



Administration of Justice Act 1970

1970 CHAPTER 31

PART II

ENFORCEMENT OF DEBT

Provisions restricting sanction of imprisonment

11 Restriction on power of committal under Debtors Act 1869 (c. 62).

The jurisdiction given by section 5 of the Debtors Act 1869 to commit to prison a person who makes default in payment of a debt, or instalment of a debt, due from him in pursuance of an order or judgment shall be exercisable only—

- (a) by the High Court in respect of a High Court maintenance order; and
- (b) by a county court in respect of—
 - (i) a High Court or a county court maintenance order; or
 - (ii) a judgment or order which is enforceable by a court in England and Wales and is for the payment of any of the taxes, contributions [^{F1}premiums] or liabilities specified in Schedule 4 to this Act.

Textual Amendments

F1 Word inserted by [Social Security Act 1973 \(c. 38, SIF 113: 1\)](#), [Sch. 27 para. 85](#)

12 Restriction on magistrates' power of committal for civil debt.

.....
F2

Textual Amendments

F2 [S. 12](#) repealed by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), s. 154, [Sch. 9](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1970, Part II. (See end of Document for details)

13— F3
26.

Textual Amendments
F3 Ss. 13–26, 27(1)(2), 28(2)–(5), 29(1)–(4), repealed by Attachment of Earnings Act 1971 (c. 32, SIF 45), s. 29(2), Sch. 6

Enforcement by attachment of earnings

27 (1) F4

(3) In section 1 of the Act of 1958 (introductory provisions setting out the scheme of Part I as respects registration in one court of a maintenance order made by another), after subsection (1) there shall be inserted the following subsection:—

“(1A) In the following provisions of this Act “maintenance order” means any order specified in Schedule 8 to the Administration of Justice Act 1970.”

Textual Amendments
F4 Ss. 13–26, 27(1)(2), 28(2)–(5), 29(1)–(4), repealed by Attachment of Earnings Act 1971 (c. 32, SIF 45), s. 29(2), Sch. 6

Modifications etc. (not altering text)
C1 The text of ss. 27, 29, Sch. 2, Sch. 11 are in the form in which they were originally enacted: they were not reproduced in Statutes in Force and, except as specified, do not reflect any amendments or repeals which may have been made prior to 1.2.1991.

28 Other provisions for interpretation of Part II.

(1) In this Part of this Act, except where the context otherwise requires—

..... F5
..... F6
..... F6
..... F6
“High Court maintenance order”, “county court maintenance order” and . . . F5
mean respectively a maintenance order enforceable by the High Court, a county
court . . . F5,
..... F6
“maintenance order” means any order specified in Schedule 8 to this Act and
includes such an order which has been discharged, if any arrears are recoverable
thereunder;
..... F6

(2) F7

Textual Amendments
F5 Definitions repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), s. 154, Sch. 9

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1970, Part II. (See end of Document for details)

- F6** Definitions repealed by [Attachment of Earnings Act 1971 \(c. 32\)](#), **Sch. 6**
- F7** Ss. 13–26, 27(1)(2), 28(2)–(5), 29(1)–(4), repealed by [Attachment of Earnings Act 1971 \(c. 32, SIF 45\)](#), s. 29(2), **Sch. 6**

Supplementary

- 29** (1) **F8**
- (5) In Part VII of the said Act of 1959 (administration orders)—
- (a) **F9**
 - (b) **F10**

Textual Amendments

- F8** Ss. 13–26, 27(1)(2), 28(2)–(5), 29(1)–(4), repealed by [Attachment of Earnings Act 1971 \(c. 32, SIF 45\)](#), s. 29(2), **Sch. 6**
- F9** S.29(5)(a) repealed by [County Courts Act 1984 \(c. 28, SIF 34\)](#), s. 148(3), **Sch. 4**
- F10** S. 29(5)(b) repealed by [Insolvency Act 1976 \(c.60, SIF 66\)](#), s. 14(4), **Sch. 3**

Modifications etc. (not altering text)

- C2** The text of ss. 27, 29, Sch. 2, Sch. 11 are in the form in which they were originally enacted: they were not reproduced in Statutes in Force and, except as specified, do not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 30** **F11**

Textual Amendments

- F11** S. 30 repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), **Sch. 1 Pt. 1 Gp. 5**

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Administration of Justice Act 1970, Part II.