
STATUTORY INSTRUMENTS

2004 No. 176

The Fines Collection Regulations 2004

Part II—

Application of Enactments with Modifications

Application with modifications of the Attachment of Earnings Act 1971

4. In the case of a person aged 18 or over liable to pay a sum to which Schedule 5 applies, the Attachment of Earnings Act 1971(1) applies to attachment of earnings orders made under Schedule 5 as it applies to such orders made under that Act but with the following modifications—

- (a) delete section 1(3)(b);
- (b) in section 1(4) insert at the end “or by a fines officer under Schedule 5 to the Courts Act 2003”;
- (c) delete section 3(3B);
- (d) in section 6(1) after the first and second references to “the court” and in sections 7, 9(1) and (4) and 12(2) after the references to “the court” insert “or, as the case may be, the fines officer”;
- (e) delete section 6(5) and for Part I of Schedule 3 substitute the following Part I—

“PART I

TABLES OF PERIODICAL DEDUCTIONS FROM EARNINGS

TABLE A
DEDUCTIONS FROM WEEKLY EARNINGS

<i>(1) Net earnings</i>	<i>(2) Percentage deductions rate</i>
Not exceeding £55	0
Exceeding £55 but not exceeding £100	3
Exceeding £100 but not exceeding £135	5
Exceeding £135 but not exceeding £165	7
Exceeding £165 but not exceeding £260	12
Exceeding £260 but not exceeding £370	17

(1) 1971 c. 32. Section 3(3B) was inserted by section 53 of the Criminal Procedure and Investigations Act 1996 (c. 25) and section 6(7)(c) is amended by section 90(1) of, and paragraphs 64 and 66 of Schedule 13 to, the Access to Justice Act 1999 (c. 22).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1) Net earnings</i>	<i>(2) Percentage deductions rate</i>
Exceeding £370	17 in respect of the first £370 and 50 in respect of the remainder

*TABLE B
DEDUCTIONS FROM MONTHLY EARNINGS*

<i>(1) Net earnings</i>	<i>(2) Percentage deductions rate</i>
Not exceeding £220	0
Exceeding £220 but not exceeding £400	3
Exceeding £400 but not exceeding £540	5
Exceeding £540 but not exceeding £660	7
Exceeding £660 but not exceeding £1,040	12
Exceeding £1,040 but not exceeding £1,480	17
Exceeding £1,480	17 in respect of the first £1,480 and 50 in respect of the remainder

*TABLE C
DEDUCTIONS FROM DAILY EARNINGS*

<i>(1) Net earnings</i>	<i>(2) Percentage deductions rate</i>
Not exceeding £8	0
Exceeding £8 but not exceeding £15	3
Exceeding £15 but not exceeding £20	5
Exceeding £20 but not exceeding £24	7
Exceeding £24 but not exceeding £38	12
Exceeding £38 but not exceeding £53	17
Exceeding £53	17 in respect of the first £53 and 50 in respect of the remainder”;

- (f) in section 6(7)(c) after “in the case of an order made by a magistrates' court,” insert “a fines officer of that court or”;
- (g) in section 8(5) for “section 1(3)(b) and (c) of this Act” substitute “paragraph 1 of Schedule 5 to the Courts Act 2003 or section 1(3)(c) of this Act”;
- (h) rules of court under section 9(3)(b) shall not apply to attachment of earnings orders under Schedule 5 to the Courts Act 2003;
- (i) in section 14—
- (i) after any reference to “a court” insert “or, as the case may be, a fines officer” and after any reference to “the court” insert “or, as the case may be, the fines officer”;
 - (ii) in subsections (1) for “it” substitute “the court or, as the case may be, the fines officer” and in subsection (2)(b) after “it” insert “or, as the case may be, him”;
 - (iii) delete subsection (3);

- (j) rules of court having effect under the words from “and of any other prescribed matters” to the end of section 14(4) shall not apply;
- (k) in section 15, in paragraph (a) after the reference to “the court” insert “or, as the case may be, the fines officer” and in paragraph (c) after the reference to “what court” insert “or, as the case may be, which fines officer” and after the reference to “that court” insert “or, as the case may be, that fines officer”;
- (l) in section 17(1) after “under those sections” insert “or under Schedule 5 of the Courts Act 2003” and at the end insert “or in paragraph 1 of that Schedule”; and
- (m) in section 25 after subsection (1) insert the following subsection—
 - “(1A) In this Act “fines officer” has the meaning given—
 - (a) in respect of cases subject to the national pilot scheme under article 2 of the Collection of Fines (Pilot Schemes) Order 2004, by paragraph 26(4) of Schedule 5 to the Courts Act 2003 as modified by that Order, and
 - (b) in respect of cases subject to a local pilot scheme under article 3 of that Order, by paragraph 13(2) of that Schedule.”.