

FORM 35—GARNISHEE SUMMONS (GENERAL)

(Paragraph 20(2)(a))

**GARNISHEE SUMMONS (GENERAL)**  
IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

REGISTRY FILE NO.
REGISTRY LOCATION

Fill in the name, address and telephone number of the general creditor.

NAME

**GENERAL CREDITOR**

ADDRESS

CITY, TOWN, COMMUNITY

TERRITORY/PROVINCE

POSTAL CODE

TELEPHONE

Fill in the name, address and telephone number of the debtor.

NAME

**DEBTOR**

ADDRESS

CITY, TOWN, COMMUNITY

TERRITORY/PROVINCE

POSTAL CODE

TELEPHONE

Fill in the name, address and telephone number of the person or business that is to be garnisheed.

NAME

**GARNISHEE**

ADDRESS

CITY, TOWN, COMMUNITY

TERRITORY/PROVINCE

POSTAL CODE

TELEPHONE

**GARNISHEE SUMMONS (GENERAL)**

**SUMMARY**

a. Date of Judgment	
b. Amount of Judgment	\$
c. Unsatisfied Amount	\$
d. Amount Payable in respect of all other Subsisting Executions	\$
<b>TOTAL</b>	\$
+ COSTS	\$
<b>Total Amount Due (Maximum Required)</b>	\$

**TO GENERAL CREDITOR:**

1. You have chosen to enforce a judgment or order by garnishment. Once you have made the required filings and paid the prescribed fee under subrule 20(2) of the *Civil Claims Rules* and received the copies from the clerk, you must serve by personal service the required documents on the garnishee and debtor in accordance with subrule 20(4) of the *Civil Claims Rules*. In addition if a garnishee is
  - (a) the Government of Canada, you must also personally serve it and the debtor a completed application form set out in the Schedule to the *Garnishment and Attachment Regulations SOR/83-212*, made under the *Garnishment, Attachment and Pension Diversion Act (Canada)*; or
  - (b) the Government of the Northwest Territories, you must personally serve it by serving the Comptroller General of the Northwest Territories.
2. If the amount owing under this GARNISHEE SUMMONS (GENERAL) is fully paid by a person other than the garnishee, or otherwise settled you are required to file and serve, without delay, by ordinary service on the garnishee and debtor a NOTICE OF TERMINATION OF GARNISHMENT (GENERAL) in Form 39 of the *Civil Claims Rules* .

**TO THE DEBTOR:**

1. The general creditor is seeking to enforce a judgment or order against you by this GARNISHEE SUMMONS (GENERAL).
2. If you think that exemptions may apply to you under the *Exemptions Act* or any other enactment, you should advise the garnishee immediately.

**TO GARNISHEE:**

1. The general creditor is seeking to enforce a judgement or order against a debtor by means of this GARNISHEE SUMMONS (GENERAL). You have been named as a garnishee by the general creditor.
2. Your attention is drawn to subrules 20(8) to (16) of the *Civil Claims Rules* and also sections 6 to 8 of the *Creditor's Relief Act*.
3. As the garnishee, you must pay into the Territorial Court or pay to the person named in the GARNISHEE SUMMONS (GENERAL) the maximum amount required (see the Summary), less any amount exempted (as calculated in a WORKSHEET (GENERAL) in Form 38 of the *Civil Claims Rules*). If you dispute the amount, you must explain why (in a GARNISHEE'S STATEMENT (GENERAL) in Form 37 of the *Civil Claims Rules*) and what amount, if any, should be paid.
4. The payment into the Territorial Court or to the person named in the GARNISHEE SUMMONS (GENERAL) be made
  - (a) 10 days after service on the garnishee or 10 days after the debt becomes payable, whichever is later; or
  - (b) such other longer period as may be ordered by a judge.
5. If you fail to make the required payment, the general creditor may, under subrule 20(14) of the *Civil Claims Rules*, apply to a judge to obtain an order against you for payment of
  - (a) the unpaid amount; and
  - (b) any costs of the order and its enforcement against the you.
6. Payment into Territorial Court may be made at the following Registry of the Territorial Court:

Yellowknife Registry  
Territorial Court  
4903 49th St.  
Box 550  
Yellowknife, NT  
X1A 2N4

Hay River Registry  
Territorial Court  
201-8 Capital Drive  
Hay River, NT  
X0E 1G2

Inuvik Registry  
Territorial Court  
151 Mackenzie Road  
Box 1965  
Inuvik, NT  
X0E 0T0

**TO ALL PARTIES**

1. You should refer to rule 20 of the *Civil Claims Rules* and also sections 6 to 8 of the *Creditor's Relief Act*.

Date: \_\_\_\_\_

Issued by: \_\_\_\_\_

(Clerk of the Territorial Court)

General creditor's address for service:

Debtor's full name and address, if known:

Telephone:

Telephone: