

Council Tax Guidance for Employers

Regulations
32 and 38 to 48 of, schedule 4 to
The Council Tax (Administration and Enforcement)
Regulations 1992

DUDLEY MBC

COUNCIL TAX ATTACHMENT OF EARNINGS ORDERS **GUIDANCE FOR EMPLOYERS**

These notes are to help you to administer council tax attachment of earnings orders (CTAEOs). These are similar to community charge attachment of earnings orders (CCAEOs) but differ from AEOs made under the Attachment of Earnings Act 1971, principally in that deductions are calculated by the employer rather than specified by the court.

WHEN IS AN ATTACHMENT OF EARNINGS ORDER ISSUED?

The sequence of events leading the Council to decide to issue a CTAEO is as follows:

- **a person is sent a council tax bill and a reminder, but does not pay**
- **a summons is therefore issued to him/her to appear at the Magistrates' Court to explain why**
- **The Magistrates agree that the amount is due and remains unpaid and a liability order is issued for the outstanding amount plus costs**
- **it appears from knowledge of the debtor's financial situation that attachment of earnings would be the most effective method of securing payment of this amount**

If the Council decides to proceed with attachment of earnings, it issues a CTAEO to the debtor's employer, and a copy to the debtor.

WHAT INFORMATION IS GIVEN ON THE AEO?

Regulations require that an AEO should:

- **give the name of the debtor, and his/her payroll number if known**
 - **bear the Council's account reference number**
 - **set out the amount of council tax outstanding**
 - **require that deductions are calculated in accordance with the regulations and made from net earnings**
 - **include a copy of the relevant regulations and prescribed deduction tables**
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WHAT MUST I DO?

An employer has a **DUTY** to:

- **seek to make deductions from NET earnings calculated using the prescribed deduction tables (see page 16) as soon as possible**

- provide the debtor with a written statement of the cumulative amount deducted (including administration costs) at the same time as his/her pay statement is issued or as soon as possible after the deduction was made
- return the order to the Council within 14 days if the debtor is not/no longer in his/her employment
- notify the Council if an AEO made under the Attachment of Earnings Act 1971 is already in force
- notify the Council within 14 days of becoming aware that a new employee is the subject of a CTAE0
- pay the deductions to the Council by the 18th day of the month following the month in which the deduction was made

A FINE MAY BE IMPOSED if you:

- fail to comply with an order and cannot prove that all reasonable steps were taken to do so
- fail to give all required notifications relating to the CTAE0
- in giving notification knowingly or recklessly make a false statement

HOW LONG DOES AN AEO REMAIN IN FORCE?

You should make deductions each payday until one of the following occurs:

- the total amount specified has been paid over to the Council
- the debtor has left your employment and you have informed the Council accordingly (the Council will serve a copy of the order on the new employer)
- the AEO is discharged by the Council

WHAT ARE “NET EARNINGS” FOR THE PURPOSES OF A CTAE0?

Earnings

“Earnings” are:

- salary/wages
- fees
- bonuses
- commission
- overtime
- other emolument
- compensation for loss/reduction of emoluments
- employment pensions
- annuities
- statutory sick pay

but **NOT**:

- sums payable by any public department of the Government of Northern Ireland or of a territory outside the UK
- pay/allowances of members of HM Forces
- allowances/benefit payable under the Social Security Acts (e.g. maternity pay)
- a tax credit (within the meaning of the Tax Credits Acts 2002)
- allowances payable in respect of disablement or disability
- seaman's wages (unless payable to him as a seaman of a fishing boat)
- Youth Training allowances
- repayments on loans from an employer to cover the cost of a season ticket, relocation, etc.

Net Earnings

"Net earnings" are the total of the above **LESS**:

- income tax
- primary Class 1 contributions under the Social Security Acts (NI)
- superannuation contributions
- deductions under CCAEOs made previously

HOW MUCH IS DEDUCTED?

