

The Enforcement of Maintenance Orders Regulations, 2009

being

[Chapter E-9.21 Reg 2](#) (effective August 28, 2009) as amended
by Saskatchewan Regulations [77/2012](#), [18/2018](#) and [100/2020](#).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER E-9.21 REG 2

The Enforcement of Maintenance Orders Act, 1997

Title

1 These regulations may be cited as *The Enforcement of Maintenance Orders Regulations, 2009*.

18 Sep 2009 cE-9.21 Reg 2 s1.

Interpretation

2 In these regulations, “**Act**” means *The Enforcement of Maintenance Orders Act, 1997*.

18 Sep 2009 cE-9.21 Reg 2 s2.

Material to be submitted

3 When a person makes an application pursuant to subsection 7(3) of the Act, he or she shall submit to the director:

- (a) a certified copy of each maintenance order to be enforced;
- (b) the registration form and any other forms or documents that the director may request; and
- (c) if there are arrears owing pursuant to any maintenance order mentioned in clause (a), an affidavit of arrears.

18 Sep 2009 cE-9.21 Reg 2 s3.

Maximum amount of arrears fixed by director

4 For the purposes of clause 12(2)(b) of the Act, the amount fixed by the director pursuant to subsection 12(1) of the Act is not to exceed the greater of:

- (a) \$500 per month; and
- (b) 15% of the payor’s gross monthly income.

18 Sep 2009 cE-9.21 Reg 2 s4.

Disclosure of information

5(1) The director may disclose information retained in the office with respect to a recipient or a payor:

- (a) to a peace officer at his or her request, if the director considers the request to be reasonable;
- (b) to the minister or the Minister of Justice and Attorney General at his or her request;
- (c) to the recipient with respect to any enforcement action taken against the payor, if the director considers that the information is reasonably required;
- (d) to persons acting on the director's instructions with respect to enforcement of a maintenance order;
- (e) as a component of general statistical data prepared by the director for any purpose;
- (f) to the executor of the estate of a deceased recipient or payor;
- (g) to the surviving spouse of a deceased recipient or payor for the purpose of administering the estate; or
- (h) to a credit reporting agency that is licensed pursuant to *The Credit Reporting Act* if:
 - (i) there is an arrangement for the exchange of information between the director and the credit reporting agency; and
 - (ii) the information:
 - (A) relates to payments respecting an obligation pursuant to a maintenance order that are owing to the Government of Saskatchewan or that are being enforced with the assistance of the director; and
 - (B) is being disclosed for the purpose of facilitating the collection of those payments.

(2) The director may disclose information retained in the office to a Member of the Legislative Assembly or a Member of Parliament with respect to:

- (a) a recipient if the director is satisfied that the recipient has made an inquiry to the Member of the Legislative Assembly or Member of Parliament; or
- (b) a payor if the director is satisfied that the payor has made an inquiry to the Member of the Legislative Assembly or Member of Parliament.

(3) Notwithstanding subsections (1) and (2), the director shall not disclose any information obtained from the Government of Canada except in accordance with the provisions of the agreement between the Government of Saskatchewan and the Government of Canada respecting its disclosure.

Service on Crown

6 A recipient may effect service on the Crown pursuant to subsection 22(2) of the Act by serving:

- (a) if the money to be seized is owing by a Crown corporation other than Saskatchewan Government Insurance, the president, general manager, manager or secretary of the corporation;
- (b) if the money to be seized is owing by Saskatchewan Government Insurance, the president, vice-president or any legal officer of Saskatchewan Government Insurance;
- (c) if the money to be seized is owing by a board, agency or commission, the chairperson or secretary of the board, agency or commission;
- (d) if the money to be seized is owing by a ministry of the Government of Saskatchewan:
 - (i) the Public Service Commission; or
 - (ii) the minister, deputy minister or acting deputy minister of that ministry;
- (e) if the money to be seized is owing by any other entity of the Government of Saskatchewan, the head of the entity.

11 Sep 2020 SR 100/2020 s3.

7 Repealed. 9 Nov 2012 SR 77/2012 s5.

Information to be provided to director

8 For the purposes of clauses 37(1)(a) and 40.7(1)(a) of the Act, an administrator or the board, as the case may be, shall provide the director with the following information about a payor:

- (a) the most recent address for the payor in the administrator's or board's records;
- (b) confirmation that the restrictions described in subsection 38(1) or 40.8(1) of the Act do not apply to the payor;
- (c) the value of the payor's pension entitlement or annuity that would be, or but for a provision of the pension plan or annuity would be, available to be transferred by the payor from the pension plan or annuity at the date mentioned in the notice of the director's intention to attach.

18 Sep 2009 cE-9.21 Reg 2 s8.

Cost of complying with an attachment

9 For the purposes of subclause 40.4(1)(a)(ii) of the Act, the cost of complying with an attachment is an amount, not to exceed \$250, that reasonably represents the cost to the trustee of complying with the attachment.

18 Sep 2009 cE-9.21 Reg 2 s9.

Financial statement

10(1) If the director serves a notice to file a financial statement pursuant to subsection 50(1) of the Act, the person served with the notice shall deliver, either personally or by ordinary prepaid mail, the financial statement to the director and the court office described in the notice within seven days after the date of service of the notice.

(2) If a notice to file a financial statement is served pursuant to subsection 50(2) of the Act, the person served with the notice shall deliver, either personally or by ordinary prepaid mail, the financial statement to the court office described in the notice within seven days after the date of service of the notice.

18 Sep 2009 cE-9.21 Reg 2 s10.

Summons

11(1) A summons issued pursuant to subsection 51(1) of the Act shall be signed by the director.

(2) A summons issued pursuant to subsection 51(2) of the Act shall be signed by the clerk or local registrar of the court in which the maintenance order was made or registered.

18 Sep 2009 cE-9.21 Reg 2 s11.

Service by email

11.1 Pursuant to clause 60(5)(e) of the Act, a demand or a notice of seizure may be served by email:

- (a) in the case of a demand:
 - (i) to an email address provided by the person or public body; or
 - (ii) to a publicly available email address associated with the person or public body;
- (b) in the case of a notice of seizure:
 - (i) to an email address provided by the account debtor; or
 - (ii) to a publicly available email address associated with the account debtor.

