

**Supreme Court of Prince Edward Island
Small Claims Section**

**Notice of Garnishment
Form 20E**

[Claim No]

Plaintiff No. 1

Plaintiff No. 2 (if applicable)

Full name	Full Name
Address for Service	Address for Service
Phone No. Fax No. (If any)	Phone No. Fax No. (If any)
Plaintiff's Lawyer/Agent (Full Name)	Plaintiff's Lawyer/Agent (Full Name)
Lawyer/Agent's Address for Service	Lawyer/Agent's Address for Service
Lawyer/Agent's Phone No. Fax No. (If any) E-Mail Address (Optional)	Lawyer/Agent's Phone No. Fax No. (If any) E-Mail Address (Optional)

Defendant No. 1

Defendant No. 2 (if applicable)

Full name	Full Name
Address for Service	Address for Service
Phone No. Fax No. (If any)	Phone No. Fax No. (If any)
Defendant's Lawyer/Agent (Full Name)	Defendant's Lawyer/Agent (Full Name)
Lawyer/Agent's Address for Service	Lawyer/Agent's Address for Service
Lawyer/Agent's Phone No. Fax No. (If any) E-Mail Address (Optional)	Lawyer/Agent's Phone No. Fax No. (If any) E-Mail Address (Optional)

Note: THE CREDITOR SHALL SERVE THIS NOTICE on the debtor with an Affidavit for Enforcement Request (Form 20J) and serve on the garnishee this notice with a blank Garnishee's Statement (Form 20F).

TO THE GARNISHEE:

The creditor has obtained a court order against the debtor. The creditor claims that you owe or will owe the debtor a debt in the form of wages, salary, pension payments, rent, annuity or other debt that you pay out in a lump-sum, periodically or by installments. (A debt to the debtor includes both a debt payable to the debtor alone and a joint debt payable to the debtor and one or more co-owners).

YOU ARE REQUIRED TO PAY to Sheriff Services:

- (a) all debts now payable by you to the debtor, **within ten (10) days** after this notice is served on you; and
- (b) all debts that become payable by you to the debtor **within six (6) years** after this notice is served on you, **within ten (10) days** after they become payable.

The total amount of all your payments to Sheriff Services is not to exceed \$_____.
(Amount unsatisfied)

THIS NOTICE IS LEGALLY BINDING ON YOU until it expires or is changed, terminated or satisfied. If you do not pay the total amount or such lesser amount as you are liable to pay, you must serve a Garnishee's Statement (Form 20F) on the creditor and debtor, and file it with the clerk within ten (10) days after this notice is served on you.

EACH PAYMENT, PAYABLE TO SHERIFF SERVICES, MUST BE SENT with a copy of the attached garnishee's payment notice to Sheriff Services.

If your debt is jointly owed to the debtor and to one or more co-owners, you must pay the debtor's appropriate share of the amount now payable, or which becomes payable, or such a percentage as the court may order.

The amounts paid shall not exceed the portion of the debtor's wages that are subject to seizure or garnishment under the Garnishee Act. The portion of wages that can be garnished may be increased or decreased only by order of the court. If such a court order is attached to this notice or is served on you, you must follow the direction in that court order.

CAUTION TO GARNISHEE:

IF YOU FAIL TO PAY to Sheriff Services the amount set out in this notice and do not file a Garnishee's Statement (Form 20F) disputing garnishment, **JUDGMENT MAY BE OBTAINED AGAINST YOU BY THE CREDITOR** for payment of the amount set out above, plus costs. If you make a payment to anyone other than Sheriff Services, you may be liable to pay again.

NOTE: Any party or interested person may complete a serve a Notice of Garnishment Hearing (Form 20k) to determine any matter related to this notice. To obtain forms and self-help materials, attend the nearest Small Claims Court or access the website: www.gov.pe.ca

_____, 20____
(Date)

(Signature of Clerk)

The top portion of the garnishee's payment notice is to be completed by the creditor before the Notice of Garnishment is issued. (Where it is anticipated that more than one payment will be made by the garnishee, the creditor should supply extra copies of the payment notice.

GARNISHEE'S PAYMENT NOTICE

Make payment by cheque or money order payable to Sheriff Services and send it, along with this payment notice to Sheriff Services at the following address:

Sheriff's address: _____

Claim No.: _____

Creditor: _____

Debtor: _____

Garnishee: _____

TO BE COMPLETED BY GARNISHEE FOR EACH PAYMENT

Date of payment: _____, 20____

Amount enclosed: \$ _____