The appropriate percentage rates of deduction are specified in the prescribed table. You may also deduct £1 from the debtor's earnings in respect of each deduction towards costs incurred in administering the order.

Weekly Pay

Where earnings are payable WEEKLY, **Table A** is used.

Monthly Pay

Where earnings are payable MONTHLY, **Table B** is used.

Where earnings are payable at intervals of multiple weeks or months, the earnings should be divided by the number of such periods and the appropriate table A or B used.

Regular intervals – not whole weeks or months

Where earnings are payable at regular intervals other than a whole number of weeks or months, the equivalent daily earnings is calculated and **Table C** is used.

Two or more series of payments at regular intervals

If a debtor has two or more jobs concurrently (e.g. two part-time jobs) and they are paid at regular but different intervals (e.g. one weekly, one fortnightly):

- deductions from the earnings for the job with the shortest interval between paydays are calculated as normal
- deductions from the earnings for the other job(s) are made at a rate of 20%

Where all jobs are paid at the same regular interval, deductions may be made in any order.

Example:

NET EARNINGS = £100 WEEKLY AND £500 MONTHLY

Deduction from <u>weekly</u> earnings	=	£100 x 3%	=	<u>£3</u>
Deduction from <u>monthly</u> earnings	=	£500 x 20%	=	<u>£100</u>

Irregular intervals

Where earnings are payable at irregular intervals, the equivalent daily earnings is calculated and **Table C** is used. (This will normally be the case for a first deduction in respect of someone starting a new job).

Example:

(a) EARNINGS FOR PERIOD 1ST APRIL – 9TH APRIL (i.e. 9 days) = £100
Equivalent daily earnings = £100 ÷ 9 = £11.11
Appropriate rate of deduction = 3%
Deduction per day = £11.11 x 3% = £0.33
TOTAL DEDUCTION FOR PERIOD = £0.33 X 9 = £2.97

(b) EARNINGS FOR PERIOD 10TH APRIL – 19TH APRIL (i.e. 10 days) = £120
Equivalent daily earnings = £120 ÷ 10 = £12
Appropriate rate of deduction = 3%
Deduction per day = £12 x 3% = £0.36
TOTAL DEDUCTION FOR PERIOD = £0.36 X 10 = £3.60

(c) EARNINGS FOR PERIOD 20TH APRIL – 30TH APRIL (i.e. 11 days) = £242
Equivalent daily earnings = £242 ÷ 11 = £22
Appropriate rate of deduction = 5%
Deduction per day = £22 x 5% = £1.10
TOTAL DEDUCTION FOR PERIOD = £1.10 X 11 = £12.10

Non-regular payments

Where an additional, non-regular payment is also paid on a regular payday, it should be treated as (i.e. added to) normal net earnings, and the normal rules applied.

Example:

NORMAL NET WEEKLY PAY = £200
ADDITIONAL PAY EVERY 15 DAYS = £400

Pay on odd weeks = £200
DEDUCTION ON ODD WEEKS = £200 X 7% = £14

Pay on even weeks = £200 + £400 = £600

Deduction on even weeks:

(first £505) $£505 \times 17\% = £85.85$

(remainder) $(£600 - £505) \times 50\% = £47.50$

TOTAL DEDUCTION ON EVEN WEEKS = £85.85 + £47.50 = £133.35

Deductions from such payments made at other times should be made at the rate of **20%**.

Advance for Holiday Pay

The amount to deduct is the aggregate of the amount which would have been deducted on the payday if there had been no advance of pay, and the amounts which would have been deducted if the amount advanced had been paid on the normal payday(s).

