
STATUTORY INSTRUMENTS

1992 No. 1989

The Child Support (Collection and Enforcement) Regulations 1992

[^{F1} PART 3A

Deduction Orders

CHAPTER 2

Regular Deduction Orders

[^{F1} Priority as between orders – regular deduction orders

25H.—(1) Paragraphs (2) to (5) apply where one or more third party debt orders or garnishee orders provide for deductions to be made from the same account as that specified in a regular deduction order.

(2) Where—

- (a) one or more third party debt orders or garnishee orders are served on a deposit-taker before or on the day a payment is due to be made under a regular deduction order; and
- (b) the regular deduction order was served on the same deposit-taker before those orders,

the deposit-taker must make that payment except where the deposit-taker has taken action to comply with the obligations under any third party debt order or garnishee order.

(3) Where a regular deduction order is served after an interim third party debt order or a garnishee order nisi the deposit-taker must take action to comply with any of those orders before making a deduction under the regular deduction order.

(4) Where paragraph (2) or (3) applies, the deposit-taker must take action to comply with any third party debt orders or garnishee orders before making further deductions under the regular deduction order.

(5) Where a decision to revive a regular deduction order takes effect on the same day as or any day after a third party debt order or garnishee order has been served, the deposit-taker must take action to comply with any of those orders before making a deduction under the regular deduction order.

(6) Paragraphs (1) to (5) do not apply to Scotland.

(7) In Scotland, paragraphs (8) to (10) apply where a deposit-taker receives one or more arrestment schedules (“arrestments”) and a regular deduction order which apply to the same account.

(8) Where—

- (a) one or more arrestments are served on a deposit-taker before or on the day a payment is due to be made under a regular deduction order; and
- (b) the regular deduction order was served on the same deposit-taker before any of those arrestments,

the deposit-taker must make that payment except where the deposit-taker has taken action to comply with the obligations under any of the arrestments.

(9) Where paragraph (8) applies, the deposit-taker must take action to comply with any of those arrestments before making further deductions under the regular deduction order.

(10) Where a decision to revive a regular deduction order takes effect on the same day as or any day after any arrestments have been served, the deposit-taker must take action to comply with any of those arrestments before making a deduction under the regular deduction order.]

Textual Amendments

F1 Pt. 3A inserted (3.8.2009) by [Child Support Collection and Enforcement \(Deduction Orders\) Amendment Regulations 2009 \(S.I. 2009/1815\)](#), regs. 1(1), 2

Changes to legislation:

There are currently no known outstanding effects for the The Child Support (Collection and Enforcement) Regulations 1992, Section 25H.