

FORM 60F.2

NOTICE OF GARNISHMENT OF PENSION BENEFIT CREDIT
(Section 14.1 of *The Garnishment Act*)

THE QUEEN'S BENCH (FAMILY DIVISION)
_____ Centre

BETWEEN:

(name)

creditor

- and -

(name)

debtor

- and -

(name)

garnishee

NOTICE OF GARNISHMENT OF PENSION BENEFIT CREDIT
(Section 14.1 of *The Garnishment Act*)

TO: (name and address of garnishee)

THE DEBTOR OWES MAINTENANCE PAYMENTS TO THE CREDITOR pursuant to a court order or agreement. The Designated Officer, Maintenance Enforcement Program, on behalf of the creditor, claims that as you are:

(A) an employer who established or administers a pension plan for employees including the debtor; or

(B) an administrator or trustee of a pension plan of which the debtor is a member; or

(C) a financial or other institution that issued, underwrites or is a depository of a retirement benefit plan, owned by the debtor, of a type prescribed by regulation under *The Pension Benefits Act*;

you are a garnishee as defined in subsection 14.1(1) of *The Garnishment Act*.

The Designated Officer on behalf of the creditor has directed this Notice of Garnishment to you as garnishee in order to seize the net pension benefit credit of the debtor, as determined in accordance with the regulation to *The Pension Benefits Act* made under clause 37(s.1) of that Act, to enforce the debtor's maintenance obligation.

This Notice of Garnishment binds the net pension benefit credit of the debtor on the day it is served on you, to the extent necessary to satisfy this notice.

Where you have notice as of the day of service of this Notice of Garnishment that a person is entitled to a division of the debtor's pension benefit credit under subsection 31(2) of *The Pension Benefits Act*, the amount of that person's entitlement is not bound by this Notice of Garnishment and is exempt from attachment by virtue of subsection 14.2(1) of *The Garnishment Act*.

1. **YOU ARE REQUIRED TO** deduct from the net pension benefit credit of the debtor the sum of \$_____ and **within 90 days after the day of service of this notice** on you to forward the amount so deducted to:

(address of Designated Officer)

Cheques must be made payable to _____, with reference to
(the Minister of Finance or the Creditor)

Maintenance Enforcement Program account number _____.

2. **YOU ARE REQUIRED TO** complete and provide the attached statutory declaration to the Designated Officer, Maintenance Enforcement Program:

(A) within 30 days after the day of service of this notice, if you are not one of the group of persons defined as a garnishee in subsection 14.1(1) of *The Garnishment Act*; or

(B) within 90 days after the day of service of this notice, if you do not forward the required amount within that period for any other reason, including either of the following:

(i) the debtor's net pension benefit credit, determined in accordance with the regulations to *The Pension Benefits Act*, is insufficient to satisfy this Notice of Garnishment; or

(ii) you have notice that there might be a person entitled to a division of the debtor's pension benefit credit under subsection 31(2) of *The Pension Benefits Act* as of the day of service of this Notice of Garnishment. **Subsection 14.2(3) of *The Garnishment Act* applies in this situation. YOU MUST NOT PAY any money sought in this Notice of Garnishment until the court determines the payment required. YOU MUST ALSO FILE the completed statutory declaration in the court that issued the Notice of Garnishment.**

(date)

Registrar

Address of Court Office

Designated Officer's Address

Debtor's Full Name

Telephone number _____

Debtor's Address (if known)