
STATUTORY INSTRUMENTS

1991 No. 1126

The County Court (Amendment No. 2) Rules 1991

Attachment of earnings

57. After Order 27, rule 7 there shall be inserted the following newrule—

“Failure by debtor

7A.—(1) If the debtor has failed to comply with rule 5(2) or to make payment to the judgment creditor, the proper officer may issue an order under section 14(1) of the Act of 1971 which shall—

- (a) be indorsed with or incorporate a notice warning the debtor of the consequences of disobedience to the order,
- (b) be served on the debtor personally, and
- (c) direct that any payments made thereafter shall be paid into the court and not direct to the judgment creditor.

(2) Without prejudice to rule 16, if the person served with an order made pursuant to paragraph (1) fails to obey it or to file a statement of his means or to make payment, the proper officer shall issue a notice calling on that person to show good reason why he should not be imprisoned and any such notice shall be served on the debtor personally not less than 5 days before the hearing.

(3) Order 29, rule 1 shall apply, with the necessary modifications and with the substitution of references to the district judge for references to the judge, where a notice is issued under paragraph (2) as it applies where a notice is issued under paragraph (4) of that rule.

(4) In this rule “statement of means” means a statement given under section 14(1) of the Act of 1971.”.