



# Attachment of Earnings Act 1971

## 1971 CHAPTER 32

### *General*

#### **26 Transitional provision.**

- (1) As from the appointed day, an attachment of earnings order made before that day under Part II of the <sup>M1</sup>Maintenance Orders Act 1958 (including an order made under that Part of that Act as applied by section 46 or 79 of the <sup>M2</sup>Criminal Justice Act 1967) shall take effect as an attachment of earnings order made under the corresponding power in this Act, and the provisions of this Act shall apply to it accordingly, so far as they are capable of doing so.
- (2) Rules of court may make such provision as the rule-making authority considers requisite—
  - (a) for enabling an attachment of earnings order to which subsection (1) above applies to be varied so as to bring it into conformity, as from the appointed day, with the provisions of this Act, or to be replaced by an attachment of earnings order having effect as if made under the corresponding power in this Act;
  - (b) to secure that anything required or authorised by this Act to be done in relation to an attachment of earnings order made thereunder is required or, as the case may be, authorised to be done in relation to an attachment of earnings order to which the said subsection (1) applies.
- (3) In this section, “the appointed day” means the day appointed under section 54 of the <sup>M3</sup>Administration of Justice Act 1970 for the coming into force of Part II of that Act.

#### **Modifications etc. (not altering text)**

C1 2.8.1971 appointed by [S.I. 1971/834](#)

#### **Marginal Citations**

M1 1958 c. 39.  
M2 1967 c. 80.  
M3 1970 c. 31.

**Changes to legislation:**

Attachment of Earnings Act 1971, Section 26 is up to date with all changes known to be in force on or before 25 May 2024. 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.

[View outstanding changes](#)

**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))