

NOTES

Form 59

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(Rules 13-3 (15) and 14-1 (8) and Section 6 (3) of Appendix B)

[Style of Proceeding]

ORDER OF COMMITTAL

[Rule 22-3 of the Supreme Court Civil Rules applies to all forms.]

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BEFORE THE HONOURABLE JUSTICE[dd/mmm/yyyy]....

THIS COURT ORDERS that:

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1. by reason of[*grounds of committal*].....,[*person to be committed*]..... be committed to prison for days;
2. the sheriff and all peace officers arrest[*person to be committed*]..... and bring him or her promptly before this court at[*address*]..... and, unless otherwise ordered, deliver him or her to the warden of[*name of prison*].....;
3. the warden receive[*person to be committed*]..... and keep him or her for days from his or her arrest under this order or until he or she is sooner discharged by due process of law.

By the Court.

.....

Registrar

This order is in force for one year only from the date of the order.

ENDORSEMENT OF AMOUNT PAYABLE

[Set out, in the form of an account, the amount of the debt or instalment owing, the costs incurred on the order and on the proceedings subsequent to the order, the amounts paid and the dates of payment and the interest owing and how it was computed.]

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Subtotal \$.....

Add –

1 Expenses of service \$.....

2 Maintenance money [*to be endorsed by warden at the time payment is tendered*]

\$.....

Total amount payable \$.....

If the total amount payable is paid to the registrar, or to the sheriff or peace officer or warden who has you in his or her custody, then this order will be discharged.

NOTES

Court forms are available at: www.ag.gov.bc.ca/courts/other/supreme/2010SupRules/info/index_civil.htm.

They can be completed online and filed electronically using Court Services Online:
www.courtservicesonline.gov.bc.ca.

They can also be printed and completed manually; or completed online, printed and filed.

Submit this form to the court registry for entry; once entered, it is returned to the submitting party/creditor.

1. The style of proceeding is the part at the top of the document that identifies your case within the court system. You will use the style of proceeding on every one of your documents, whether they are filed in the court registry or not. Insert the court number, the location of the registry (e.g., Vancouver), as it is part of your style of proceeding. Write in the names of the plaintiff and defendant in capital letters (not addresses) in the style of proceeding.
 2. Insert the name of the judge who made the order for committal.
 3. Provide the reason for the debtor's committal to prison (e.g., by reason of John Brown's failure to pay the sum of \$8,250 to the plaintiff as ordered by Mr. Justice Green on 6 May 2009).
 4. The subtotal is the amount owing after the creditor calculates the amounts described in the instructions above this space.
 5. The sheriff will advise you about the cost of service.
 6. The prison warden will advise you about this cost.
 7. Total the two sums.
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