



# Attachment of Earnings Act 1971

## CHAPTER 32

### ATTACHMENT OF EARNINGS ACT 1971

#### *Cases in which attachment is available*

- 1 Courts with power to attach earnings.
- 1A Orders to which this Act applies
- 2 Principal definitions.
- 3 Application for order and conditions of court's power to make it.

#### *Administration orders in the county court*

- 4 Extension of power to make administration order.
- 5 Attachment of earnings to secure payments under administration order.

#### *Consequences of attachment order*

- 6 Effect and contents of order.
- 7 Compliance with order by employer.
- 8 Interrelation with alternative remedies open to creditor.

#### *Subsequent proceedings*

- 9 Variation, lapse and discharge of orders.
- 10 Normal deduction rate to be reduced in certain cases.
- 11 Attachment order in respect of maintenance payments to cease to have effect on the occurrence of certain events.
- 12 Termination of employer's liability to make deductions.

#### *Administrative provisions*

- 13 Application of sums received by collecting officer.
- 14 Power of court to obtain statements of earnings etc.

*Status: Point in time view as at 07/02/1994.*

*Changes to legislation: Attachment of Earnings Act 1971 is up to date with all changes known to be in force on or before 22 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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- 15 Obligation of debtor and his employers to notify changes of employment and earnings.
- 16 Power of court to determine whether particular payments are earnings.
- 17 Consolidated attachment orders.

*Special provisions with respect to magistrates' courts*

- 18 Certain action not to be taken by collecting officer except on request.
- 19 Procedure on applications.
- 20 Jurisdiction in respect of persons residing outside England and Wales.
- 21 Costs on application under s. 16.

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- 22 Persons employed under the Crown.
- 23 Enforcement provisions.
- 24 Meaning of "earnings".
- 25 General interpretation.

*General*

- 26 Transitional provision.
- 27 Consequential amendment of enactments.
- 28 .....
- 29 Citation, repeal, extent and commencement.

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SCHEDULES

SCHEDULE 1 — Maintenance orders to which this Act applies

- 1 An order for alimony, maintenance or other payments made, or...
- 2 An order for payments to or in respect of a...
- 3 An order for periodical or other payments made, or having...
- 4 An order for maintenance or other payments to or in...
- 5 An order for periodical or other payments made or having...
- 6 .....
- 7 An order under paragraph 23 of Schedule 2 to the...
- 8 An order under section 43 of the National Assistance Act...
- 9 An order to which section 16 of the Maintenance Orders...
- 10 A maintenance order within the meaning of the Maintenance Orders...
- 11 A maintenance order within the meaning of Part I of...
- 12 An order under section 34(1)( b ) of the Children...
- 13 A maintenance order within the meaning of Part I of...
- 14 A maintenance judgment within the meaning of Council Regulation (EC)...
- 14A (1) A decision, court settlement or authentic instrument which falls...
- 15 An order made under Schedule 5 to the Civil Partnership...
- 16 An order made under Schedule 6 to the 2004 Act...

SCHEDULE 2 — Taxes, social security contributions etc. relevant for purposes of section 3(6)

- 1 Income tax or any other tax or liability recoverable under...
- 2 .....
- 3 State scheme premiums under Part III of the Pension Schemes...

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- 3A Class 1, 2 and 4 contributions under Part I of...
- 4 .....

SCHEDULE 3 — Deductions by employer under attachment of earnings order  
Part I — SCHEME OF DEDUCTIONS

*Preliminary definitions*

- 1 The following three paragraphs have effect for defining and explaining,...
- 2 “Pay-day”, in relation to earnings paid to a debtor, means...
- 3 “Attachable earnings”, in relation to a pay-day, are the earnings...
- 4 (1) On any pay-day— (a) “ the normal deduction ”...

*Employer’s deduction (judgment debts and administration orders)*

- 5 In the case of an attachment of earnings order made...

*Employer’s deduction (other cases)*

- 6 (1) The following provision shall have effect in the case...
- 6A In the case of an attachment of earnings order made...  
Part II — PRIORITY AS BETWEEN ORDERS
- 7 Where the employer is required to comply with two or...
- 8 Where the employer is required to comply with two or...

SCHEDULE —

4.....

SCHEDULE 5 — Section 20 of Maintenance Orders Act 1958 as having effect in  
consequence of this Act

- 20 Special provisions as to magistrates’ courts.

SCHEDULE 6 — Enactments Repealed

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