

**Changes to legislation:** Attachment of Earnings Act 1971, SCHEDULE 1 is up to date with all changes known to be in force on or before 28 May 2023. 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) View outstanding changes

## SCHEDULES

### SCHEDULE 1

Section 2.

#### MAINTENANCE ORDERS TO WHICH THIS ACT APPLIES

- 1 An order for alimony, maintenance or other payments made, or having effect as if made, under Part II of the <sup>M1</sup>Matrimonial Causes Act 1965 (ancillary relief in actions for divorce etc.).

#### Marginal Citations

**M1** 1965 c. 72.

- 2 An order for payments to or in respect of a child, being an order made, or having effect as if made, under Part III of the said Act of 1965 (maintenance of children following divorce, etc.).

- [<sup>F13</sup> An order for periodical or other payments made, or having effect as if made, under Part II of the <sup>M2</sup>Matrimonial Causes Act 1973]

#### Textual Amendments

**F1** Para. 3 substituted by [Matrimonial Causes Act 1973 \(c. 18\)](#), [Sch. 2 para. 13](#)

#### Marginal Citations

**M2** 1973 c. 18.

- 4 An order for maintenance or other payments to or in respect of a spouse or child, being an order made, [<sup>F2</sup>under Part I of the <sup>M3</sup>Domestic Proceedings and Magistrates' Courts Act 1978]

#### Textual Amendments

**F2** Words substituted by [Domestic Proceedings and Magistrates' Courts Act 1978 \(c. 22\)](#), s. 89(3), [Sch. 2 para. 32](#)

#### Marginal Citations

**M3** 1978 c. 22.

- <sup>F35</sup> An order for periodical or other payments made or having effect as if made under Schedule 1 to the Children Act 1989.

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### Textual Amendments

- F3** Sch. 1 para. 5 substituted (14.10.1991) by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), s. 116, **Sch. 16 para. 38**; S.I. 1991/1883, art.3, **Schedule**

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F4

### Textual Amendments

- F4** Para. 6 repealed by Family Law Reform Act 1987 (c. 42, SIF 49:7), s. 33, Sch. 2 para. 44(b), Sch. 3 paras. 1, 6, **Sch. 4**

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An order under [<sup>F5</sup>paragraph 23 of Schedule 2 to the Children Act 1989][<sup>F6</sup>paragraph 3 of Schedule 1 to the Social Services and Well-being (Wales) Act 2014.] . . . <sup>F7</sup>section 23 of the Ministry of Social Security Act 1966 [<sup>F8</sup>. . . <sup>F9</sup>section 18 of the Supplementary Benefits Act 1976]<sup>F10</sup>[<sup>F11</sup>. . . section 24 of the Social Security Act 1986][<sup>F12</sup>or section 106 of the Social Security Administration Act 1992] (various provisions for obtaining contributions from a person whose dependants are assisted or maintained out of public funds).

### Textual Amendments

- F5** Words in Sch. 1 para. 7 substituted (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(5)(6), Sch. 13 para. 29, **Sch. 14 para. 1(1)**; S.I. 1991/828, art. 3(2)
- F6** Words in Sch. 1 para. 7 inserted (6.4.2016) by The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016 (S.I. 2016/413), regs. 2(1), **29**
- F7** Word repealed by Supplementary Benefits Act 1976 (c. 71), **Sch. 7 para. 20(b)**
- F8** Words inserted by Supplementary Benefits Act 1976 (c. 71), **Sch. 7 para. 20(b)**
- F9** Word repealed by Social Security Act 1986 (c. 50, SIF 113:1), s. 86, **Sch. 10 Pt. II para. 43(b)**
- F10** Word in Sch. 1 para. 7 omitted (1.7.1992) by virtue of Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 4, 7(2), **Sch. 2 para. 7**
- F11** Words inserted by Social Security Act 1986 (c. 50, SIF 113:1), s. 86, **Sch. 10 Pt. II para. 43(b)**
- F12** Words in Sch. 1 para. 7 inserted (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 4, 7(2), **Sch. 2 Para.7**

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F13

### Textual Amendments

- F13** Sch. 1 para. 8 repealed (6.4.2009) by Health and Social Care Act 2008 (c. 14), ss. 166, 170(3), **Sch. 15 Pt. 5**; S.I. 2009/462, art. 4(c); S.I. 2009/631, art. 2(c)

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An order to which section 16 of the <sup>M4</sup>Maintenance Orders Act 1950 applies by virtue of subsection (2)(b) or (c) of that section (that is to say an order made by a court in Scotland or Northern Ireland and corresponding to one of those specified in the foregoing paragraphs) and which has been registered in a court in England and Wales under Part II of that Act.

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**Modifications etc. (not altering text)**

**C1** Para. 9 amended by [Matrimonial Causes Act 1973 \(c. 18\)](#), [Sch. 2 para. 3\(2\)](#)

**Marginal Citations**

**M4** [1950 c. 37](#).

10 A maintenance order within the meaning of the <sup>M5</sup>Maintenance Orders (Facilities for Enforcement) Act 1920 (Commonwealth orders enforceable in the United Kingdom) registered in, or confirmed by, a court in England and Wales under that Act.

**Marginal Citations**

**M5** [1920 c. 33](#).

[<sup>F14</sup>11 A maintenance order within the meaning of Part I of the <sup>M6</sup>Maintenance Orders (Reciprocal Enforcement) Act 1972 registered in [<sup>F15</sup>the family court] under the said Part I.]

**Textual Amendments**

**F14** Para. 11 inserted by [Maintenance Orders \(Reciprocal Enforcement\) Act 1972 \(c. 18\)](#), [Sch. para. 7](#)

**F15** Words in Sch. 1 para. 11 substituted (22.4.2014) by [The Crime and Courts Act 2013 \(Family Court: Consequential Provision\) Order 2014 \(S.I. 2014/605\)](#), arts. 1, [5\(a\)](#)

**Marginal Citations**

**M6** [1972 c. 18](#).

[<sup>F16</sup>12 An order under section 34(1)( b ) of the Children Act 1975 (payments of maintenance in respect of a child to his custodian). ]

**Textual Amendments**

**F16** Para. 12 inserted by [Children Act 1975 \(c. 72\)](#), s. 108(2), [Sch. 3 para. 76\(b\)](#)

<sup>F17</sup>13 . . . . .

**Textual Amendments**

**F17** [Sch. 1 para. 13](#) omitted (31.12.2020) by virtue of [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/479\)](#), regs. 1(1), [3\(a\)](#) (with regs. 92-95) (as amended by [S.I. 2020/1493](#), regs. 1(1), 5(2)-(5)); [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)

<sup>F18</sup> 14 . . . . .

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#### Textual Amendments

- F18** Sch. 1 para. 14 omitted (31.12.2020) by virtue of [The Civil Jurisdiction and Judgments \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/479), regs. 1(1), **3(b)** (with regs. 92-95) (as amended by [S.I. 2020/1493](#), regs. 1(1), 5(2)-(5)); 2020 c. 1, Sch. 5 para. 1(1)

<sup>F19</sup>14A . . . . .

#### Textual Amendments

- F19** Sch. 1 para. 14A omitted (31.12.2020) by virtue of [The Jurisdiction and Judgments \(Family\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/519), reg. 1(1), **Sch. para. 4** (with reg. 8) (as amended by [S.I. 2020/1574](#), regs. 1, 5(2)); 2020 c. 1, Sch. 5 para. 1(1)

[<sup>F20</sup>14B. A decision or maintenance arrangement which is registered in [<sup>F21</sup>the family court] under the Convention on the International Recovery of Child Support and other forms of Family Maintenance done at The Hague on 23rd November 2007.]

#### Textual Amendments

- F20** Sch. 1 para. 14B inserted (coming into force in accordance with reg. 1(1) of the amending S.I.) by [The International Recovery of Maintenance \(Hague Convention 2007 etc.\) Regulations 2012](#) (S.I. 2012/2814), reg. 1(1), **Sch. 4 para. 3(4)**
- F21** Words in Sch. 1 para. 14B substituted (22.4.2014) by [The Crime and Courts Act 2013](#) (Family Court: Consequential Provision) Order 2014 (S.I. 2014/605), arts. 1, **5(a)**

[<sup>F22</sup>15 An order made under Schedule 5 to the Civil Partnership Act 2004 ([<sup>F23</sup>financial relief: provision corresponding to provision made by Part 2 of the Matrimonial Causes Act 1973]), for periodical or other payments.

#### Textual Amendments

- F22** Sch. 1 paras. 15, 16 inserted (5.12.2005) by [Civil Partnership Act 2004](#) (c. 33), s. 263(10)(b), **Sch. 27 para. 35**; S.I. 2005/3175, **art. 2(2)**
- F23** Words in Sch. 1 para. 15 substituted (22.4.2014) by [The Crime and Courts Act 2013](#) (Family Court: Consequential Provision) Order 2014 (S.I. 2014/605), arts. 1, **5(c)**

16 An order made under Schedule 6 to the 2004 Act ([<sup>F24</sup>financial relief: provision corresponding to provision made by the Domestic Proceedings and Magistrates' Courts Act 1978]), for maintenance or other payments to or in respect of a civil partner or child.]

#### Textual Amendments

- F22** Sch. 1 paras. 15, 16 inserted (5.12.2005) by [Civil Partnership Act 2004](#) (c. 33), s. 263(10)(b), **Sch. 27 para. 35**; S.I. 2005/3175, **art. 2(2)**
- F24** Words in Sch. 1 para. 16 substituted (22.4.2014) by [The Crime and Courts Act 2013](#) (Family Court: Consequential Provision) Order 2014 (S.I. 2014/605), arts. 1, **5(d)**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied (with modifications) by [S.I. 2018/1125 reg. 8](#) (This amendment not applied to legislation.gov.uk. S.I. 2018/1125, reg. 8 omitted (31.12.2020) by virtue of Private International Law (Implementation of Agreements) Act 2020 (c. 24), s. 4(3), Sch. 5 para. 4(4))

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- s. 6(1A)(1B) inserted by [2007 c. 15 Sch. 15 para. 2\(2\)](#) (This affecting provision is amended (22.4.2014) by 2013 c. 22, Sch. 9 para. 52; S.I. 2014/954, art. 2(c) (with art. 3))
- s. 6A inserted by [2007 c. 15 Sch. 15 para. 3](#)
- s. 9(1A) inserted by [2007 c. 15 Sch. 15 para. 4](#)
- s. 9A inserted by [2007 c. 15 Sch. 15 para. 5](#) (This affecting provision is amended (22.4.2014) by 2013 c. 22, Sch. 9 para. 52; S.I. 2014/954, art. 2(c) (with art. 3))
- s. 14(1A) inserted by [2007 c. 15 Sch. 15 para. 10](#) (This affecting provision is amended (22.4.2014) by 2013 c. 22, Sch. 9 para. 52; S.I. 2014/954, art. 2(c) (with art. 3))
- s. 14(2A) inserted by [2007 c. 15 Sch. 15 para. 12](#)
- s. 14(4A)(4B) inserted by [2007 c. 15 Sch. 15 para. 14](#)
- s. 15A-15D inserted by [2007 c. 15 s. 92](#) (This affecting provision is amended (22.4.2014) by 2013 c. 22, Sch. 9 para. 52; S.I. 2014/954, art. 2(c) (with art. 3))
- s. 17(4) inserted by [2007 c. 15 Sch. 15 para. 18](#) (This affecting provision is amended (22.4.2014) by 2013 c. 22, Sch. 9 para. 52; S.I. 2014/954, art. 2(c) (with art. 3))
- s. 23(1ZA) inserted by [2007 c. 15 Sch. 15 para. 21](#) (This affecting provision is amended (22.4.2014) by 2013 c. 22, Sch. 9 para. 52; S.I. 2014/954, art. 2(c) (with art. 3))
- s. 25(2)(c) words inserted by [2007 c. 15 Sch. 15 para. 22](#)
- s. 25(2)(f) words inserted by [2007 c. 15 Sch. 15 para. 22](#)
- Sch. 3A inserted by [2007 c. 15 Sch. 15 para. 7](#) (This affecting provision is amended (22.4.2014) by 2013 c. 22, Sch. 9 para. 52; S.I. 2014/954, art. 2(c) (with art. 3))