23 Mar 2018 SR 18/2018 s4.

Director's duty to provide information

12 The director, on the request of a recipient or payor, shall provide to the recipient or payor a year-end summary regarding the status of the recipient's or payor's account, as the case may be.

18 Sep 2009 cE-9.21 Reg 2 s12.

Fees for discharge or postponement of maintenance order

13 The director may require that a fee of \$100 be paid by a payor who is in arrears pursuant to a maintenance order and who requests that the director provide a postponement or discharge of a registration of:

- (a) a maintenance order against a title or interest in the land titles registry pursuant to *The Land Titles Act, 2000*; or
- (b) a maintenance order as a judgment in the judgment registry pursuant to *The Enforcement of Money Judgments Act*.

18 Sep 2009 cE-9.21 Reg 2 s13; 9 Nov 2012 SR
77/2012 s6.

Cheques

14 If a payor provides the director with any uncertified cheque that is not honoured by the payor's bank, credit union as defined in *The Credit Union Act, 1998* or trust corporation licensed pursuant to *The Trust and Loan Corporations Act, 1997*, as the case may be, the director may refuse to accept any further uncertified cheques from that person tendered as payment of a maintenance obligation.

18 Sep 2009 cE-9.21 Reg 2 s14; 9 Nov 2012 SR
77/2012 s7.

Forms

- 15(1)** The forms set out in the Appendix are prescribed for the purposes of the Act.
- (2)** The forms respecting notices of seizure apply with any necessary modification to seizures from outside of Saskatchewan pursuant to section 21 of the Act.

18 Sep 2009 cE-9.21 Reg 2 s15; 9 Nov 2012 SR
77/2012 s8.

R.R.S. c.E-9.21 Reg 1 repealed

16 *The Enforcement of Maintenance Orders Regulations, 1998* are repealed.

18 Sep 2009 cE-9.21 Reg 2 s16.

Coming into force

17(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Enforcement of Maintenance Orders Amendment Act, 2009* comes into force.

(2) If section 1 of *The Enforcement of Maintenance Orders Amendment Act, 2009* comes into force before the day on which these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

18 Sep 2009 cE-9.21 Reg 2 s17.

AppendixFORM A
[Section 12 of the Act]**Notice of Arrears Attachment**

The Director of the Maintenance Enforcement Office gives notice that:

1. On the ____ day of _____, ____ the _____ Court ordered the payor to pay to the recipient the sum of \$ _____ for the maintenance of _____ .
 2. The arrears owing pursuant to the maintenance order to and including the ____ day of _____ , _____ total \$ _____ .
 3. Pursuant to section 12 of *The Enforcement of Maintenance Orders Act, 1997*, I fix the amount to be applied towards the arrears owing as \$ _____ per _____ .
- Dated at _____ , Saskatchewan, this ____ day of _____ , ____ .

(Director of Maintenance Enforcement)

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FORM B
[Subsection 19(2) of the Act]

(Court file number and year)

IN THE _____

JUDICIAL CENTRE OF _____

BETWEEN:

_____,
(RECIPIENT)

- and -

_____,
(PAYOR)

- and -

_____,
ACCOUNT DEBTOR

Notice of Continuing Seizure

TAKE NOTICE THAT:

1. This notice is served on you pursuant to section 19 of *The Enforcement of Maintenance Orders Act, 1997* with respect to the payor, _____, to whom, it is alleged, you are indebted in the following manner: _____.
2. An extra copy of this notice is left with you and you shall deliver or mail it to the payor as soon as possible.
3. This notice binds all money now due and from time to time accruing due from you to the payor at and from the time of service of this notice on you, in priority to any assignment made after service of this notice and other seizure or claim against the money whether made before or after service of this notice, until the notice is withdrawn.
4. You shall make a deduction from the money now due and from time to time accruing due to the payor of \$ _____, being the maintenance due for the month of _____.

After that, you shall continue to make the deductions of \$ _____
each _____.

(Month, week, etc.)

OR

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4. You shall make a deduction from the money now due and from time to time accruing due to the payor of \$ _____ being the total of:
- (a) the maintenance due for the month of _____, being \$ _____; and
- (b) the amount to be applied towards the arrears in accordance with the attached Notice of Arrears Attachment, being \$ _____.
- After that, you shall continue to make the deductions of \$ _____ each _____.
- (Month, week, etc.)*

OR

4. You shall make a deduction from the money now due and from time to time accruing due to the payor of \$ _____, being the amount to be applied towards the arrears in accordance with the attached Notice of Arrears Attachment.
- After that, you shall continue to make the deductions of \$ _____ each _____.
- (Month, week, etc.)*
5. If in any _____, the amount of money payable by you to _____, the payor is insufficient to cover the full amount then required to be deducted, you shall add the amount of the shortage to, and it is deemed to be a part of, the next payment maturing pursuant to the maintenance order.
6. You shall, within seven days after you make each deduction, pay the amount deducted to: _____
- (Address of court house or Maintenance Enforcement Office, as the case may be)*
- by cheque or money order payable to _____.
7. The maintenance order is on record in the _____ Court, Judicial Centre of _____, Court House, _____.
- (State full address)*
8. If at any time in the future, you have fully satisfied your obligations to make payments to the payor and no further payments are accruing due from you to the payor, you shall immediately give notice in writing of that fact to: _____.
- (Address of court house or Maintenance Enforcement Office, as the case may be)*
- DATED at _____, Saskatchewan, this _____ day of _____, _____.

(Signature)

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TO:

AND TO:

NOTE: TAKE NOTICE THAT IF YOU DO NOT PAY THE AMOUNTS REQUIRED PURSUANT TO THIS NOTICE OR FILE A STATEMENT DISPUTING YOUR LIABILITY IN THE FORM ATTACHED WITHIN 10 DAYS OF SERVICE, JUDGMENT MAY BE ENTERED AGAINST YOU FOR THE AMOUNT IN DEFAULT WITHOUT FURTHER NOTICE TO YOU.

PAYMENTS MADE BY YOU PURSUANT TO THIS NOTICE DISCHARGE YOUR LIABILITY TO THE PAYOR TO THE EXTENT OF THE AMOUNT PAID.

(To be shown on last page of document)

This document was delivered by _____ ,
(Firm name)

_____, and the address for
(Business address)

service is: _____ .