Example:

BASIC WEEKLY PAY = £200

Overtime this week = £50

Advance of 2 weeks pay = $£200 \times 2 = £400$

TOTAL PAY THIS WEEK = £650

Deduction for basic + overtime = $£250 \times 12\% = £30.00$

Deduction for advance = $(£200 \times 7\%) \times 2 = £28.00$

TOTAL DEDUCTION = £58.00

MORE THAN ONE AEO

If there is an AEO of any type in payment dated before 1st April 1993, then a later CCAEO cannot be actioned. Any other type of order can be actioned, and should be applied in date sequence, with the later orders being applied to the remaining earnings. If:

- **there is no earlier order already in payment, or**
- **an order dated after 1st April 1993 is in payment**

then **all further orders can be applied in date sequence**, with later orders being applied to remaining earnings. (N.B. Any 1971 Act non-priority orders are to be applied (in date order) after all other orders).

(If a later order is blocked by a CCAEO made prior to 1st April 1993, it is possible that authorities will seek to cancel and remake the earlier order to eliminate the block).

PRIORITIES BETWEEN AEO'S MADE AFTER 31ST MARCH 1993

		Action for employer	Relevant regulations
Council Tax AOE	and council tax AEO	Apply AEOs in date order, applying later order to residue of earnings (but see note 3).	Regulation 42(1) of Council tax (Administration and Enforcement) Regulations (SI 1992/613, as substituted by SI 1998/295).
	and 1971 Act AEO	Apply AEOs in date order, applying later order to residue of earnings (but see note 1).	Regulations 42(2) of Council Tax (Administration and Enforcement) Regulations (SI 1992/613, as substituted by SI 1992/3008).
	and Child Support DEO	Apply AEOs in date order, applying later order to residue of earnings.	Regulations 42(2) of Council Tax (Administration and Enforcement) Regulations SI 1992/613, as substituted by SI 1992/3008).
	and Community Charge AEO	Process CCAEO when received, applying it too residue of earnings.	Net earnings as defined in regulation 27(1) of Community Charge (Administration and Enforcement) Regulations (SI 1989/438, as amended by SI 1992/219 and SI 1993/775).
Community Charge AEO	and community charge AEO	Apply AEOs in date order, applying a later order to residue of Earnings.	Regulation 37A(2) of Community Charge (Administration and Enforcement) Regulations (SI 1989/438, as inserted by SI 1993/775).
	and 1971 Act AEO	Apply AEOs in date order, applying later order to residue of earnings (but see note 2).	Regulation 37A(3) of Community Charge (Administration and Enforcement) Regulations (SI 1989/438, as inserted by SI 1993/775).
	and Child Support DEO	Apply AEOs in date order, applying later order to residue of earnings.	Regulation 24 of Child Support (Collection and Enforcement) Regulations (SI 1992/1989).
	and Council Tax AEO	Process CTAEO when received applying it to residue of earnings.	Net earnings as defined in regulation 32 of Council Tax (Administration and Enforcement) Regulations (SI 1992/613, as substituted by SI 1993/773).

Note 1. An employer shall not deal with a “non-priority” order until he/she has dealt with the council tax AEO or AEOs and any other order under the Attachment of Earnings Act 1971 or section 31(2) of the Child Support Act 1991. In the context of the above a non-priority order is an order made on or after 1st April 1993 under the 1971 Act either wholly or in part in respect of the payment of a judgment debt or payments under an administration order.

Note 2. An employer shall not deal with a “non-priority” order until he/she has dealt with the community charge AEO or AEOs and any other order under the Attachment of Earnings Act 1971 or section 31(2) of the Child Support Act 1991.

Note 3. An employer shall not action a council tax AEO if there are already two CTAEOs in payment. The local authority should be notified accordingly.

REGULATIONS 32 AND 38-42 OF, AND SCHEDULE 4 TO, THE COUNCIL TAX (ADMINISTRATION & ENFORCEMENT) REGULATIONS 1993, AS AMENDED BY THE COUNCIL TAX (ADMINISTRATION & ENFORCEMENT) (AMENDMENT) REGULATIONS 1998, THE COUNCIL TAX (ADMINISTRATION & ENFORCEMENT) (AMENDMENT) REGULATIONS 1999, THE COUNCIL TAX (ADMINISTRATION & ENFORCEMENT) (AMENDMENT) REGULATIONS 2003, THE COUNCIL TAX AND NON- DOMESTIC RATING (AMENDMENT) (ENGLAND) REGULATIONS 2006 AND THE COUNCIL TAX (ADMINISTRATION AND ENFORCEMENT) (AMENDMENT) (ENGLAND) REGULATIONS 2007.

