



New South Wales

# **Uniform Civil Procedure (Amendment No 87) Rule 2018**

under the

Civil Procedure Act 2005

The Uniform Rules Committee has made the following rule of court under the *Civil Procedure Act 2005*.

Rebel Kenna  
Secretary of the Uniform Rules Committee

## **Explanatory note**

The object of this Rule is to amend the *Uniform Civil Procedure Rules 2005* to increase the minimum amount in credit to a judgment debtor before a garnishee order may operate to incorporate the minimum account balance specified by section 118A of the *Civil Procedure Act 2005*.

## Uniform Civil Procedure (Amendment No 87) Rule 2018

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### 1 Name of Rule

This Rule is the *Uniform Civil Procedure (Amendment No 87) Rule 2018*.

### 2 Commencement

This Rule commences on the day on which it is published on the NSW legislation website.

### 3 Amendment of Uniform Civil Procedure Rules 2005

#### Rule 39.39A

Omit the rule. Insert instead:

#### **39.39A When garnishee not obligated to pay amount to judgment creditor**

- (1) A garnishee order does not operate to attach to a debt if the debt is an amount of less than the prescribed minimum account balance, plus \$20, standing to the credit of the judgment debtor in a financial institution.
- (2) In this rule, the *prescribed minimum account balance* means the amount referred to in section 118A (1) of the *Civil Procedure Act 2005*, as adjusted from time to time under section 118A (2) of that Act.