Lawyer in charge of file: _____

Telephone no.: _____

(To be on a separate page)

(Court file number and year)

IN THE _____

JUDICIAL CENTRE OF _____

BETWEEN:

(RECIPIENT)

- and -

(PAYOR)

- and -

ACCOUNT DEBTOR

Notice of Dispute

TAKE NOTICE that the account debtor disputes the seizure served in this action for the following reason:

(Date)

(Signature)

(Name)

(Address)

(Telephone)

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FORM C
[Subsection 20(5) or 20(7) of the Act]

Notice of Variation of Continuing Seizure

On the _____ day of _____, _____, you were served with a
of Continuing Seizure regarding the payor, _____,
on behalf of the recipient, _____;

NOW TAKE NOTICE THAT the maintenance order with respect to which the Notice
of Continuing Seizure was served has been amended and the deductions that you are
required to make pursuant to that notice are varied as follows: *(Insert details re monthly
payments required, commencement date and any adjustments resulting from previous overpayments).*

OR

NOW TAKE NOTICE that the deductions you are required to make pursuant to the
Notice of Continuing Seizure are varied as follows: *(insert details)*

AND FURTHER TAKE NOTICE that you continue to be bound by the Notice of
Continuing Seizure with respect to all matters set out in the Notice of Continuing
Seizure that are not changed by this Notice of Variation.

DATED at _____, Saskatchewan, this _____ day of _____, _____.

(Signature)

TO:

AND TO:

This document was delivered by _____,
(Firm name)

_____, and the address for
(Business address)

service is: _____

Lawyer in charge of file: _____

Telephone no.: _____

FORM D
[Subsection 17(2) of the Act]**Notice of Seizure of Account**

TAKE NOTICE THAT:

1. This notice is served on you pursuant to section 17 of *The Enforcement of Maintenance Orders Act, 1997* with respect to the payor, _____ ,
to whom, it is alleged, you are indebted in the following manner: _____ .
2. This notice binds all money now due and from time to time accruing due from you to the payor at and from the time of service of this notice on you, in priority to any assignment made after service of this notice and other seizure or claim against the money whether made before or after service of this notice, until the notice is withdrawn or until you have paid \$ _____ to the _____ .
(Address of court house or Maintenance Enforcement Office, as the case may be)
3. You shall pay any amounts mentioned in paragraph 2 to the address set out in paragraph 2 immediately as they become due by you to the payor.
4. You shall, within 10 days after being served with this notice, notify the _____ .
(Address of court house or Maintenance Enforcement Office, as the case may be)

by statement in writing if you do not owe the payor any money.

DATED at _____ , Saskatchewan, this _____ day of _____ , _____ .

(Signature of solicitor, recipient or Director of
Maintenance Enforcement)

NOTE: TAKE NOTICE THAT IF YOU DO NOT PAY THE AMOUNTS REQUIRED PURSUANT TO THIS NOTICE OR FILE A STATEMENT DISPUTING YOUR LIABILITY IN THE FORM ATTACHED WITHIN 10 DAYS OF SERVICE, JUDGMENT MAY BE ENTERED AGAINST YOU FOR THE AMOUNT IN DEFAULT WITHOUT FURTHER NOTICE TO YOU.

PAYMENTS MADE BY YOU PURSUANT TO THIS NOTICE DISCHARGE YOUR LIABILITY TO THE PAYOR TO THE EXTENT OF THE AMOUNT PAID.

(To be on a separate page)

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Notice of Dispute

TAKE NOTICE that the account debtor disputes the seizure served in this action for the following reason:

(Date)

(Signature)

(Name)

(Address)

(Telephone)

9 Nov 2012 SR 77/2012 s9.

FORM E

[Subsection 21(2) of the Act]

Extra-Provincial Notice of Continuing Garnishment

Repealed. 9 Nov 2012 SR 77/2012 s9.

FORM F

[Subsection 21(2) of the Act]

Extra-Provincial Notice of Garnishment

Repealed. 9 Nov 2012 SR 77/2012 s9.

FORM G
[Subsection 29(3) of the Act]**Notice of Withdrawal**

On the ____ day of _____, _____, you were served with a Notice of
(Continuing) Seizure of Account regarding the payor, _____ ,
on behalf of the recipient, _____ .

NOW TKAE NOTICE that the Notice of (Continuing) Seizure of Account is withdrawn
and you are not bound to comply with it after service of this notice.

DATED at _____, Saskatchewan, this _____ day of _____, ____ .

(Signature)

This document was delivered by _____ ,
(Firm name)

(Business address)

and the address for service is: _____ .

Lawyer in charge of file: _____

Telephone no.: _____

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FORM H
[Section 37 of the Act]

Notice to Administrator of Intention to Attach Pension Entitlement

TO: _____
(Name and address of pension administrator)

TAKE NOTICE THAT:

1. This notice is served on you pursuant to section 37 of *The Enforcement of Maintenance Orders Act, 1997* with respect to the payor, _____,
(Payor's name)

who is alleged to have a pension entitlement in a pension plan that you administer. Sections 35 to 40 of *The Enforcement of Maintenance Orders Act, 1997* authorize the Director of Maintenance Enforcement to attach the payor's pension entitlement and apply the money received to the payor's obligations pursuant to a maintenance order.

2. If the payor does not have a pension entitlement in a pension plan that you administer, you shall provide a written statement disputing the proposed attachment to the Director of Maintenance Enforcement within 30 days after you receive this notice. A blank Notice of Dispute is provided for your use.

3. This Notice of Intention requires you to provide the following information:

(a) the most recent address for the payor in your records;

(b) confirmation that:

(i) neither the payor nor the payor's employer on his or her behalf is currently making contributions to the pension plan that you administer; and

(ii) the payor is not receiving a pension benefit from the pension plan that you administer;

(c) the value of the payor's pension entitlement, as at the end of _____,
(Month and year)

whether or not the payor could actually transfer that amount from the pension plan. The value of the pension entitlement is to be calculated according to section 24 of *The Pension Benefits Regulations, 1993*.

