

## **HOW TO ENFORCE A JUDGMENT UNDER THE *ENFORCEMENT OF CANADIAN JUDGMENTS AND DECREES ACT***

1. A civil judgment obtained in a province or territory other than Nova Scotia, may be registered as a judgment of the Supreme Court of Nova Scotia.
2. A letter, from counsel, requesting the judgment from another province or territory be registered in the Nova Scotia Supreme Court pursuant to the *Enforcement of Canadian Judgments and Decrees Act* must set out that the judgment was granted by a Superior Court of unlimited trial jurisdiction in the province or territory and that the appeal period has expired and no appeal has been taken from the judgment in that province.
3. A Court certified copy of the judgment and 2(two) copies must be filed with the letter of request.
4. The court filing fee is \$26.75.
5. Once the judgment is made an order of the Supreme Court of Nova Scotia it can be enforced in Nova Scotia. To enforce the judgment in Nova Scotia you must file at least three copies of the Execution Order (Form 79.17A and 79.17B) as well as three copies of the Certificate of Judgment Form 46 with the court for issuance.
6. The Certificate of Judgment - Form 46 - must be completed as per the requirements of the Land Registry Office. Please note that the court will not issue a document where a debtor's social insurance number is used as information to identify that person.
7. The Execution Order consists of two forms - 79.17A and 79.17B. At Form 79.17A particular attention must be taken when naming the judgment debtor if judgment was not obtained against all defendants. Form 79.17B must show the debt including cost and pre-judgment interest as well as registration expenses. Registration expenses are those incurred when registering the judgment at the personal property registry and land registration at the Land Registry Office.
8. If you are forwarding the Execution Order to Sheriff Services for collection, you must provide the place of employment and/or name of bank and branch for the defendant. A copy of the personal property registration from the Registry of Deeds will also be required.
9. You will have to register the Certificate of Judgment at the Personal Property Registry of the Registry of Deeds, 780 Windmill Road, 3<sup>rd</sup> Floor, Dartmouth, Nova Scotia. Telephone (902)424-4083 for Halifax Regional Municipality. Hours of operation is Monday to Friday 8:30 a.m. to 4:30 p.m. There is a filing fee of **\$23.18** for the first year and **\$8.10** for each year renewed.