
STATUTORY INSTRUMENTS

2006 No. 501

The Fines Collection Regulations 2006

PART 3

Attachment of Earnings

Tables and calculation method for attachment of earnings orders

5. In the case of an attachment of earnings order made under Schedule 5, the employer shall make deductions from P's earnings in accordance with the following tables and regulations 6 to 15—

Tables of Periodical Deductions from Earnings

Table A Deductions from Weekly Earnings

<i>(1) Attachable Earnings</i>	<i>(2) Percentage deduction rate</i>
Not exceeding £55	0
Exceeding £55 but not exceeding £100	3
Exceeding £100 but not exceeding £135	5
Exceeding £135 but not exceeding £165	7
Exceeding £165 but not exceeding £260	12
Exceeding £260 but not exceeding £370	17
Exceeding £370	17 in respect of the first £370 and 50 in respect of the remainder.

Table B Deductions from Monthly Earnings

<i>(1) Attachable Earnings</i>	<i>(2) Percentage deduction rate</i>
Not exceeding £220	0
Exceeding £220 but not exceeding £400	3
Exceeding £400 but not exceeding £540	5
Exceeding £540 but not exceeding £660	7
Exceeding £660 but not exceeding £1,040	12
Exceeding £1,040 but not exceeding £1,480	17
Exceeding £1,480	17 in respect of the first £1,480 and 50 in respect of the remainder.

Table C Deductions from Daily Earnings

<i>(1) Attachable earnings</i>	<i>(2) Percentage deduction rate</i>
Not exceeding £8	0

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1) Attachable earnings</i>	<i>(2) Percentage deduction rate</i>
Exceeding £8 but not exceeding £15	3
Exceeding £15 but not exceeding £20	5
Exceeding £20 but not exceeding £24	7
Exceeding £24 but not exceeding £38	12
Exceeding £38 but not exceeding £53	17
Exceeding £53	17 in respect of the first £53 and 50 in respect of the remainder.

6. Subject to regulations 7 and 8, the sum to be deducted by an employer under an attachment of earnings order on any pay-day shall be—

- (a) where P's earnings from the employer are payable weekly, a sum equal to the appropriate percentage of the attachable earnings otherwise payable on that pay-day; and for this purpose the appropriate percentage is the percentage (or percentages) specified in column 2 of Table A in regulation 5 in relation to the band in column 1 of that Table within which the attachable earnings fall;
- (b) where his earnings from the employer are payable monthly, a sum equal to the appropriate percentage of the attachable earnings otherwise payable on that pay-day; and for this purpose the appropriate percentage is the percentage (or percentages) specified in column 2 of Table B in regulation 5 in relation to the band in column 1 of that Table within which the attachable earnings fall; and
- (c) where his earnings from the employer are payable at regular intervals of a whole number of weeks or months, the sum arrived at by—
 - (i) calculating what would be his weekly or monthly attachable earnings (the “notional attachable earnings”) by dividing the attachable earnings payable to him by the employer on the pay-day by that whole number of weeks or months, as the case may be,
 - (ii) ascertaining the percentage (or percentages) specified in column 2 of Table A (if the whole number is of weeks) or of Table B (if the whole number is of months) in regulation 5 in relation to the band in column 1 of that Table within which the notional attachable earnings calculated under paragraph (i) fall, and
 - (iii) calculating the sum which equals the appropriate percentage (or percentages) of the notional attachable earnings for any of those weeks or months and multiplying that sum by the whole number of weeks or months, as appropriate.

7. Where regulation 6 applies and the amount to be paid to P on any pay-day includes an advance in respect of future pay, the sum to be deducted on that pay-day shall be the aggregate of the amount which would otherwise fall to be deducted under regulation 6 and—

- (a) where the amount advanced would otherwise have been paid on a single pay-day, the sum which would have been deducted on that pay-day in accordance with regulation 6 if the amount advanced had been the amount of attachable earnings on that day; or
- (b) where the amount advanced would otherwise have been paid on more than one pay-day, the sums which would have been deducted on each of the relevant pay-days in accordance with regulation 6 if—
 - (i) an equal proportion of the amount advanced had been paid on each of those days; and
 - (ii) the attachable earnings of P on each of those days had been an amount equal to that proportion.

