

**APPENDIX OF FORMS
FORM 41A**

**ORDER APPOINTING A RECEIVER (OR ORDER
CONFIRMING THE APPOINTMENT OF A RECEIVER)
WHERE A PROCEEDING IS ALREADY COMMENCED**

(Court, Court File Number, Style of Proceeding)

**ORDER APPOINTING A RECEIVER (OR ORDER
CONFIRMING THE APPOINTMENT OF A RECEIVER)
(FORM 41A)**

HAVING READ the affidavit of sworn to on the day of, 19.....,

AND HAVING HEARD on behalf of, and, on behalf of

1. I appoint receiver *(or I confirm the appointment of as receiver)* to receive *(describe property)* of and *(where applicable)* to manage the undertaking of until further order.

OR

1. I appoint receiver *(or I confirm the appointment of as receiver)* to receive *(describe property)* of and *(where applicable)* to manage the undertaking of on the following terms:

- (a) the appointment shall terminate on the day of, 19.....
- (b) (as required)
- (c) (as required)

2. *(Where required)* Before receiving property under this order, the receiver shall file with the clerk a fidelity bond in Form 41B *(or such other security as the Judge considers to be proper)* in the sum of \$..... for the proper performance of his duties.

3. The receiver is authorized *(as required)*

- (a) to commence, continue or defend proceedings when necessary for the protection, preservation or acquisition of property with respect to which he is appointed receiver,
- (b) to employ assistance necessary to carry out his duties,
- (c) in order to protect and to carry on the undertaking, to borrow money from time to time, the principal amount owing at any time not to exceed the sum of \$.....

Form 41A

(d) to deal with the property received under this order, and

(e) to pay any claim or incur and pay any expense necessary to acquire, protect, or preserve the property referred to in paragraph (1) of this order.

4. The receiver shall be paid for his services on the following basis:

.....
.....

5. The receiver shall pass his accounts from time to time before the clerk and shall pay the balances in his hands as the clerk directs.

6. *(If required)* It is ordered that deliver forthwith to the receiver all the property and undertaking described in paragraph (1) and all books, documents, papers and records relating thereto.

7. *(Where appropriate)* The costs of the parties to this proceeding up to and inclusive of this order shall, when assessed, be paid by the receiver as part of the expense of carrying out his duties under this order.

DATED at, this day of, 19.

.....
J.C.Q.B.