



Attachment of Earnings Act 1971

1971 CHAPTER 32

Administrative provisions

17 Consolidated attachment orders.

- (1) The powers of [^{F1}the county court] under sections 1 and 3 of this Act shall include power to make an attachment of earnings order to secure the payment of any number of judgment debts; and the powers of a magistrates' court under those sections [^{F2}or under Schedule 5 to the Courts Act 2003, and the powers of a fines officer under that Schedule,] shall include power to make an attachment of earnings order to secure the discharge of any number of such liabilities as are specified in section 1(3) [^{F3}of this Act and paragraph 1 of Schedule 5 to the Courts Act 2003].
- (2) An attachment of earnings order made by virtue of this section shall be known as a consolidated attachment order.
- (3) The power to make a consolidated attachment order shall be exercised subject to and in accordance with rules of court; and rules made for the purposes of this section may provide—
 - (a) for the transfer from one court to another [^{F4}or (where Schedule 5 to the Courts Act 2003 applies) from a court or a fines officer, as the case may be, acting in one local justice area, to a court or a fines officer, as the case may be, acting in another local justice area]—
 - (i) of an attachment of earnings order, or any proceedings for or arising out of such an order; and
 - (ii) of functions relating to the enforcement of any liability capable of being secured by attachment of earnings;
 - [^{F5}(b) for enabling a court or a fines officer, as the case may be, to which or to whom any order, proceedings or functions have been transferred under the rules to vary or discharge an attachment of earnings order made by another court or fines officer and to replace it (if the court, or fines officer as the case may be, thinks fit) with a consolidated attachment order;]

Changes to legislation: Attachment of Earnings Act 1971, Section 17 is up to date with all changes known to be in force on or before 15 August 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

- (c) for the cases in which any power exercisable under this section or the rules may be exercised by a court [^{F6}or a fines officer, as the case may be, of its or his] own motion or on the application of a prescribed person;
- (d) for requiring the [^{F7}officer] of a court who receives payments made to him in compliance with an attachment of earnings order, instead of complying with section 13 of this Act, to deal with them as directed by the court or the rules; and
- (e) for modifying or excluding provisions of this Act or [^{F8}Part III of the Magistrates' Courts Act 1980], but only so far as may be necessary or expedient for securing conformity with the operation of rules made by virtue of paragraphs (a) to (d) of this subsection.

Textual Amendments

- F1** Words in Act substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 25\(3\)\(a\)](#); S.I. 2014/954, [art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F2** Words in s. 17(1) inserted (3.7.2006) by [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 43\(a\)\(i\)](#)
- F3** Words in s. 17(1) inserted (3.7.2006) by [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 43\(a\)\(ii\)](#)
- F4** Words in s. 17(3)(a) inserted (3.7.2006) by [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 43\(b\)\(i\)](#)
- F5** Words in s. 17(3)(b) substituted (3.7.2006) by [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 43\(b\)\(ii\)](#)
- F6** Words in s. 17(3)(c) substituted (3.7.2006) by [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 43\(b\)\(iii\)](#)
- F7** Words in s. 17(3)(d) substituted (1.4.2001) by 1999 c. 22, s. 90, [Sch. 13 para. 67](#) (with [Sch. 14 para. 7\(2\)](#)); S.I. 2001/916, [art. 2\(a\)\(ii\)](#)
- F8** Words substituted by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), s. 154, [Sch. 7 para. 99](#)

Changes to legislation:

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View outstanding changes

Changes and effects yet to be applied to :

- s. 17(3)(b) word inserted by [2007 c. 15 Sch. 15 para. 17\(2\)](#)
- s. 17(3)(e) words inserted by [2007 c. 15 Sch. 15 para. 17\(3\)](#)

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))