4. You shall provide the information described in paragraph 3 to the Director of Maintenance Enforcement within 30 days after you receive this notice. The address of the Director of Maintenance Enforcement is as follows:

Maintenance Enforcement Office
Room 100 - 3085 Albert Street
Regina, Saskatchewan
S4S 0B1

5. You shall also provide the information described in paragraph 3 to the payor within 30 days after you receive this notice. You may provide the information to the payor at the most recent address for the payor in your records. The Director of Maintenance Enforcement may attach the payor's pension entitlement even if you fail to provide the information to the payor.

6. Subsection 38(2) of *The Enforcement of Maintenance Orders Act, 1997* prohibits you from paying out any of the payor's pension entitlement at the payor's direction until 60 days after:
- (a) the date the Director of Maintenance Enforcement receives the information in paragraph 3; or
 - (b) if the payor serves you with a notice of application to the court to dispute this attachment, the date the court orders that the payor's pension entitlement may be attached.

DATED at Regina, Saskatchewan, _____ .
(Date)

(Director of Maintenance Enforcement)

(To be on a separate page)

Notice of Dispute

TAKE NOTICE that the pension administrator disputes the Notice to Administrator of Intention to Attach Pension Entitlement served on the pension administrator for the following reason:

(Date)

(Signature of pension administrator)

(Name)

(Address)

(Telephone)

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The amount deducted pursuant to clause 4(c) of this notice shall be paid to the Director of Maintenance Enforcement within 7 days after making the deduction.

5. You shall forward the money deducted pursuant to clause 4(c) by cheque or money order payable to the Director of Maintenance Enforcement to the following address:

Maintenance Enforcement Office
Room 100, 3085 Albert Street
Regina, SK S4S 0B1

DATED at Regina, Saskatchewan, this _____ day of _____, 20____.

(Director of Maintenance Enforcement)

(To be on a separate page)

Notice of Dispute

TAKE NOTICE THAT the above-named registered plan trustee disputes the Notice of Attachment of Registered Plan served on the trustee for the following reasons:

_____.

(Date)

(Signature of trustee)

(Name)

(Address)

(Telephone)

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FORM H.2
[Section 40.3 of the Act]

Notice of Withdrawal

TO: _____ , _____
(Trustee Name) (Trustee Address)

YOUR REFERENCE: _____ .
(Registered Plan Number)

On _____ , 20 _____ you were served with a Notice of Attachment of
(Service Date)

Registered Plan regarding the Payor _____ ,
(Payor Name)

NOW TAKE NOTICE THAT the Notice of Attachment of Registered Plan is withdrawn
and you are not bound to comply with it after service of this notice.

DATED at Regina, Saskatchewan, this _____ day of _____ , 20 _____ .

(Director of Maintenance Enforcement)

11 Sep 2020 SR 100/2020 s4.

FORM I
[Section 40.7 of the Act]**Notice to the Board of Intention to Attach Annuity****TO the Workers' Compensation Board:**

TAKE NOTICE THAT:

1. This notice is served on you pursuant to section 40.7 of *The Enforcement of Maintenance Orders Act, 1997* with respect to the payor, _____ ,
(Payor's name)
who is alleged to have an annuity that you administer. Sections 40.5 to 40.91 of *The Enforcement of Maintenance Orders Act, 1997* authorize the Director of Maintenance Enforcement to attach the payor's annuity and apply the money received to the payor's obligations pursuant to a maintenance order.
2. If the payor does not have an annuity that you administer, you shall provide a written statement disputing the proposed attachment to the Director of Maintenance Enforcement within 30 days after you receive this notice. A blank Notice of Dispute is provided for your use.
3. This Notice of Intention requires you to provide the following information:
 - (a) the most recent address for the payor in your records;
 - (b) confirmation that the payor is not receiving an annuity that you administer;
 - (c) the value of the payor's annuity, as at the end of _____ ,
(Month and year)
whether or not the payor could actually transfer that amount from the annuity.
4. You shall provide the information described in paragraph 3 to the Director of Maintenance Enforcement within 30 days after you receive this notice. The address of the Director of Maintenance Enforcement is as follows:
 Maintenance Enforcement Office
 Room 100 - 3085 Albert Street
 Regina, Saskatchewan
 S4S 0B1
5. You shall also provide the information described in paragraph 3 to the payor within 30 days after you receive this notice. You may provide the information to the payor at the most recent address for the payor in your records. The Director of Maintenance Enforcement may attach the payor's annuity even if you fail to provide the information to the payor.
6. Subsection 40.8(2) of *The Enforcement of Maintenance Orders Act, 1997* prohibits you from paying out any of the payor's annuity at the payor's direction until 60 days after:
 - (a) the date the Director of Maintenance Enforcement receives the information in paragraph 3; or
 - (b) if the payor serves you with a notice of application to the court to dispute this attachment, the date the court orders that the payor's annuity may be attached.

DATED at Regina, Saskatchewan, _____ .
(Date)

(Director of Maintenance Enforcement)

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(To be on a separate page)

Notice of Dispute

TAKE NOTICE THAT the Workers' Compensation Board disputes the Notice to the Board of Intention to Attach Annuity Entitlement served on the board for the following reason:

(Date)

(Signature of responsible officer of the board)

(Name)

(Address)

(Telephone)

18 Sep 2009 cE-9.21 Reg 2.

FORM J

[Clauses 37(1)(b) and (c) of the Act]

Notice to Payor of Intention to Attach Pension EntitlementTO: _____
(Payor's name)

TAKE NOTICE THAT:

1. This notice is served on you pursuant to section 37 of *The Enforcement of Maintenance Orders Act, 1997*. Sections 35 to 40 of *The Enforcement of Maintenance Orders Act, 1997* authorize the Director of Maintenance Enforcement to attach your pension entitlement to enforce your obligation to _____
(Recipient)
pursuant to a maintenance order or agreement dated _____
(Date).
2. A copy of the Notice to Administrator of Intention to Attach Pension Entitlement, served on _____,
(Pension administrator)
is attached to this notice. Pursuant to that notice, the pension administrator has 30 days to provide information regarding your pension entitlement to the Director of Maintenance Enforcement and yourself. The notice also prohibits the pension administrator from paying out any of your pension entitlement at your request.
3. This notice is to advise you that the Director of Maintenance Enforcement may attach your pension entitlement once the Director receives the required information from the pension administrator. To prevent the attachment, you must immediately contact the Director and make alternative arrangements to make your maintenance payments.
4. You may apply to the court for an order that your pension entitlement not be attached. To do so, you must apply to the court within 30 days after you receive the information respecting your pension entitlement from the pension administrator. You must serve both the Director of Maintenance Enforcement and the pension administrator with notice of your application.
5. The court may order the Director of Maintenance Enforcement not to attach your pension entitlement if you demonstrate one of the following:
 - (a) that you are less than three months in arrears on your maintenance payments;
 - (b) that either you or your employer on your behalf is currently making contributions to the pension plan that the Director of Maintenance Enforcement proposes to attach;
 - (c) that you are receiving a pension benefit from the pension plan.
6. If the Director of Maintenance Enforcement attaches your pension entitlement, you will be responsible for the following:
 - (a) the pension administrator's costs in an amount not exceeding \$250 (for a defined contribution pension plan) or \$500 (for a defined benefit pension plan);
 - (b) income tax consequences associated with the attachment of your pension entitlement;
 - (c) a reduction in your pension benefits resulting from the attachment of your pension entitlement.

DATED at Regina, Saskatchewan, _____
(Date)_____
(Director of Maintenance Enforcement)

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FORM K
[Clauses 40.7(1)(b) and (c) of the Act]

Notice to Payor of Intention to Attach Annuity

TO: _____
(Payor's name)

TAKE NOTICE THAT:

1. This notice is served on you pursuant to section 40.7 of *The Enforcement of Maintenance Orders Act, 1997*. Sections 40.5 to 40.91 of *The Enforcement of Maintenance Orders Act, 1997* authorize the Director of Maintenance Enforcement to attach your annuity to enforce your obligation to _____
(Recipient)
pursuant to a maintenance order or agreement dated _____
(Date).
2. A copy of the Notice to the Board of Intention to Attach Annuity served on the board is attached to this notice. Pursuant to that notice, the board has 30 days to provide information regarding your annuity to the Director of Maintenance Enforcement and yourself. The notice also prohibits the board from paying out any of your annuity at your request.
3. This notice is to advise you that the Director of Maintenance Enforcement may attach your annuity once the Director receives the required information from the board. To prevent the attachment, you must immediately contact the Director and make alternative arrangements to make your maintenance payments.
4. You may apply to the court for an order that your annuity not be attached. To do so, you must apply to the court within 30 days after you receive the information respecting your annuity from the board. You must serve both the Director of Maintenance Enforcement and the board with notice of your application.
5. The court may order the Director of Maintenance Enforcement not to attach your annuity if you demonstrate one of the following:
 - (a) that you are less than three months in arrears on your maintenance payments;
 - (b) that you are receiving an annuity with respect to an injury.
6. If the Director of Maintenance Enforcement attaches your annuity, you will be responsible for the following:
 - (a) the board's costs in an amount not exceeding \$250;
 - (b) income tax consequences associated with the attachment of your annuity;
 - (c) a reduction in your annuity benefits resulting from the attachment of your annuity.

DATED at Regina, Saskatchewan, _____
(Date)

(Director of Maintenance Enforcement)

FORM L
[Section 40 of the Act]**Notice of Attachment of Pension Entitlement**TO: _____
(Name and address of pension administrator)

TAKE NOTICE THAT:

1. This notice is served on you pursuant to section 40 of *The Enforcement of Maintenance Orders Act, 1997* with respect to the payor, _____ ,
(Name)
who owes payments to the recipient, _____
(Name)
pursuant to a maintenance order or agreement.

Sections 35 to 40 of *The Enforcement of Maintenance Orders Act, 1997* authorize the Director of Maintenance Enforcement to attach the payor's pension entitlement and apply the money received to the payor's obligations.

2. If the payor does not have a pension entitlement in a pension plan that you administer, you shall provide a written statement disputing your liability to the Director of Maintenance Enforcement within 45 days after you receive this notice. A blank Notice of Dispute is provided for your use.
3. According to the information provided by you on _____
(Date information was received)
pursuant to the Notice to Administrator of Intention to Attach Pension Entitlement, the payor's pension entitlement is \$ _____ as at _____ .
(Amount) (Date)
4. Within 45 days after you receive this notice, you shall deduct the following from the payor's pension entitlement:
 - (a) an amount to reimburse you for the costs of complying with this notice to a maximum of \$250 (for a defined contribution pension plan) or \$500 (for a defined benefit pension plan);
 - (b) the amount of withholding tax that you are required by law to remit to Revenue Canada;
 - (c) the lesser of \$ _____ and the remainder of the payor's pension entitlement.
5. If you fail to comply with this notice, judgment may be entered against you for the amount in default, without further notice to you.
6. You shall forward the money deducted pursuant to clause 4(c) by cheque or money order payable to _____ at the following address:
(Recipient's name)

Maintenance Enforcement Office
Room 100 - 3085 Albert Street
Regina, Saskatchewan
S4S 0B1

7. An extra copy of this notice is provided and you shall deliver or mail it to the payor as soon as possible. You may deliver the notice to the most recent address for the payor in your records.

DATED at Regina, Saskatchewan, _____ .
(Date)_____
(Director of Maintenance Enforcement)

ENFORCEMENT OF
MAINTENANCE ORDERS, 2009

E-9.21 REG 2

(To be on a separate page)

Notice of Dispute

TAKE NOTICE THAT the pension administrator disputes the Notice of Attachment of Pension Entitlement served on the pension administrator for the following reason:

(Date)

(Signature of pension administrator)

(Name)

(Address)

(Telephone)

18 Sep 2009 cE-9.21 Reg 2.

FORM M
[Section 40.91 of the Act]

Notice of Attachment of Annuity

TO the Workers' Compensation Board:

TAKE NOTICE THAT:

1. This notice is served on you pursuant to section 40.91 of *The Enforcement of Maintenance Orders Act, 1997* with respect to the payor, _____ ,
(Name)
who owes payments to the recipient, _____
(Name)

pursuant to a maintenance order or agreement.

Sections 40.5 to 40.91 of *The Enforcement of Maintenance Orders Act, 1997* authorize the Director of Maintenance Enforcement to attach the payor's annuity and apply the money received to the payor's obligations.