Interpretation and application of Part VI

32. (1) In this Part-

“attachment of allowances order” means an order under regulation 44;

“attachment of earnings order” means an order under regulation 37;

“charging order” means an order under regulation 50;

“debtor” means a person against whom a liability order has been made;

“earnings” means sums payable to a person-

(a) by way of wages or salary (including any fees, bonus, commission, overtime pay or other emoluments payable in addition to wages or salary or payable under a contract of service); or

(b) by way of statutory sick pay, but, in so far as the following would otherwise be treated as earnings, they shall not be treated as such:

(i) sums payable by any public department of the Government of Northern Ireland or of a territory outside the United Kingdom;

(ii) pay or allowances payable to the debtor as a member of Her Majesty’s forces other than pay or allowances payable by his employer to him as a special member of a reserve force (within the meaning of the Reserve Forces Act 1996);

(iii) allowances or benefit payable under the Social Security Acts(a);

(iv) a tax credit (within the meaning of the Tax Credits Act 2002)

- (v) allowances payable in respect of disablement or disability; and
- (vi) wages payable to a person as a seaman, other than wages payable to him as a seaman of a fishing boat;

“the Income Support Regulations” means the Council Tax (Deductions from Income Support) Regulations 1993**(b)**;

“liability order” means an order under regulation 34; and

“net earnings” in relation to an employment means the residue of earnings payable under the employment after deduction by the employer of-

- (a) income tax;
- (b) primary Class 1 contributions under Part 1 of the Social Security Contributions and Benefits Act 1992**(c)**; and
- (c) amounts deductible under any enactment, or in pursuance of request in writing by the debtor, for the purposes of a superannuation scheme, namely any enactment, rules, deed or other instrument providing for the payment of annuities or lump sum.

(a) See the definition in Section 116(1) of the Local Government Finance Act 1992.

(b) S.I. 1993/494.

(c) 1992 c.4.

- (i) to the persons with respect to whom the instrument has effect on their retirement at a specified age or on becoming incapacitated at some earlier age, or
- (ii) to the personal representatives or the widows, relatives or dependants of such persons on their death or otherwise.

Whether with or without any further or other benefits; and where an order under regulation 32 (making an attachment of earnings order) of the Community Charges (Administration and Enforcement) Regulations 1989 made before the making of the attachment of earnings order concerned remains in force.

(d) any amount required to be deducted in accordance with that order **(a)**.

(2) In sub-paragraph (v) of the definition of “earnings” in paragraph (1) above expressions used in the Merchant Shipping Act 1894**(b)** have the same meanings as in that Act.

(3) Regulations 33 to 53 apply for the recovery of a sum which has become payable to a billing authority under Part V and which has not been paid; but their application in relation to a sum for which persons are jointly and severally liable under that Part is subject to the provisions of regulation 54 (joint and several liability).

(4) References in this Part to a sum which has become payable and which has not been paid include references to a sum forming part of a larger sum which has become payable and the other part of which has been paid.

- (5) Any reference in this Part to the day on or time at which a notice is issued, is a reference-
- (a) if the notice is served in the manner described in Section 233(2) of the Local Government Act 1972 by being left at, or sent by post to, a person's proper address, to the day on or time at which it is so left or posted, or
 - (b) In any other case, to the day on or time at which the notice is serviced (c).

