

NOTES

Form 59.1

(Rule 13-4 (10))

[Style of Proceeding]

APPOINTMENT FOR EXAMINATION IN AID OF EXECUTION

[Rule 22-3 of the Supreme Court Civil Rules applies to all forms.]

1 To:*[name of person to be examined]*.....

2 TAKE NOTICE that you are required to attend for an examination for discovery in aid of execution at the place, date and time set out below. You must, unless the court otherwise orders, bring with you all documents in your possession or control, not privileged, relating to the matters referred to in Rule 13-4 (2), which rule is reproduced below.

Place:

Date:*[dd/mmm/yyyy]*.....

Time:

3 Date:*[dd/mmm/yyyy]*..... Signature of [] party wishing to conduct examination [] lawyer for party(ies) wishing to conduct examination
.....*[type or print name]*.....

Rule 13-4 (2) of the Supreme Court Civil Rules states:

Examination of judgment debtor

(2) If a judgment creditor is entitled to issue execution on or otherwise enforce an order of the court, the judgment creditor may examine the judgment debtor for discovery as to

- (a) any matter pertinent to the enforcement of the order,
- (b) the reason for nonpayment or nonperformance of the order,
- (c) the income and property of the judgment debtor,
- (d) the debts owed to and by the judgment debtor,
- (e) the disposal the judgment debtor has made of any property either before or after the making of the order,
- (f) the means the judgment debtor has, had or may have of satisfying the order, and
- (g) whether the judgment debtor intends to obey the order or has any reason for not doing so.

NOTES

Court forms are available at: http://www.ag.gov.bc.ca/courts/other/supreme/2010SupRules/info/index_civil.htm.

They can be completed online and filed electronically using Court Services Online:
www.courtservicesonline.gov.bc.ca.

They can also be printed and completed manually; or completed online, printed and filed.

Give the original to a court bailiff for execution; the affected party would have been served a copy of the order for judgment.

1. Name the other party that you wish to examine under oath.
 2. Provide the location, date, and the time of examination.
 3. Date and signature.
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