

Canada

Province de Québec

District of

COURT

No.

Creditor

Debtor

Garnishee

DECLARATION BY THE GARNIDHEE (INCOME) EN VERTU DE L'ARTICLE 713 C.P.C.
--

To : **DROLET & ST-GERMAIN HUISSIERS Inc, 935 avenue du Palais, Saint-Hyacinthe in province of Québec, J2S 5C6.**

I, _____, garnishee or

person authorized to declare for the garnishee, declare the following :

1. The defendant : (Check only one box)

	employee		Self-employed worker		Subcontractor
	working for the garnishee		Receives remuneration, allowance, benefit, indemnity and / or honorarium depending on the work performed		Receives remuneration, allowance, benefit, compensation and/or honorarium according to the work performed
	Determines for itself a remuneration, allowance, benefit, compensation and/or fee for its needs		Determines for itself a remuneration, allowance, benefit, compensation and/or fee for its needs		Determines for itself a remuneration, allowance, benefit, compensation and/or fee for its needs
	Not in our employ		Never worked for our company		Has never been contracted by our company

1.1 **Special case**

	is employed by us on temporary leave, expected return on:
	is no longer employed by us since:

2. gross remuneration of the defendant (***Mandatory at least 1 answer***)

a. **annual (52 weeks) crude** is:

b. **monthly gross** is :

c. **weekly gross** is:

3. the attachable portion of gross income/fee is _____ per period.

4. in good faith, the defendant will deposit a portion of _____ as it is worker
autonomous or himself determines an amount to pay themselves.

5. salary, remuneration, allowance, benefit, compensation and / or fees of the debtor or the

Weekly (1 time per week) _____ biweekly (in 2 weeks)

Bi-monthly (2 times a month) _____ monthly (1 time per month)

6. number of dependents: **(required)**

7. social insurance number: **(required)**

8. first payment provided the **(date required)**

9. frequency:

Weekly (1 time per week) _____ biweekly (in 2 weeks)

Bi-monthly (2 times a month) _____ monthly (1 time per month)

Signed on

in the city of

Name of representative

Signature

Representative of :

You **need to** send this statement to **DROLET & ST-GERMAIN, Huissiers Inc.**, 935 avenue du Palais in Saint-Hyacinthe, province of Quebec, J2S 5C6, **within ten (10)** days of the receipt of this notice.

EXPLANATORY NOTES

- Complete and send the *Declaration of the garnishee to DROLET & ST-GERMAIN huissiers Inc.* within **ten (10) days** of receipt of this *enforcement notice*.
- Send to the payment to **Drolet & St-Germain in trust**, the first instalment of the attachable part of wages, within **ten (10) days** of receipt of the *notice of performance* art. 713 C.c.p. and to each pay period or payment of fees or other service etc, in the same way, and this, until the amount total capital interest and fees.
- **Have to** report you to the bailiff, all entries in escrow currently practiced against the debtor.
- Enter the number of the record of the Court and the name of the debtor on the declaration, as well as on **all** cheques.
- **Declare again** at the end of job, the end of the contract or the return to work of the debtor.
- **Before interrupting payments, please contact us to find out the balance in the account.**

THE GARNISHEE fails to declare East, on registration for judgment, sentenced to the payment of the claim of SEIZING him as if he were himself debtor 717 C.c.p.

Reminder of articles 713 and 717 requirement

713. when the door entry on the income of the debtor, the garnishee is required to submit, within 10 days of service of the notice of performance, the attachable part of it to the debtor to the bailiff. When the debtor has multiple revenue streams, the bailiff, after establishing the attachable part of the income of the debtor, determines the share that each of the garnishees must retain and back. When the sources of income of the debtor are difficult to identify or they are not recurrent, the judicial officer determines, subject of an instalment payment agreement, the amount that must pay the debtor. If the garnishee substantially alters or breaks the contractual relationship with the debtor, he shall declare it immediately to the bailiff. In case of dispute between him and the debtor, it must, under penalty of damages, prove that this action has not been taken for this reason. The seizure remains immediately also long the debtor retains its sources of revenue and that have not been paid all the claims by creditors.

717. the garnishee who is in default, without declare, to retain or to deposit a sum of money, or makes a statement which is false may be sentenced to the payment of the amount due to the creditor entering as if he were himself paying. Nevertheless, the garnishee may at any time, even after judgment, permission to declare or drop off by paying the sums that he should retain and drop from the notification of the notice of performance. It is bound to the costs incurred by its default.

DETERMINATION OF THE PORTION ATTACHABLE TO THE INCOME OF THE DEBTOR

ARTICLE 698 C.C.P.

The debtor's income is seizable for the individual portion determined according to the formula available on our website, based on government data.

<https://huissiersthyacinthe.com/services/saisie-de-salaire/>

Click on : “[Calculatrice Portion à Saisir](#)”

