

EXPLANATORY NOTES

APPLICATION FOR RELEASE FROM SEIZURE IN THE HANDS OF A THIRD PERSON (art. 716 C.C.P.) (SJ-857-17A)

The “Application for release from seizure in the hands of a third person” (art. 716 C.C.P.) form enables a garnishee or a debtor to address the court clerk to obtain release from a seizure in the hands of a third person in cases where the garnishee declares not being indebted and no contestation of the said declaration is filed.

TYPES OF FORMS

- Dynamic PDF:

After completing the form, you can print it on letter-sized paper, i.e. 8.5 inches by 11 inches (215.9 mm by 279.4 mm).

- Paper:

If you complete the form by hand, please write legibly in block letters.

Once the form is completed, keep a copy for your files.

FILING AT THE COURT OFFICE

You must then submit the form to the Small Claims Division office. To do this, you may use the Digital Court Office of Québec (GNJQ), which is accessible via the website of the Ministère de la Justice at www.justice.gouv.qc.ca.

For further information, as well as the contact information for all [courthouses](#) in the province of Québec, consult the website of the Ministère de la Justice.

District: _____

Locality: _____

File No.: _____

_____ _____ _____ Seizing party	_____ _____ _____ Debtor
_____ _____ Executing bailiff	and _____ _____ Garnishee

APPLICATION FOR RELEASE FROM SEIZURE IN THE HANDS OF A THIRD PERSON
(art. 716 C.C.P.)

The seizing party ☐ debtor ☐ asks the court clerk to release him or her from the seizure in the hands of a third person made on _____.

A negative declaration was given and no contestation was filed with respect to the said declaration within the prescribed time limit, which has since expired.

THEREFORE, THE SEIZING PARTY ☐ **DEBTOR** ☐ **ASKS THE COURT TO:**

RELEASE the seizure in the hands of a third person made on _____ in the garnishee's hands;

GRANT the release of this seizure in the hands of a third person;

THE WHOLE with legal costs.

In _____, on _____

☐ Garnishee ☐ Defendant