Deduction under attachment of earnings order

- 38. (1)** Subject to paragraphs (2) and (3), the sum to be deducted by an employer under an attachment of earnings order on any payday shall be-
- (a) where the debtor's earnings from the employer are payable weekly, a sum equal to the appropriate percentage of the net earnings otherwise payable on that payday; and for this purpose the appropriate percentage is the percentage (or percentages) specified in column 2 of Table A in Schedule 4 in relation to the band in column 1 of that Table within which the net earnings fall;
 - (b) where his earnings from the employer are payable monthly, a sum equal to the appropriate percentage of the net earnings otherwise payable on that payday; and for this purpose the appropriate percentage is the percentage (or percentages) specified in column 2 of Table B in Schedule 4 in relation to the band in column 1 of that Table within which the net earnings fall;
 - (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-

<ul style="list-style-type: none"> (i) S.I. 1989/438; a relevant amending instrument is S.I. 1992/219. (ii) 1894 c.60. The definition of "fishing boat" in Section 370 was amended by the Merchant Shipping Act 1970 (c.36), Schedule 5 and the definition of "seaman" in Section 742 was amended by paragraph 4 of Schedule 3 to that Act. (iii) Inserted by the Council Tax (Administration and Enforcement)(Amendment) Regulations 1992 (S.I. 1992/3008).

- (d) calculating what would be his weekly or monthly net earnings by dividing the net earnings payable to him by the employer on the payday by that whole number (of weeks or months, as the case may be),
- (e) 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 Schedule 4 opposite the band in column 1 of that Table within which the notional net earnings calculated under paragraph (i) fall, and
- (f) calculating the sum which equals the appropriate percentage (or percentages) of the notional net earnings for any of those weeks or months

and multiplying that sum by the whole number of weeks or months, as appropriate.

- (2) Where paragraph (1) applies and the amount to be paid to the debtor on any payday includes an advance in respect of future pay, the sum to be deducted on that payday shall be the aggregate of the amount which would otherwise fall to be deducted under paragraph (1) and-
 - (a) where the amount advanced would otherwise have been paid on a single payday, the sum which would have been deducted on that payday in accordance with paragraph (1) if the amount advanced had not been the amount of net earnings on that day; or
 - (b) where the amount advanced would otherwise have been paid on more than one payday, the sums which would have been deducted on each of the relevant paydays in accordance with paragraph (1) if-
 - (i) an equal proportion of the amount advanced had paid on each of those days; and
 - (ii) the net earnings of the debtor on each of those days had been an amount equal to that proportion.
- (3) Where the amount payable to the debtor on any payday is reduced by reason of an earlier advance of pay or by reason of the repayment by the debtor of a loan made to him by his employer for any purpose, the net earnings of the debtor on that day shall, for the purposes of paragraph (1), be the amount defined in Regulation 32(1) less the amount of the deduction.
- (4) Subject to paragraphs (5) and (6), where the debtor's earnings from the employer are payable at regular intervals other than at intervals to which paragraph (1) applies, the sum to be deducted on any payday shall be arrived at by-
 - (a) calculating what would be his daily net earnings by dividing the net earnings payable to him by the employer on the payday by the number of days in the interval,
 - (b) ascertaining the percentage (or percentages) specified in column 2 of Table C in Schedule 4 opposite the band in column 1 of that Table within which the notional net earnings calculated under sub-paragraph (a) fall, and
 - (c) calculating the sum which equals the appropriate percentage (or percentages) of the notional daily net earnings and multiplying that sum by the number of days in the interval.
- (5) Where the debtor's earnings are payable as mentioned in paragraph (4), and the amount to be paid to the debtor on any payday includes an amount advanced in respect of future pay, the amount of the debtor's notional net earnings under sub-paragraph (a) of that paragraph shall be calculated in accordance with the formula-

A + B

C + D

where:-

A is the amount of net earnings payable to him on that payday (exclusive of the amount advanced);

B is the amount advanced;

C is the number of days in the period for which the amount of net 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.

