



2016 CHAPTER 21

PART 1

FINES AND OTHER PENALTIES: ENFORCEMENT

CHAPTER 1

Collection of Fines etc.

Attachment of earnings

Statement of earnings

19.—(1) Where the court or a collection officer is proposing to make an attachment of earnings order, the court or collection officer may give a direction under subsection (2) or (3).

(2) A direction under this subsection is a direction to the debtor to provide within the period specified in regulations a statement signed by the debtor of—

- (a) the name and address of any employer the debtor has;
- (b) particulars specified in regulations of the debtor's earnings and expected earnings, and of the debtor's resources and needs (including the needs of any person for whom the debtor must, or reasonably may, provide);
- (c) particulars specified in regulations of any matters which are, or may be, relevant to the determination of the rate of deduction for the purposes of section 18(4)(c);
- (d) particulars specified in regulations for enabling the debtor to be identified by the debtor's employer.

(3) A direction under this subsection is a direction to the debtor's employer to provide within a period specified in regulations a statement signed by or on

Status: Point in time view as at 01/06/2018.

Changes to legislation: There are currently no known outstanding effects for the Justice Act (Northern Ireland) 2016, Section 19. (See end of Document for details)

behalf of that person of particulars specified in the regulations of the debtor's earnings or expected earnings.

(4) Where an attachment of earnings order has been made, the responsible court or the collection officer (regardless of which of them made the order) may at any time while the order is in force give a direction under subsection (2) or (3).

(5) A document purporting to be a statement such as is mentioned in subsection (2) or (3) is, in proceedings for or arising out of an attachment of earnings order, to be received in evidence and deemed to be such a statement without further proof, unless the contrary is shown.

(6) A person commits an offence if the person fails, without reasonable excuse, to comply with a direction under subsection (2) or (3).

(7) A person commits an offence if, in providing information in response to a direction under subsection (2) or (3), the person—

- (a) provides information which the person knows to be false in a material particular,
- (b) recklessly provides information which is false in a material particular, or
- (c) knowingly fails to disclose a material fact.

Commencement Information

- I1** S. 19(1) in operation at 1.6.2018 by S.R. 2018/99, **art. 2(a)**
- I2** S. 19(2)(3) in operation at 3.10.2016 for specified purposes by S.R. 2016/248, **art. 4(f)**
- I3** S. 19(2)(3) in operation at 1.6.2018 in so far as not already in operation by S.R. 2018/99, **art. 2(a)**
- I4** S. 19(4)-(7) in operation at 1.6.2018 by S.R. 2018/99, **art. 2(a)**

Status:

Point in time view as at 01/06/2018.

Changes to legislation:

There are currently no known outstanding effects for the Justice Act (Northern Ireland) 2016, Section 19.