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# Update Summary

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**UPDATE 151**

**NOVEMBER 2024**

**CANNON AND HISKEY  
MAGISTRATES COURT PRACTICE  
SOUTH AUSTRALIA**

**A Cannon & G Hiskey**

**Material Code 42475296**

**Print Post Approved PP255003/00415**

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New commentary has been provided by **Dr. Andrew Cannon**:

## New Developments

New:

- **The *Uniform Civil Rules (JCR) amendment 12***, has been inserted, at [ND.2024.03]

## Stages of Action

New:

- **Enforcing judgments: introduction**, has been inserted, at [SOA.2050]
- **Chronic debtors**, has been inserted, at [SOA.2052]
- **Powers of a registrar and review of a registrar's decision**, has been inserted, at [SOA.2054]
- **Obtaining a default judgment**, has been inserted, at [SOA.2056]
- **Transferring cases between the Magistrates, District and Supreme Courts**, has been inserted, at [SOA.2058]
- **Registering judgments from courts interstate and NZ**, has been inserted, at [SOA.2060]
- **Registering SACAT judgments, residential tenancy disputes**, has been inserted, at [SOA.2062]
- **Money order under the *Fair Work Act 1994 (SA)***, has been inserted, at [SOA.2064]
- ***Building and Construction Industry Security of Payment Act 2009 (SA)***, has been inserted, at [SOA.2066]
- **Registering Child Support orders**, has been inserted, at [SOA.2068]
- **Registering Wardens Court judgments**, has been inserted, at [SOA.2071]
- **Pre-judgment interest**, has been inserted, at [SOA.2074]
- **Post judgment interest**, has been inserted, at [SOA.2077]
- **Interest pursuant to the *Insurance Contracts Act 1984 (Cth)***, has been inserted, at [SOA.2080]
- **Service of the judgment before or with enforcement**, has been inserted, at [SOA.2083]
- **Partnerships, unincorporated bodies and representative actions**, has been inserted, at [SOA.2085]
- **Limitations on enforcement processes**, has been inserted, at [SOA.2087]
- **Time limits on enforcement**, has been inserted, at [SOA.2089]
- **Leave to extend time limits**, has been inserted, at [SOA.2091]
- **Absconding debtors**, has been inserted, at [SOA.2094]
- **Investigation notice**, has been inserted, at [SOA.2097]
- **Investigation summons and hearing**, has been inserted, at [SOA.2100]
- **Examination summons and hearing**, has been inserted, at [SOA.2103]
- **Substituted service**, has been inserted, at [SOA.2106]
- **Warrant of apprehension**, has been inserted, at [SOA.2109]

- **Civil bail**, has been inserted, at [SOA.2112]
- Application to stay a warrant of apprehension or commitment, has been inserted, at [SOA.2115]
- **Warrant of sale**, has been inserted, at [SOA.2118]
- No warrant of sale whilst debtor complies with a payment order, has been inserted, at [SOA.2121]
- Goods exempt from seizure or sale, has been inserted, at [SOA.2124]
- Service and execution of summonses and warrants, has been inserted, at [SOA.2126]
- Reissue of warrant of sale, has been inserted, at [SOA.2128]
- Liability of the sheriff to competing interests, has been inserted, at [SOA.2130]
- **Sheriff's interpleader under the UCR**, has been inserted, at [SOA.2133]
- **Garnishee orders**, has been inserted, at [SOA.2136]
- **Garnishee liable if it does not pay**, has been inserted, at [SOA.2139]
- **The basis of attachment**, has been inserted, at [SOA.2142]
- Attaching bank accounts, has been inserted, at [SOA.2145]
- Attaching wages or salary accruing to the judgment debtor, has been inserted, at [SOA.2148]
- Other attachable debts, has been inserted, at [SOA.2151]
- Debts due from the Crown to a judgment debtor, has been inserted, at [SOA.2154]
- Debts that cannot be attached, has been inserted, at [SOA.2157]
- Bankruptcy of judgment debtor, has been inserted, at [SOA.2160]
- Oral garnishee applications, has been inserted, at [SOA.2163]
- **Charging orders**, has been inserted, at [SOA.2166]
- Judgment debt must be ascertained, has been inserted, at [SOA.2168]
- **Charging orders on a joint interest**, has been inserted, at [SOA.2169]
- Order for delivery up of personal property charged, has been inserted, at [SOA.2171]
- **Appointment of a receiver**, has been inserted, at [SOA.2174]
- **Possible terms of a receivership order**, has been inserted, at [SOA.2177]
- **Execution of instruments**, has been inserted, at [SOA.2180]
- **Application to stay an order of enforcement, warrant or summons**, has been inserted, at [SOA.2183]
- **Basis for granting a stay of execution**, has been inserted, at [SOA.2184]
- **Payment of fees**, has been inserted, at [SOA.2187]
- **Fines enforcement and debt recovery**, has been inserted, at [SOA.2190]
- **Contempt proceedings**, has been inserted, at [SOA.2193]

