



# Attachment of Earnings Act 1971

## 1971 CHAPTER 32

### *Cases in which attachment is available*

#### **1 Courts with power to attach earnings.**

- (1) The High Court may make an attachment of earnings order to secure payments under a High Court maintenance order.
- (2) A county court may make an attachment of earnings order to secure—
  - (a) payments under a High Court or a county court maintenance order;
  - (b) the payment of a judgment debt, other than a debt of less than £5 or such other sum as may be prescribed by county court rules; or
  - (c) payments under an administration order.
- (3) A magistrates' court may make an attachment of earnings order to secure—
  - (a) payments under a magistrates' court maintenance order; <sup>F1</sup> or]
  - (b) <sup>F2</sup> .....
  - (c) the payment of any sum required to be <sup>F3</sup>paid under regulations under section 23 or 24 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012].
- (4) <sup>F4</sup> .....
- (5) Any power conferred by this Act to make an attachment of earnings order includes a power to make such an order to secure the discharge of liabilities arising before the coming into force of this Act.

#### **Textual Amendments**

- F1** Word at the end of s. 1(3)(a) inserted (3.7.2006) by [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 35\(a\)\(i\)](#)
- F2** S. 1(3)(b) omitted (3.7.2006) by virtue of [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 35\(a\)\(ii\)](#)
- F3** Words in s. 1(3)(c) substituted (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 5 para. 6](#); S.I. 2013/453, art. 3(h) (with S.I. 2013/534, [art. 6](#))

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*Status: Point in time view as at 01/04/2013. This version of this provision has been superseded.*

*Changes to legislation: Attachment of Earnings Act 1971, Section 1 is up to date with all changes known to be in force on or before 31 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)*

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**F4** S. 1(4) omitted (3.7.2006) by virtue of [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 35\(b\)](#)

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