- (6) Paragraph (3) applies in relation to paragraph (4) as it applies in relation to paragraph (1).
- (7) Where earnings are payable to a debtor 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 paragraphs (1), (2), (3), (4), (5) and (6) 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 net earnings or, where on any payday an amount advanced is also paid, 20 per cent of the aggregate of the net earnings and the amount advanced;
 - (b) if all of the intervals are of the same length, whichever of paragraphs (1), (2), (3), (4), (5) and (6) is appropriate shall apply to such series as the employer may choose and sub-paragraph (a)(ii) shall apply to every other series, and paragraph (3) shall apply in relation to sub-paragraph (a)(ii) above as it applies in relation to paragraph (1).
- (8) Subject to paragraphs (9) and (10), where the debtor's earnings from the employer are payable at irregular intervals, the sums to be deducted on any payday shall be arrived at by-
 - (a) calculating what would be his daily net earnings by dividing the net earnings payable to him by the employer on the payday-
 - (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 of Schedule 4 opposite the band in column 1 of that Table within which the notional net earnings calculated under sub-paragraph (a) fall; and
 - (c) calculating the sum which equals the appropriate percentage (or percentages) of the daily net earnings and multiplying that sum by the same number as that of the divisor for the purposes of the calculation mentioned in sub-paragraph (a).
- (9) Where on the same payday there are payable to the debtor 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 payday under the foregoing provisions of this regulation all the earnings shall be aggregated and treated as earnings payable at the regular interval.
- (10) Where there are earnings payable to the debtor by the employer at regular intervals on one payday, and earnings are payable by the employer to him at irregular intervals on a different payday, the sum to be deducted on each of the paydays on which the earnings which are payable at irregular intervals are so payable shall be 20 per cent. of the net earnings payable to him on the day.

Attachment of earnings orders: ancillary powers and duties of employers and others served

39. (1) An employer who deducts and pays amounts under an attachment of earnings order may, on each occasion that he makes such a deduction, also deduct from the debtor's earnings the sum of one pound towards his administrative costs.
- (2) An employer who deducts and pays amounts under an attachment of earnings order shall, in accordance with paragraph (3), notify the debtor in writing of-
- (a) the total amount of the sums (including sums deducted under paragraph (1)) deducted under the order up to the time of the notification; or
 - (b) the total amount of the sums (including sums deducted under paragraph (1)) that will fall to be so deducted after that time.
- (3) A notification under paragraph (2) must be given at the time that the pay statement given by the employer to the debtor next after a deduction has been made is so given, or if no such statements are usually issued by the employer, as soon as practicable after a deduction has been made.
- (4) A person on whom a copy of an attachment of earnings order has been served shall, in accordance with paragraph (5), notify in writing, the authority which made the order if he does not have the debtor against whom it was made in his employment or if the debtor subsequently ceases to be in his employment.

- (5) A notification under paragraph (4) must be given within 14 days of the day on which the copy of the order was served on him or the debtor ceased to be in his employment (as the case may be).
- (6) While an attachment of earnings order is in force, any person who becomes the debtor's employer and knows that the order is in force and by what authority it was made, shall notify that authority in writing that he is the debtor's employer.
- (7) A notification as under paragraph (6) must be given within 14 days of the day on which the debtor became the person's employee or of the day on which the person first knows that the order is in force and the identity of the authority by which it was made, whichever is the later.

Attachment of earnings orders: duties of debtor

- 40.(1) While an attachment of earnings order is in force, the debtor in respect of whom the order has been made shall notify in writing the authority which made it of each occasion when he leaves an employment or becomes employed or re-employed, and (in a case where he becomes so employed or re-employed) shall include in the notification a statement of
 - (a) his earnings and (so far as he is able) expected earnings from the employment concerned,
 - (b) the deductions and (so far as he is able) expected deductions from such earnings:-
 - (i) in respect of income tax;
 - (ii) in respect of primary Class 1 contributions under Part 1 of the Social Security Contributions and Benefits Act 1992;
 - (iii) for the purposes of such a superannuation scheme as is mentioned in the definition of "net earnings" in Regulation 32(1)
 - (c) the name and address of the employer, and
 - (d) his work or identity number in the employment (if any).
- (2) A notification under paragraph (1) must be given within 14 days of the day on which the debtor leaves or commences (or recommences) the employment (as the case may be), or (if later) the day on which he is informed by the authority that the order has been made.