2. If the payor does not have an annuity that you administer, you shall provide a written statement disputing your liability to the Director of Maintenance Enforcement within 45 days after you receive this notice. A blank Notice of Dispute is provided for your use.
3. According to the information provided by you on _____
(Date information was received)
pursuant to the Notice to the Board of Intention to Attach Annuity, the payor's annuity is \$ _____ as at _____ .
(Amount) (Date)
4. Within 45 days after you receive this notice, you shall deduct the following from the payor's annuity:
 - (a) an amount to reimburse you for the costs of complying with this notice to a maximum of \$250;
 - (b) the amount of withholding tax that you are required by law to remit to Revenue Canada;
 - (c) the lesser of \$ _____ and the remainder of the payor's annuity.
5. If you fail to comply with this notice, judgment may be entered against you for the amount in default, without further notice to you.
6. You shall forward the money deducted pursuant to clause 4(c) by cheque or money order payable to _____ at the following address:
(Recipient's name)

Maintenance Enforcement Office
Room 100 - 3085 Albert Street
Regina, Saskatchewan
S4S 0B1

7. An extra copy of this notice is provided and you shall deliver or mail it to the payor as soon as possible. You may deliver the notice to the most recent address for the payor in your records.

DATED at Regina, Saskatchewan, _____ .
(Date)

(Director of Maintenance Enforcement)

ENFORCEMENT OF
MAINTENANCE ORDERS, 2009

E-9.21 REG 2

(To be on a separate page)

Notice of Dispute

TAKE NOTICE THAT the Workers' Compensation Board disputes the Notice of Attachment of Annuity served on the board for the following reason:

(Date)

(Signature of responsible officer of the board)

(Name)

(Address)

(Telephone)

18 Sep 2009 cE-9.21 Reg 2.

ENFORCEMENT OF
MAINTENANCE ORDERS, 2009

FORM N
[Subsection 44(2) of the Act]

ENFORCEMENT INSTRUCTION

Judgment #

Recipient:

(name)

(address)

Payor:

(name)

(address)

Director or Lawyer
for Recipient:
(if applicable)

(name)

(address)

Amount of arrears (\$):

(total)

(arrears to date)

(rate of interest payable on maintenance order)

Amount of costs (\$):

(maintenance order)

Enforcement measure(s) requested:

Property of payor and location:

FORM O
[Section 44 of the Act]

SUPPLEMENTARY ENFORCEMENT INSTRUCTION

Judgment #

Recipient:

(name)

(address)

Payor:

(name)

*(address)*Director or Lawyer
for Recipient:
(if applicable)

(name)

(address)

Reason for supplementary enforcement instruction:

Additional information and documentation:

*(Signature of lawyer, recipient or Director of
Maintenance Enforcement)*

ENFORCEMENT OF
MAINTENANCE ORDERS, 2009

E-9.21 REG 2

FORM P
[Section 50 of the Act]

Notice to File Financial Statement and Financial Statement

TO:

You are the _____
(Indicate whether recipient or payor)

named in the maintenance order of _____ Court
made at _____, in the Province of _____,
on the _____ day of _____, _____, which order provides
for the payment of maintenance for the benefit of _____;

TAKE NOTICE that you are required to complete the attached financial statement and
file it at the Maintenance Enforcement Office, _____,
(address)

and Court House, _____,
(address)

within seven days after being served with this notice.

AND FURTHER TAKE NOTICE that if you do not file the financial statement as
required, a summons may be issued requiring you to appear before the court or a
warrant may be issued for your arrest.

Dated at _____, Saskatchewan, this _____ day of _____, 20 ____.

(Director or Local Registrar)

Financial Statement of _____
(Name)

I, _____
[name] Address

City Province Postal Code

Phone () _____ Fax () _____

swear (or affirm) that:

1. The information set out in this financial statement is true and complete to the best of my knowledge and belief, and sets out my financial situation as of: (give date for which information is accurate)
2. ☐ I do not anticipate any significant changes in the information set out in this financial statement.

Or

- ☐ I anticipate the following significant changes in the information set out in this financial statement:

3. Attached are the following:

- ☐ Part 1: Income
- ☐ Part 2: Expenses
- ☐ Part 3: Income of Other Persons in Household
- ☐ Part 4: Income of Other Dependents in Household
- ☐ Part 5: Assets
- ☐ Part 6: Debts
- ☐ Part 7: Attachments

SWORN/AFFIRMED BEFORE ME

at [city] _____ Saskatchewan,

on [date] _____

}

Signature

A Commissioner, etc.

IMPORTANT NOTE: *If during the course of the proceeding you find out that the information in this financial statement is incorrect or incomplete, or there is a material change in your circumstances that affects the information in this financial statement, you MUST file with the Maintenance Enforcement Office and the court the correct or complete information, or a new financial statement with updated information, together with any documents that back up that information.*

DECLARATION:

My name is _____ [full legal name]	
I live in _____ [municipality and province]	
AND I DECLARE THAT THE FOLLOWING IS TRUE:	
1. I am an Indian within the meaning of the <i>Indian Act</i> of Canada.	
2. Because of my status, my income is tax exempt and I am not required to file an income tax return.	
3. I have therefore not filed an income tax return for the last three years.	
Declared before me at _____ [municipality]	
in _____ [province, state or country]	
on _____ [date]	_____ Signature
_____ A Commissioner, etc.	

This declaration is to be filled out if your income is tax exempt because of your Indian status.

PART 1 – INCOME1. I am *(check all applicable boxes)*

☐ employed as _____
[describe occupation]

by _____
[name and address of employer]

and I am paid ☐ weekly ☐ very 2 weeks ☐ twice a month ☐ monthly

☐ other _____
[specify]

☐ self-employed, carrying on business [or a professional practice] under the name of _____,
[name and address of business or practice]

or a partner in the partnership known as _____,
[name and address of partnership]

or a farmer (or as may be applicable)

☐ unemployed since _____
[date when last employed]

☐ a shareholder, director or officer of a corporation, in which I have an interest
[or a controlling interest]: _____
[name and address of corporation]

☐ a beneficiary under a trust: _____
[identify trust settlement agreement]

2. The total income declared on my last income tax return in _____
[year]

was \$_____ and my net taxable income was \$_____.

