

1 **Rule 67. Deposit in Court**

2 (a) **Depositing Property.**

3 (1) In an action in which any part of the relief sought is a money
4 judgment, the disposition of a sum of money, or the disposition of any other
5 deliverable thing, a party, upon notice to every other party and by leave of court,
6 may deposit with the court all or any part of the money or thing.

7 (2) When a party admits having possession or control of any money or
8 other deliverable thing, which, being the subject of litigation, is held by the party as
9 trustee for another party, or which belongs or is due to another party, on motion
10 the court may order all or any part of the money or thing to be deposited with the
11 court.

12 (b) **Custodian; Investment of Funds.**

13 (1) Unless ordered otherwise, the deposited money or thing shall be
14 held by the clerk of the court.

15 (2) The court may order that:

16 (i) money deposited with the court be deposited in an interest-
17 bearing account or invested in a court-approved interest-bearing instrument,
18 subject to withdrawal, in whole or in part, at any time thereafter upon order of the
19 court, or

20 (ii) money or a thing held in trust for a party be delivered to that
21 party, upon such conditions as may be just, subject to the further direction of the
22 court.