Attachment of earnings orders: ancillary powers and duties of authority

- 41.(1) Where the whole amount to which an attachment of earnings order relates has been paid (whether by attachment of earnings or otherwise), the authority by which it was made shall give notice of the fact to any person who appears to it to have the debtor in his employment and who has been served with a copy of the order.

- (2) The authority by which an attachment of earnings order was made may, on its own account or on the application of the debtor or an employer of the debtor, make an order discharging the attachment of earnings order; and if it does so it shall give notice of that fact to any person who appears to it to have the debtor in his employment and who has been served with a copy of the order.
- (3) If an authority serves a copy of an attachment of earnings order in accordance with Regulation 37(3), it shall (unless it has previously done so) also serve a copy of the order on the debtor.

Priority between attachments of earnings orders (a)

- 42.(1) Where an employer would, but for this paragraph, be obliged to make deductions on any payday under more than one attachment of earnings order, he shall-
 - (a) deal with the orders according to the respective dates on which they were made, disregarding any later order until an earlier one has been dealt with and;
 - (b) deal with any later order as if the earnings to which it relates were the residue of the debtor's earnings after the making of any deduction to comply with any earlier order.
- (2) Subject to paragraph (3), where an employer would, but for this paragraph, be obliged to comply with one or more attachment of earnings order and with one or more deduction order, he shall deal with the orders according to the respective dates on which they were made in like manner as under paragraph (1).
- (3) An employer shall not deal with a deduction order made either wholly or in part in respect of the payment of a judgment debt or payments under an administration order until he has dealt with the attachment of earnings order or orders and any other deduction order.
- (4) In this regulation "deduction order" means an order under the Attachment of Earnings Act 1971 or section 31(2) (deductions from earnings orders) of the Child Support Act 1991(b)
 - (i) Substituted by the Council Tax (Administration and Enforcement) (Amendment) Regulations 1992 (S.I.1992/3008) as amended by SI 1998/295.
 - (ii) 1971 c.32, 1991 c.48. See also Part III of the Child Support (Collection and Enforcement) Regulations 1992 (S.I.1992/1989).

SCHEDULE 4

DEDUCTIONS TO BE MADE UNDER ATTACHMENT OF EARNINGS ORDER

**TABLE A
DEDUCTIONS FROM WEEKLY EARNINGS**

(1) Net earnings	(2) Deduction rate (percentage)
Not exceeding £75	0
Exceeding £75 but not exceeding £135	3
Exceeding £135 but not exceeding £185	5
Exceeding £185 but not exceeding £225	7
Exceeding £225 but not exceeding £355	12
Exceeding £355 but not exceeding £505	17
Exceeding £505	17 in respect of the first £505 and 50 in respect of the remainder

**TABLE B
DEDUCTIONS FROM MONTHLY EARNINGS**

(1) Net earnings	(2) Deduction rate (percentage)
Not exceeding £300	0
Exceeding £300 but not exceeding £550	3
Exceeding £550 but not exceeding £740	5
Exceeding £740 but not exceeding £900	7
Exceeding £900 but not exceeding £1420	12
Exceeding £1420 but not exceeding £2020	17
Exceeding £2020	17 in respect of the first £2020 and 50 in respect of the remainder

**TABLE C
DEDUCTIONS BASED ON DAILY EARNINGS**

(1) Net earnings	(2) Deduction rate (percentage)
Not exceeding £11	0
Exceeding £11 but not exceeding £20	3
Exceeding £20 but not exceeding £27	5
Exceeding £27 but not exceeding £33	7
Exceeding £33 but not exceeding £52	12
Exceeding £52 but not exceeding £72	17
Exceeding £72	17 in respect of the first £72 and 50 in respect of the remainder