
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 89

ATTACHMENT OF EARNINGS

SECTION 2 – APPLICATIONS FOR ATTACHMENT OF EARNINGS ORDERS

[^{F1}Attachment of earnings order

89.7.—(1) If the court officer—

- (a) receives the debtor’s reply form; and
- (b) has sufficient information to make an attachment of earnings order,

the court officer may make such an order.

(2) The court must send a copy of any attachment of earnings order made to the parties and to the debtor’s employer.

(3) Where an order is made under paragraph (1), the creditor or the debtor may, within 14 days of service of the order and giving reasons, apply on notice for the order to be re-considered.

(4) Following receipt of an application in accordance with paragraph (3), the court officer must transfer the application to the debtor’s home court for the hearing of the application.

(5) The creditor and the debtor must be given not less than 2 days’ notice of any hearing fixed pursuant to paragraph (4).

(6) On hearing an application under paragraph (3), the District Judge may confirm the order or set it aside and make such new order as the District Judge thinks fit.

(7) Where an order is not made under paragraph (1), the court officer must refer the application to the District Judge who may—

- (a) determine the application without a hearing; or
- (b) transfer the application to the debtor’s home court for hearing.

(8) The creditor and the debtor must be given not less than 8 days’ notice of any hearing fixed pursuant to paragraph (7)(b).

(9) Where an order is made under paragraph (7)(a), the creditor or the debtor may, within 14 days of service of the order and giving reasons, apply on notice for the order to be re-considered.

(10) Following receipt of a notice in accordance with paragraph (9), the court officer must transfer the application to the debtor’s home court for hearing.

(11) The creditor and the debtor must be given not less than 2 days’ notice of any hearing fixed pursuant to paragraph (10).

(12) On hearing an application under paragraph (10), the District Judge may confirm the order or set it aside and make such new order as the District Judge thinks fit.

Status: Point in time view as at 06/04/2024.

Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, Section 89.7. (See end of Document for details)

(13) If the creditor does not appear at the hearing of the application under paragraph (7)(b) the court may proceed to hear the application and to make an order in the creditor's absence if—

- (a) the court has received a witness statement from the creditor; or
- (b) the creditor requests the court in writing to proceed in any event.

(14) No attachment of earnings order may be made to secure the payment of a judgment debt if—

- (a) the debt is of less than £50; or
- (b) the amount remaining payable under a judgment is less than £50.]

Textual Amendments

- F1** Pt. 89 inserted (6.4.2016) by [The Civil Procedure \(Amendment\) Rules 2016 \(S.I. 2016/234\)](#), rules 2, 20, [Sch. 2](#) (with rule 25)

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There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 89.7.