3. I have attached to or served with this form: *(check applicable boxes)*

☐ a copy of every personal income tax return filed by me for each of the 3 most recent taxation years, together with a copy of all material filed with the returns and a copy of every notice of assessment or re-assessment issued to me for each of those years. _____

*(Identify any required copies already in the court file,
as those copies do not need to be attached to this form.)*

☐ a statement from the Canada Revenue Agency that I have not filed any income tax returns for the past 3 years.

☐ a declaration that I am not required to file an income tax return because of the *Indian Act* (Canada). *[Use the declaration set out above.]*

☐ a Canada Revenue Agency Consent *(in the form set out below)* signed by me, for the disclosure of my tax returns and assessments for the past 3 years.

ENFORCEMENT OF
MAINTENANCE ORDERS, 2009

E-9.21 REG 2

CANADA REVENUE AGENCY CONSENT

TO Canada Revenue Agency:

This form authorizes Canada Revenue Agency to release taxpayer information to the designated persons.

My name is _____
[full legal name]

I live at _____
[latest address shown on tax records]

My social insurance number is: _____

I ASK AND AUTHORIZE YOU to send to:

1. Maintenance Enforcement Office, Room 100, 3085 Albert Street, Regina, Saskatchewan, S4S 0B1, and

2. Court House, _____
[address]

a copy of:

(a) my income tax returns for the years _____ , _____ , _____ ; and

(b) any material that was filed with each of the returns for those same years; and

(c) any notice of assessment or re-assessment issued to me for those same years.

Signature of taxpayer

Date of signature

Telephone number

ANNUAL INCOME

Include all income and other money received from all sources for the twelve-month period ending on the date of this statement whether taxable or not. Show gross annual amounts here (to get an annual figure, multiply any weekly amount by 52, or any monthly amount by 12). Give current actual amount where known. Give your best estimate where you cannot find out the actual amount.

If your most recent federal income tax return (attached to this statement) sets out what you expect your income to be for this year, simply record those amounts here. Otherwise, record what you expect your income for this year to be from each source of income that applies to you. This will be necessary if your salary has increased, you have become unemployed, you have bought or sold rental properties, any source of your income is not taxable, etc.

1. Employment income: wages, salaries, commissions, bonuses and overtime
[before deductions]..... + \$ _____
 2. Commissions
[If already included on line 1: indicate amount, but do not add in]..... + \$ _____
 3. Other employment income
[Include tips, foreign employment income, net research grants, etc.]..... + \$ _____
 4. Pension income [Include Old Age Security, CPP, disability, superannuation and
other pensions]..... + \$ _____
 5. Employment insurance benefits [before deductions]..... + \$ _____
 6. Taxable amount of dividends from taxable Canadian corporations..... + \$ _____
 7. Interest and other investment income..... + \$ _____
 8. Partnership income: limited or non-active partners only..... Net + \$ _____
 9. Rental income..... Gross \$ _____ Net + \$ _____
 10. Taxable capital gains..... + \$ _____
 11. Child support received..... Total amount \$ _____ Taxable amount + \$ _____
 12. Spousal support:
From this relationship \$ _____; From another relationship \$ _____ + \$ _____
 13. Registered retirement savings plan income..... + \$ _____
 14. Self employment income:
 - a. Business income..... Gross \$ _____ Net + \$ _____
 - b. Professional income..... Gross \$ _____ Net + \$ _____
 - c. Commission income..... Gross \$ _____ Net + \$ _____
 - d. Farming income..... Gross \$ _____ Net + \$ _____
 - e. Fishing income..... Gross \$ _____ Net + \$ _____
 15. Workers' compensation benefits..... + \$ _____
 16. Total social assistance payments..... + \$ _____
 17. Net federal supplements..... + \$ _____
 18. Other income [Include any income that is not already included above, such as
scholarships, bursaries, study grants, certain lump sum payments or death
benefits, severance pay, etc. Specify.]..... + \$ _____
- Total annual income** \$ _____

PART 2 – MONTHLY EXPENSES

ENFORCEMENT OF
MAINTENANCE ORDERS, 2009

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You must set out your TOTAL living expenses. If you cannot find out the actual amount, give your best estimate.

SOURCE DEDUCTIONS

1. Canada Pension Plan contributions \$ _____
2. Employment Insurance premiums \$ _____
3. Employee pension contributions to a registered pension plan \$ _____
4. Medical and dental insurance premiums (Deducted at source) \$ _____
5. Union dues \$ _____
6. Income tax \$ _____

HOUSING

7. Rent or mortgage \$ _____
8. Property taxes \$ _____
9. Homeowner's/Tenant's insurance \$ _____
10. Condominium fees \$ _____
11. Water, sewer and garbage \$ _____
12. House repairs, maintenance, yard care \$ _____
13. Heat \$ _____
14. Electricity \$ _____
15. Telephone, cell phone \$ _____
16. Cable, satellite, internet \$ _____
17. Other (Specify)..... \$ _____

HOUSEHOLD EXPENSES

18. Food \$ _____
19. Meals outside the home \$ _____
20. General household supplies \$ _____
21. Hair care, toiletries and sundries \$ _____
22. Dry cleaning and laundry \$ _____
23. Furnishings and equipment \$ _____
24. Other (Specify)..... \$ _____

TRANSPORTATION

25. Public transit, taxis \$ _____
26. Car insurance, registration and licence \$ _____
27. Gas and oil \$ _____
28. Parking \$ _____
29. Car repairs and maintenance \$ _____
30. Other (Specify)..... \$ _____

HEALTH

31. Medical and dental insurance premiums (Not deducted at source) \$ _____
32. Health care (physiotherapy, etc.) \$ _____
33. Drugs, prescriptions \$ _____
34. Dental care (including orthodontist) \$ _____

35. Optical care (eyeglasses, contact lenses) \$ _____
36. Other (specify)..... \$ _____
(Amounts in 32 - 36 net of coverage)

PERSONAL

37. Clothing, footwear \$ _____
38. Educational expenses \$ _____
(self) (Specify)..... \$ _____
39. Other (specify)..... \$ _____

CHILDREN

40. Clothing, footwear \$ _____
41. Children's allowance, gifts \$ _____
42. School fees, books and supplies \$ _____
43. School activities (field trips, etc.) \$ _____
44. Activities, lessons and supplies (music lessons, clubs, sports, bicycles) \$ _____
45. Child care, babysitting \$ _____
46. Other (specify)..... \$ _____

