephone	Facsimile	DX
	City/Town/Suburb	State	Postcode	Email Address	

Judgment Creditor

Full Name					
Address <small>(Registered Office, if Body Corporate)</small>	Street		Telephone	Facsimile	DX
	City/Town/Suburb	State	Postcode	Email Address	
Solicitor (if any)					

Judgment Debtor

Full Name					
Address <small>(Registered Office, if Body Corporate)</small>	Street		Telephone	Facsimile	DX
	City/Town/Suburb	State	Postcode	Email Address	
Solicitor (if any)					

Upon the application of the judgment creditor by application dated on
before his/her Honour

UPON READING the Affidavit filed herein AND UPON HEARING of

Counsel for the judgment creditor and for the judgment debtor/s

IT IS ORDERED:

- That the judgment debtor/s pay the judgment creditor/s the costs of and incidental to this Application and of registering this charging order which are fixed at \$ and of discharging it which are fixed at \$.
- That the property of the judgment debtor/s being all the estate and interest of the judgment debtor/s in the land and improvements thereon comprised in and described by Certificate of Title Register Book Volume folio BE AND IS HEREBY CHARGED with the payment of the judgment debt herein including interest accrued and accruing under the *Magistrates Court (Civil) Rules 2013* and costs ordered in paragraph 1.
- That this Charge will remain in force until:
 - The judgment debt and costs and interest are paid in full;
 - A memorial of the discharge of this Charge is entered on the Certificate of Title to the land hereby charged under paragraph 6 of this Order;
 - The Court orders that this Charge (Order) be discharged, whichever shall first occur.
- That the said judgment debtor/s are prevented from dealing with the land hereby charged whilst this Charge remains in force.

5. That the Registrar-General of the Lands Titles Office Registration Office shall forthwith upon the production of an Application in a form approved by him/her and a sealed copy of this Charging Order enter a memorial of this Charge on the original Certificate of Title for the land hereby charged notwithstanding any Warrant of Sale, Caveat or other interest entered on that Certificate of Title and notwithstanding that the duplicate Certificate of Title has not been produced to him.
6. That this order does not prevent the Registrar-General from completing the registration of any instrument affecting the land that was produced for registration before the receipt by the Registrar-General of the application referred to in the previous paragraph.
7. That the Registrar-General shall enter on the said Certificate of Title a memorial of the discharge of the Charge upon the application in a form approved by him of the judgment creditor or the judgment creditor's solicitors.
8. That the parties, the Registrar-General and any other person affected by this Charging Order have liberty to apply to vary or discharge this order.

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Date

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MAGISTRATE