

SCHEDULE 2

DEDUCTION FROM EARNINGS

Priority

13.—(1) This paragraph applies where there is a pay-day in relation to the liable person on which the employer is required—

- (a) to comply with two or more notices under paragraph 1, or
- (b) to comply with one or more notices under paragraph 1 and with one or more of any of the following—
 - (i) child support orders;
 - (ii) other maintenance orders;
 - (iii) welfare overpayment notices.

(2) In a case within sub-paragraph (1)(a), the employer must—

- (a) deal with each notice according to the date on which it was made, disregarding any later notice until an earlier one has been dealt with, and
- (b) deal with any later notice as if the earnings to which it relates were the residue of the liable person's earnings after the making of any deduction to comply with any earlier notice.

(3) In a case within sub-paragraph (1)(b), the employer must—

- (a) first, deal with any child support order,
- (b) then, deal with any other deduction order,
- (c) then, deal with any welfare overpayment notice, and
- (d) then, deal with the notice or notices under paragraph 1.

(4) Where the employer, when acting under paragraph (a), (b), (c) or (d) of sub-paragraph (3), has to deal with two or more of the orders or notices referred to in that paragraph, the employer must deal with them by using the method set out in sub-paragraph (2).

(5) The employer may make deductions under this paragraph only in so far as the deductions will result in the employer paying the liable person an amount greater than or equal to the protected earnings proportion.

(6) “Child support order” means a deduction from earnings order under Part 3 of the Child Support (Collection and Enforcement) Regulations (Northern Ireland) 1992(1).

(7) “Other deduction order” means an order, other than a child support order, under a statutory provision which requires deduction to be made from a person's earnings.

(8) “Welfare overpayment notice” means a notice under regulation 18 of the Social Security (Overpayments and Recovery) Regulations (Northern Ireland) 2016(2).

(1) S.R. 1992 No. 390.

(2) S.R. 2016 No. 224.