8. Where the amount payable to P on any pay-day is reduced by reason of an earlier advance of pay, the attachable earnings of P on that day shall, for the purposes of regulation 6, be the attachable earnings less the amount of that deduction.

9. Subject to regulations 10 and 11, where P's earnings from the employer are payable at regular intervals other than at intervals to which regulation 6 applies, the sum to be deducted on any pay-day shall be arrived at by—

- (a) calculating what would be his daily attachable earnings (the "notional daily attachable earnings") by dividing the attachable earnings payable to him by the employer on the pay-day by the number of days in the interval,
- (b) ascertaining the percentage (or percentages) specified in column 2 of Table C in regulation 5 in relation to the band in column 1 of that Table within which the notional daily attachable earnings calculated under sub-paragraph (a) fall, and
- (c) calculating the sum which equals the appropriate percentage (or percentages) of the notional daily attachable earnings and multiplying that sum by the number of days in the interval.

10. Where P's earnings are payable as mentioned in regulation 9, and the amount to be paid to P on any pay-day includes an amount advanced in respect of future pay, the amount of P's notional daily attachable earnings under paragraph (a) of that regulation shall be calculated in accordance with the formula—

$$(A + B) \text{ divided by } (C + D)$$

where:

A is the amount of attachable earnings payable to him on that pay-day (exclusive of the amount advanced);

B is the amount advanced;

C is the number of days in the period for which the amount of attachable earnings is payable; and

D is the number of days in the period for which, but for the agreement to pay in advance, the amount advanced would have been payable.

11. Regulation 8 applies in relation to regulation 9 as it applies in relation to regulation 6.

12. Where earnings are payable to P by the employer by 2 or more series of payments at regular intervals—

- (a) if some or all of the intervals are of different lengths—
 - (i) for the purpose of arriving at the sum to be deducted, whichever of regulations 6, 7, 8, 9, 10 and 11 is appropriate shall apply to the series with the shortest interval (or, if there is more than one series with the shortest interval, such one of those series as the employer may choose), and
 - (ii) in relation to the earnings payable in every other series, the sum to be deducted shall be 20 per cent of the attachable earnings or, where on any pay-day an amount advanced is also paid, 20 per cent of the aggregate of the attachable earnings and the amount advanced;
- (b) if all of the intervals are of the same length, whichever of regulations 6, 7, 8, 9, 10 and 11 is appropriate shall apply to such series as the employer may choose and paragraph (a)(ii) shall apply to every other series,

and regulation 8 shall apply in relation to paragraph (a)(ii) as it applies in relation to regulation 6.

13. Subject to regulations 14 and 15, where P's earnings from the employer are payable at irregular intervals, the sums to be deducted on any pay-day shall be arrived at by—

- (a) calculating what would be his daily attachable earnings by dividing the attachable earnings payable to him by the employer on the pay-day—
 - (i) by the number of days since earnings were last payable by the employer to him, or
 - (ii) if the earnings are the first earnings to be payable by the employer to him with respect to the employment in question, by the number of days since he began the employment;
- (b) ascertaining the percentage (or percentages) specified in column 2 of Table C in regulation 5 in relation to the band in column 1 of that Table within which the notional attachable earnings calculated under paragraph (a) fall; and
- (c) calculating the sum which equals the appropriate percentage (or percentages) of the daily attachable earnings and multiplying that sum by the same number as that of the divisor for the purposes of the calculation mentioned in paragraph (a).

14. Where on the same pay-day there are payable to P by the employer both earnings payable at regular intervals and earnings payable at irregular intervals, for the purpose of arriving at the sum to be deducted on the pay-day under the foregoing paragraphs all the earnings shall be aggregated and treated as earnings payable at the regular interval.

15. Where there are earnings payable to P by the employer at regular intervals on one pay-day, and earnings are payable by the employer to him at irregular intervals on a different pay-day, the sum to be deducted on each of the pay-days on which the earnings which are payable at irregular intervals are so payable shall be 20 per cent of the attachable earnings payable to him on the day.