

**COLLECTION CORPORATION OF AUSTRALIA PTY LTD**

**EXPLANATION OF COLLECTION PROCEDURES & LEGAL ACTION IN NSW**

**Prelegal Services**

Stage	Action Taken	Time Period	Time Before Next Action	Fee (GST included)	
1	Demand Letter - Posted	Demand Letter posted by CCA PrePaid + Regd Mail (signature required)	<b>Same Day</b>	7, 10, 14 days (as requested)	\$37.40
	Demand Letter - Hand Delivered	Demand Letter Hand Delivered by Commercial Agent	Same Day - 3 days	7, 10, 14 days (as requested)	\$37.40
2	Location / Confirmation of Address	Office Investigation	Same Day - 3 days	Dependent upon results	\$70 + Disbursements
3	Location / Confirmation of Address	Visit Investigation	Same Day - 7 days	Dependent upon results	\$70.00 to \$90.00
4	Phone Demand	Personal contact made with Debtor to discuss unpaid levies, arrange payment, update strata roll details and find out how to recover levies, if legal action becomes necessary.	Same Day - 2 days	Dependent on arrangements	\$30.00 to \$50.00

**Collection Procedure when Legal Action is required (NSW)**

Stages of Debt Collection	Implementation by CCA	Time Period	Next Action	Fee (GST included)	
1	<b>Issue Statement of Claim (SLC)</b>	CCA issues SLC in Local Court via Justice Depts Electronic Lodgement System	<b>Same Day</b> Client grants permission	SLC returned for CCA for service within 1 minute of lodgement	See Schedule on website
2	Serve SLC on debtor	CCA monitors service of SLC	Personally 1 - 10 days Court Postal 5 days Post to Regd Office 1 day	Enter Judgment 28 days after SLC served	See Schedule on website
3	<b>Enter Judgment</b>	CCA submits Judgment to Local Court via Justice Depts Electronic Lodgement System	<b>Same Day</b> permission is received from client.	Court enters Judgment within 1 day	See Schedule on website
4	<b>Extract money from debtor to satisfy Judgment</b>	Garnishees, Writs, Certified Copies of Judgment (to issue Bankruptcy Notice) prepared simultaneously with Judgment	Writs, Garnishees on Wages & Certified Copies of Judgment are issued via Electronic Lodgment System on <b>Same Day</b> Judgment is entered.	Followup actions taken. (See relevant schedules)	See Schedule on website
		Rent & Bank Account Garnishees issued manually at Court (7 - 14 days)			See Schedule on website
5	Special Debt Assessment after Judgment is entered if required	CCA actively assesses the most effective method of recovery. Investigations are conducted to find out sources of income (to garnishee funds) if they are not known, solutions are decided upon when we have insufficient information about debtors.	1 - 5 days after Judgment is entered <b>Any time in the future when avenues to collect don't work out.</b>		See Schedule on website

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**Garnishees (NSW)**

Stage		Action	Implementation by CCA	Time Period	Fee (GST included)
1	Issue Garnishee	Prepare Wages Garnishee	Issued by CCA via Courts Electronic Lodgment System	<b>Same Day</b>	\$110.00
		Prepare Garnishee on Rent, Bank Account or Debt	Court issues Garnishee manually	4 - 14 days	\$110.00
2	Serve Garnishee	CCA Serves Garnishee	CCA serves by Post	<b>Same Day</b>	\$66.00
		Commercial Agent delivers Garnishee	Arranges Service by Commercial Agent	1 - 3 days	\$66.00
3	Facilitate Payment from Garnishee	1st Reminder to Garnishee	Automated Reminder via Email	5 days after service	No Charge
		2nd Reminder to Garnishee	Automated Reminder via Email	10 days after service	No Charge
		3rd Reminder to Garnishee	Negotiations with Garnishee on Phone	14 days or at <b>End of Month</b>	No Charge - \$30.00
4	Payment Received	Process Payment	Direct Deposit at Local Post Office or Post to Client	<b>Same Day</b>	No Charge

