



Attachment of Earnings Act 1971

1971 CHAPTER 32

Administrative provisions

14 Power of court to obtain statements of earnings etc.

- (1) Where in any proceedings a court has power [^{F1}under this Act or under Schedule 5 to the Courts Act 2003, or a fines officer has power under that Schedule,] to make an attachment of earnings order, [^{F2}the court or the fines officer, as the case may be,] may—
- (a) order the debtor to give to the court [^{F3}or the fines officer, as the case may be], within a specified period, a statement signed by him of—
 - (i) the name and address of any person by whom earnings are paid to him;
 - (ii) specified particulars as to his earnings and anticipated earnings, and as to his resources and needs; and
 - (iii) specified particulars for the purpose of enabling the debtor to be identified by any employer of his;
 - (b) order any person appearing to the court [^{F4}or the fines officer, as the case may be,] to have the debtor in his employment to [^{F5}give to the court or the fines officer, as the case may be,], within a specified period, a statement signed by him or on his behalf of specified particulars of the debtor's earnings and anticipated earnings.
- (2) Where an attachment of earnings order has been made, the court [^{F6}or the fines officer, as the case may be,] may at any time thereafter while the order is in force
- [^{F7}(a) make such an order as is described in subsection (1)(a) or (b) above; and
 - (b) order the debtor to attend before [^{F8}the court] on a day and at a time specified in the order to give the information described in subsection (1)(a) above.]
- (3) In the case of an application to a magistrates' court for an attachment of earnings order, or for the variation or discharge of such an order, the power to make an order under subsection (1) or (2) above shall be exercisable also, before the hearing of the application, by a single justice.

Changes to legislation: Attachment of Earnings Act 1971, Section 14 is up to date with all changes known to be in force on or before 24 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

- (4) Without prejudice to subsections (1) to (3) above, rules of court may provide that where notice of an application for an attachment of earnings order is served on the debtor, it shall include a requirement that he shall give to the court, within such period and in such manner as may be prescribed, a statement in writing of the matters specified in subsection (1)(a) above and of any other prescribed matters which are, or may be, relevant under section 6 of this Act to the determination of the normal deduction rate and the protected earnings rate to be specified in any order made on the application.^[F9] This subsection does not apply to an attachment of earnings order to be made under Schedule 5 to the Courts Act 2003.]
- (5) In any proceedings in which a court has power ^[F10]under this Act or under Schedule 5 to the Courts Act 2003, or a fines officer has power under that Schedule,] to make an attachment of earnings order, and in any proceedings for the making, variation or discharge of such an order, a document purporting to be a statement given to the court ^[F11]or the fines officer, as the case may be,] in compliance with an order under subsection (1)(a) or (b) above, or with any such requirement of a notice of application for an attachment of earnings order as is mentioned in subsection (4) above, shall, in the absence of proof to the contrary, be deemed to be a statement so given and shall be evidence of the facts stated therein.

Textual Amendments

- F1** Words in s. 14(1) inserted (3.7.2006) by [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 41\(2\)\(a\)](#)
- F2** Words in s. 14(1) substituted (3.7.2006) by [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 41\(2\)\(b\)](#)
- F3** Words in s. 14(1)(a) inserted (3.7.2006) by [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 41\(2\)\(c\)](#)
- F4** Words in s. 14(1)(b) inserted (3.7.2006) by [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 41\(2\)\(d\)\(i\)](#)
- F5** Words in s. 14(1)(b) substituted (3.7.2006) by [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 41\(2\)\(d\)\(ii\)](#)
- F6** Words in s. 14(2) inserted (3.7.2006) by [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 41\(3\)\(a\)](#)
- F7** Words substituted by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), [s. 53\(1\)](#)
- F8** Words in s. 14(2) substituted (3.7.2006) by [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 41\(3\)\(b\)](#)
- F9** Words in s. 14(4) inserted (3.7.2006) by [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 41\(4\)](#)
- F10** Words in s. 14(5) inserted (3.7.2006) by [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 41\(5\)\(a\)](#)
- F11** Words in s. 14(5) inserted (3.7.2006) by [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 41\(5\)\(b\)](#)

Changes to legislation:

Attachment of Earnings Act 1971, Section 14 is up to date with all changes known to be in force on or before 24 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.

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Changes and effects yet to be applied to :

- s. 14(1) words substituted by [2007 c. 15 Sch. 15 para. 9](#)
- s. 14(2) words substituted by [2007 c. 15 Sch. 15 para. 11](#)
- s. 14(4) words substituted by [2007 c. 15 Sch. 15 para. 13](#)
- s. 14(5) words inserted by [2007 c. 15 Sch. 15 para. 15](#)

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))