

ENFORCEMENT OPTIONS

Attachment Order

If the employer details are known an attachment order can be put against the customer's wages, or at WINZ if the customer is on a benefit. For benefit purposes the date of birth of the customer must be known. To invoke an attachment order, an application form is required to be completed by our legal team and filed in court.

Financial Assessment Hearing (FAH)

Financial Assessment Hearing (previously Order for Examination) can be applied for through the Court. A FAH is where a customer is summonsed to court for the purposes of having his/her financial situation examined. At this hearing the Registrar will make an order for your customer to pay a specified amount of money at a specified frequency, e.g. \$20 per week. We recommend this option for cases where the income status of the customer is unknown.

The summons must be served personally on your customer and this is done in one of two ways, either by one of Baycorp's field agents or by a court bailiff.

Charging Order

This is registered on the title of the customer's property; and can prevent the property from being sold without payment of the debt that the charging order represents.

Applications for Warrant to Seize Property (previously called Distress Warrant)

This is where we apply to the court to seize assets for the purposes of selling them to offset against the amount owed. The goods are seized by a court bailiff and proof of ownership is a requirement.

Bankruptcy

A client can apply to have a customer made bankrupt. Once bankrupt, the Official Assignee (O/A) manages a customer's finances. Bankruptees cannot be a director of a company, nor obtain goods on credit without the express permission of the O/A.

Liquidation Proceedings

Are issued to wind up a company. Generally this course of action is only taken where it is believed that a company has assets that can be sold to settle any outstanding debts.

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