**Writs of Execution (NSW)**

Stage		Action	Implementation by CCA	Time Period	Fee (GST included)
1	Issue Writ	CCA prepares Writ	Issued by CCA via Courts Electronic Lodgment System	<b>Same Day</b>	\$307.00
2	Sheriff Demands Payment from debtor	Sheriff sends 1 letter & sometimes telephones debtor	Allow Sheriff time to take action	Approximately 7 days after writ issued	see Stage 1
		Sheriff visits debtors address "once only"		Approximately 6 - 8 weeks after writ issued	see Stage 1
3	Await Result of Sheriffs Activity	CCA monitors Sheriffs activity	CCA Requests Progress Report from Sheriffs Office (if required)	Approximately 4 - 8 weeks after Writ issued	No Charge
4	Results of Sheriffs Activity	Sheriff obtains full payment from debtor and forwards it to CCA	Payment processed - by Direct Deposit at Local Post Office or Posting to Client	<b>Same Day</b>	No Charge
		Sheriff files Notice of Non Levy advising "no goods found" or "goods of no value"	Usually no further action taken		No Charge
		Sheriff advises debtor not home when visited and requests a further \$72 to visit again, in 4 - 6 weeks time.	Usually no further action taken		No Charge
		Sheriff lists some items of property belonging to debtor and requests \$50 to pick them up in around 4 weeks time to sell at public auction.	CCA sends \$50 if debt is not being collected via a Garnishee. Debtor usually makes an Instalment Order at Court and Sheriff is unable to take any further action		Sheriffs Fee - \$50.00 CCA - \$30.00

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**Certified Copy of Judgment (NSW)**

Stage	Action	Implementation by CCA	Time Period	Fee (GST included)	
1	Issue Certified Copy of Judgment (CCJ)	Prepare Certified Copy of Judgment	Issued by CCA via Courts Electronic Lodgment System	Same Day	\$66.00

**Examining Debtors (NSW)**

Stage	Action	Implementation by CCA	Time Period	Fee (GST included)	
1	Examination Notice	Prepare Examination Notice	CCA prints Examination Notice (which does not have to be issued by Court)	Same Day	\$55.00
2	Serve Examination Notice	Examination Notice Served	CCA serves Examination Notice by Posting it to debtor.	Same Day	\$66.00
3	Examination Notice completed and returned by Debtor	Assess debtors financial position as disclosed and take appropriate action. An Examination Order to attend court for examination cannot be issued.	Take action based upon the information disclosed in the Examination Notice.	Same Day	No Charge
	Examination Notice not returned by Debtor or not properly completed	Examine debt and If appropriate proceed to issue Examination Order.			
4	Issue Examination Order	CCA obtains permission from Client to issue an Examination Order.	CCA prepares Examination Order which is then issued manually by the Court	Prepared <b>Same Day</b> Issued 5 - 14 days	\$530.80
5	Serve Examination Order	CCA monitors service by a Licensed Commercial Agent.	CCA attempts to find out what income sources can be garnisheed by our Agent interviewing the debtor and direct contact with CCA staff (email/telephone). Garnishees are then issued immediately and there is no need to attend the Examination Hearing.	Must be served 14 days before Hearing Date	\$66.00
6	Examine Debtor at Hearing	Attend Court and Examine Debtor.	Obtain a comprehensive financial picture of the debtors income, assets, liabilities.	Same Day	\$278.30
		Attend Court - Debtor does not attend.	If the debtor does not attend CCA will request the Hearing is adjourned or request that a Warrant be Issued for the debtors arrest.	Same Day. A Notice is sent to the debtor by the Court advising them a Warrant of Apprehension may be issued in 14 days time.	\$202.40
7	Issue Warrant of Apprehension	CCA prepares request to Issue Warrant of Apprehension	Court issues Warrant of Apprehension manually, directing the Sheriffs Office to arrest the debtor and take him to a court to be examined about his finances.	Warrant lapses after 3 months. Debtors are very rarely arrested.	\$202.40
	<b>Examination Notice:</b>	A questionnaire designed by the court about a debtors assets, income, liabilities and expenses. It can be posted to a debtor who then has 21 days to return it to the creditor, properly completed. An Examination Order, summoning a debtor to court to be examined, cannot be issued if the Examination Notice has been completed properly and returned to the creditor.			
	<b>Examination Order:</b>	A summons requiring the debtor to attend court to be examined by the creditor about his finances. If the debtor does not attend the court to be examined, the creditor can apply for a warrant of Apprehension to have the debtor arrested and brought to court.			