

# Third Party Debt Notice

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## FORM 17 Family Law Rules ~ RULE 20.32

Please type or print clearly and mark [X] all boxes that apply. Attach extra pages if you need more space to answer any question/s.

Filed in:

- Family Court of Australia  
 Family Court of Western Australia  
 Other (specify) \_\_\_\_\_

Client ID \_\_\_\_\_

File number \_\_\_\_\_

Filed at \_\_\_\_\_

Filed on \_\_\_\_\_

Filed on behalf of:  Husband/father  Wife/mother  Other (specify) \_\_\_\_\_

This Notice is issued by the Court at the request of the applicant (payee) to enforce an obligation to pay money. It is directed to a person (third party) who it is alleged owes money to, or is the employer of the respondent (payer) named in this Notice.

**IMPORTANT: Information for the third party is on page 4.**

## Part A About the parties

APPLICANT (PAYEE)	RESPONDENT (PAYER)
<p><b>1</b> What is your family name as used now?</p> <input type="text"/> Given names? <input type="text"/>	<p>Family name as used now  <input type="text"/>                      Given names  <input type="text"/></p>
<p><b>2</b> What is your contact address (address for service) in Australia?</p> <input type="text"/> <input type="text"/> <input type="text"/> State                      Postcode Phone                      Fax * DX Lawyer's code Email *	<p>Respondent's address  <input type="text"/>  <input type="text"/>  <input type="text"/>                      State                      Postcode                      Phone  <input type="text"/>  <input type="text"/>  <input type="text"/></p>

\* Please do not include email or fax addresses unless you are willing to receive documents from the Court and other parties in that way.

If there is more than one applicant or respondent, attach an extra page with the details for Applicant 2/ Respondent 2, answering Items 1 & 2.



**Part D****Notice to the third party (employer) about redirection of earnings****6**

[COMPLETE ONLY IF APPLICABLE]

**TO**

Name

**OF**

	State	Postcode
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Seven days after you are served with this notice, you must deduct from the respondent's (payer's) earnings each pay day an amount of \$ \_\_\_\_\_, calculated as follows:

Amount	\$ _____
Less administrative expense	\$ 5.00
<b>Amount deducted</b>	<b>\$ _____</b>

and pay the 'Amount deducted' to the applicant (payee):

- until the amount of \$ \_\_\_\_\_ [here insert the total at Item 4 in Part B] has been paid in full; or
- if you owe the respondent (payer) less than this amount, the total amount that you owe the respondent (payer).

**Note:** In making these deductions from the respondent's earnings to meet this obligation, you must ensure that the respondent is not paid less than the protected earnings rate which is \$ \_\_\_\_\_ per fortnight.

**Part E****Notice to third party about payment of periodic sums****7**

[COMPLETE ONLY IF APPLICABLE]

**TO**

Name

**OF**

	State	Postcode
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Seven days after you are served with this notice you must pay to the applicant each \_\_\_\_\_ [insert period] an amount of \$ \_\_\_\_\_, calculated as follows:

Periodic amount	\$ _____
Less administrative expense	\$ 5.00
<b>Amount</b>	<b>\$ _____</b>

This amount must be paid to the applicant (payee) each \_\_\_\_\_ [insert period] until the total amount owed of \$ \_\_\_\_\_ [here insert the total at Item 4 in Part B] is paid in full or your liability to the respondent ceases. If, on the final payment, the amount owed to the applicant (payee) is less than the periodic amount you must pay the lesser amount.

## Part F Signature [COURT USE ONLY]

Signature

Date

	/ /
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FOR REGISTRAR

This notice was prepared by

applicant/s

lawyer


PRINT NAME AND LAWYER'S CODE

### Important Notice to the Third Party

This notice continues in force until:

- (a) the total amount specified in the Notice is paid; or
- (b) the Notice is set aside.

Payment of a debt to the applicant (payee) under this Notice satisfies the debt between the third party and the respondent (payer) to the extent of the payment.

A brochure informing you of the effect of this notice and your obligations must have been served on you with this Notice.

A third party debtor:

- (a) must comply with a third party debt notice or an order varying, suspending or discharging a third party debt notice; and
- (b) must not unfairly treat a payer in respect of employment because of an order made under Chapter 20 of the Family Law Rules.

**Penalty: 50 penalty units.**