

**Arrest warrant under section 78 of the *Bankruptcy Act 1966***

No. \_\_\_\_\_ of 20\_\_\_\_

Federal Court of Australia  
District Registry: [State]  
Division: General

**In the matter of [name of debtor or bankrupt estate]**

**[Name of Applicant(s)]**

Applicant[s]

**[Name of Respondent(s)]**

Respondent[s]

To: The Sheriff and to all constables

Arrest the following person:

**[Name]**

[insert address or "address unknown"]

Date of birth: [eg 30 June 1990 or "unknown"]

And take [\*]him[\*or]her to the following gaol:

[name and location of gaol]

And to: The officer in charge of that gaol

Receive the person named above into custody until the Court otherwise orders.

[\*insert if applicable or delete]

This warrant authorises the officer who arrests the person to seize any property or books in the possession of the person at the time of arrest and deliver them into the custody of the following

\_\_\_\_\_  
Filed on behalf of (name & role of party) \_\_\_\_\_  
Prepared by (name of person/lawyer) \_\_\_\_\_  
Law firm (if applicable) \_\_\_\_\_  
Tel \_\_\_\_\_ Fax \_\_\_\_\_  
Email \_\_\_\_\_  
**Address for service**  
(include state and postcode) \_\_\_\_\_

person: [name and address] to be retained by [\*]him[\*or]her until the Court makes an order as to their disposal.

Dated:

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Judge

### Notes

1. This warrant is issued as it appears to the Court that the person who is the subject of this warrant is:

[Select from the following options and edit as appropriate]

[\*]a debtor against whom a bankruptcy notice has been issued/a petition has been presented and who has absconded/is about to abscond with a view to avoiding payment of [\*]his[\*or]her debts/preventing or delaying proceedings against [\*]him[\*or]her under the *Bankruptcy Act 1966*;

[\*]a debtor against whom a bankruptcy notice has been issued/a petition has been presented and who has concealed or removed/is about to conceal or remove any of [\*]his[\*or]her property with a view to preventing or delaying possession of it being taken under the *Bankruptcy Act 1966* in the event of [\*]his[\*or]her becoming a bankrupt;

[\*]a debtor against whom a bankruptcy notice has been issued/a petition has been presented and who has destroyed, concealed or removed/is about to destroy, conceal or remove, books (including books of an associated entity of the debtor) relating to any of the debtor's examinable affairs;

[\*]a bankrupt who has concealed/,without the permission of the trustee, has removed, any of the property of the bankrupt;

[\*]a bankrupt who has, without good cause shown, neglected or failed to comply with an order of the Court/an obligation under the *Bankruptcy Act 1966*.

2. Under subsection 5(1) of the *Bankruptcy Act 1966* **constable** is defined to mean any member or special member of the Australian Federal Police and any member of the police force of a State or Territory.
3. [\*delete if inapplicable]Under subsection 5(1) of the *Bankruptcy Act 1966*, **books** is defined to include any account, deed, paper, writing or document and any record of information however compiled, recorded or stored, whether in writing, on microfilm, by electronic process or otherwise.

[\*delete if inapplicable]