SAVINGS FOR THE FUTURE

47. RRSP \$ _____
48. RESP \$ _____
49. Other (specify)..... \$ _____

SUPPORT PAYMENTS

(Specify for whom, whether tax deductible, whether voluntary or pursuant to order)

50. Support being paid in this case \$ _____
51. Support being paid in any other case \$ _____

**DEBT PAYMENTS
(other than mortgage) (Specify)**

52. \$ _____
- \$ _____

OTHER

53. Life or term insurance premiums \$ _____
54. Banking, legal, accounting \$ _____
55. Religious and other charitable donations \$ _____
56. Entertainment & recreation \$ _____
57. Vacation \$ _____
58. Alcohol/tobacco \$ _____
59. Other (specify)..... \$ _____

Total monthly expenses \$ _____

PART 3 – INCOME OF OTHER PERSONS IN HOUSEHOLD

The following are the names, occupations or sources of income, and annual incomes of:

- (a) any person who has a legal duty to support me or whom I have a legal duty to support;
and
- (b) any person who shares living expenses with me or from whom I otherwise receive
an economic benefit as a result of living with that person.

Other person's name	Occupation or Source of Income	Annual income

PART 4 – INCOME OF OTHER DEPENDENTS IN HOUSEHOLD

The following are the names, occupations or sources of income, and annual incomes of
any other dependents whom I or a person mentioned in clause (a) or (b) of Part 3 have
a legal duty to support.

Other person's name	Occupation or Source of Income	Annual income

ENFORCEMENT OF
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PART 5 – ASSETS IN AND OUT OF SASKATCHEWAN

- *List all property in which you have an interest as of the date of this financial statement.*
- *Record the value or amount as of the date of this financial statement.*
- *Record the estimated market value of your interest, without deducting encumbrances. Encumbrances should be shown under Debts and Liabilities.*

1.	Real estate (<i>list any interest in land, including leasehold interests and mortgages, whether or not you are registered as owner</i>).....	\$ _____
<hr/>		
2.	Household goods, appliances and furniture.....	\$ _____
<hr/>		
3.	Cars, boats, trailers, motorhomes, snowmobiles, other vehicles (<i>describe by make, model, year</i>).....	\$ _____
<hr/>		
4.	Jewellery, works of art, collections, electronics, tools, sports and hobby equipment (<i>describe</i>).....	\$ _____
<hr/>		
5.	Other special items (<i>describe</i>).....	\$ _____
<hr/>		
6.	Bank accounts and savings (<i>include cash, savings and chequing accounts, term deposits, guaranteed investment certificates and any other savings; indicate institute where account held and account number</i>).....	\$ _____
<hr/>		
7.	Pensions, annuities and retirement savings plans (<i>include name and address of pension plan and institution where your Registered Retirement Savings Plan is held, and account numbers</i>).....	\$ _____
<hr/>		
8.	Securities (<i>include shares, bonds, mutual funds, warrants, options debentures, notes and any other securities; give your best estimate of market value</i>).....	\$ _____
<hr/>		
9.	Life and disability insurance (<i>list all whole life, term life, disability or other insurance policies; indicate company and policy number, kind of policy, face amount and cash surrender value</i>).....	\$ _____
<hr/>		
10.	Business interests (<i>list any interest you hold, directly or indirectly, in any unincorporated business, including partnerships, trusts and joint ventures; give your best estimate of market value</i>).....	\$ _____
<hr/>		
11.	Accounts receivable (<i>give details of all money owed to you, whether because of business or from personal dealings; include amounts loaned by you to family members, any court judgments in your favour, any estate money owed to you</i>)....	\$ _____
<hr/>		
12.	Other property (<i>show other property or assets owned; include property of any kind not listed above; give your best estimate of market value</i>).....	\$ _____
<hr/>		
Total value of all assets		\$ _____

PART 6 - DEBTS AND OTHER LIABILITIES

- *Show your debts and other liabilities, whether arising from personal or business dealings. List by category, such as mortgages, charges, loans, liens, notes, credit cards, accounts payable and tax arrears. Indicate if any other person may be responsible for this debt with you, and give their name. Include contingent liabilities such as guarantees given by you, and indicate that they are contingent. Indicate if any debt payments are in arrears.*

Debt	Particulars <i>(interest rate, term or number of payments remaining, any property affected)</i>	Amount owing
		Total \$ _____

PART 7 - ATTACHMENTS

Attached to this financial statement are:

- ☐ A copy of the most recent assessment notice issued from an assessment authority for the real property I own.
- ☐ A copy of the most recent statement I have received for each bank account, deposit, certificate or other savings.
- ☐ A copy of the most recent RRSP statement I have received.
- ☐ A copy of the most recent statement I have received regarding my brokerage account, my mutual funds, and any other securities I own.
- ☐ A copy of the most recent credit card statement for each credit card in my name.
- ☐ A copy of the most recent statement for each of the other debts listed.
- ☐ A copy of the most recent annual pension statement I have received, and any further information I have explaining my pension plan;

or

A letter addressed to the administrator of my pension plan, authorizing release of information relating to my pension plan.

ENFORCEMENT OF
MAINTENANCE ORDERS, 2009

E-9.21 REG 2

FORM Q
[Section 51 of the Act]

Summons – Default Hearing

CANADA
PROVINCE OF SASKATCHEWAN

TO: _____ of _____ .
(Name) (Address)

By an order made by _____ Court pursuant to

(Name of statute)

on the _____ day of _____, 20____, you were ordered to _____ .

You have not complied with the maintenance order (*optional*: and there is the sum
of \$ _____ now due and owing by you).

You are commanded to appear before a judge at _____
(state urban centre at which hearing is to be held and the location or description of the building in which the
hearing is to be held)

on _____, the _____ day of _____, 20____, at _____ a.m./p.m.
for a default hearing to explain why you are not fulfilling your obligations pursuant to
the maintenance order.

At the default hearing you may be required to answer questions under oath with
respect to your employment and financial circumstances.

If you fail to attend on _____, the _____ day of _____, 20____, at _____ a.m./p.m. and at all subsequent adjournments of the proceeding, a warrant may be issued for your arrest.

DATED at _____, Saskatchewan, this _____ day of _____, 20____ .

(Director or Local Registrar)

