

EXPLANATORY NOTES

DECLARATION BY THE GARNISHEE (SJ-287-1 (641))

The garnishee is the person who pays salaries or wages to the debtor.

The seizure remains binding for the seizable portion thereof so long as the debtor remains in his employment and all the claims filed by his creditors have not been paid.

If the debtor leaves his employment, the garnishee must forthwith so declare.

When the claims of the seizing creditor and other claimants have been paid, the court clerk shall so inform the debtor and the garnishee.

Any garnishee who fails to declare is, upon inscription for judgment, condemned as personal debtor of the seizing creditor.

TYPE OF FORM

This form is available in dynamic PDF format, i.e. after it is downloaded, the garnishee may complete it on screen. It may also be printed and completed by hand.

PROCEDURE

The garnishee must declare to and deposit with the clerk, within 10 days following the service of the writ, personally or by registered or certified mail, the seizable portion of what he owes the seized debtor, declare and deposit again in the same manner every month and serve a copy of his first declaration on the seizing creditor, by registered or certified mail.

For more information, as well as the addresses and telephone numbers of all **courthouses** in the province of Québec, consult the list of courthouses on the Internet site of the ministère de la Justice.

CANADA
Province of Québec
District:
Record No.

Plaintiff

v.

Defendant

and

Garnishee

DECLARATION BY THE GARNISHEE

I, the undersigned, _____, garnishee (or person authorized to declare on behalf of the garnishee), declare the following:

Affirmative declaration

<input type="checkbox"/>	At the time of service of the writ of seizure, the debtor was employed by the garnishee. The gross income owing to the debtor is _____ payable on _____ of every _____ (frequency). The seizable portion of the gross income is _____ (see the general information on the reverse side of the writ). Explanations/Additional information (if applicable):
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Negative declaration

<input type="checkbox"/>	At the time of service of the writ of seizure, the debtor was not employed by the garnishee. Explanations/Additional information (if applicable):
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Renewed declaration

<input type="checkbox"/>	Since the last declaration made in this case, the gross income owing to the debtor is _____ payable on _____ of every _____ (frequency). The seizable portion of the gross income is _____ (see the general information on the reverse side of the writ). Explanations/Additional information (if applicable):
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Termination of employment

<input type="checkbox"/>	The debtor left his/her employment or is no longer employed by the garnishee.
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Place and date of signature

Signature of garnishee

DEFENDANT'S ACKNOWLEDGMENT OF RECEIPT of a copy of the garnishee's first declaration

At _____, on _____ . _____
Signature of defendant