STATUTORY INSTRUMENTS

1986 No. 1166 (N.I. 11)

The Judgments Enforcement (Amendment) (Northern Ireland) Order 1986

- - - - - - *8th July 1986*

Title and commencement

1.—(1) This Order may be cited as the Judgments Enforcement (Amendment) (Northern Ireland) Order 1986.

(2) This Order shall come into operation on the expiration of two months from the day on which it is made.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

Clerical and administrative costs of garnishees

3.—(1) Article 72A of the Judgments Enforcement (Northern Ireland) Order 1981 shall be amended as follows.

(2) For the words from the beginning of that Article to the end of paragraph (1) of that Article there shall be substituted the following—

"Clerical and administrative costs of garnishees

(1) Where an order made in the exercise of the jurisdiction mentioned in Article 72(2) is served on any deposit-taking institution, the institution may, subject to the provisions of this Article, deduct from the relevant debt or debts an amount not exceeding the prescribed sum towards the clerical and administrative costs of the institution in complying with the order.

(1A) In paragraph (1) "the relevant debt or debts", in relation to an order served on any such institution as is mentioned in that paragraph, means the amount, as at the time the order is served on the institution, of the debt or debts of which the whole or a part is expressed to be attached by the order.

(1B) A deduction may be made under paragraph (1) in a case where the amount referred to in paragraph (1A) is insufficient to cover both the amount of the deduction and the amount of the judgment debt and costs in respect of which the attachment was made, notwithstanding that the benefit of the attachment to the creditor is reduced as a result of the deduction.".