



Australian Capital Territory

Earnings (Assignment and Attachment) Act 1966 (repealed)

A1966-7

Republication No 4

Effective: 10 January 2005

Republication date: 10 January 2005

As repealed by A2004-60 s 4
(republication for amendments and repeal
by A2004-60)

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Earnings (Assignment and Attachment) Act 1966 (repealed)* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)). It also includes any commencement, amendment, repeal or expiry affecting the republished law to 10 January 2005.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

Earnings (Assignment and Attachment) Act 1966 (repealed)

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Australian Capital Territory

Earnings (Assignment and Attachment) Act 1966 (repealed)

An Act relating to the assignment and attachment of earnings

R4
10/01/05

Earnings (Assignment and Attachment) Act 1966
(repealed)

Effective: 10/01/05

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1 Name of Act

This Act is the *Earnings (Assignment and Attachment) Act 1966*.

4 Definitions for Act

In this Act:

Note A definition applies except so far as the contrary intention appears (see *Legislation Act 2001*, s 155).

6 Assignment of earnings not enforceable

- (1) An assignment of earnings after the commencement of this section is not enforceable.
- (2) Subsection (1) has effect regardless of—
 - (a) the nature of the instrument effecting the assignment; or
 - (b) the nature of the transaction that gave rise to the assignment.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
cl = clause	pres = present
def = definition	prev = previous
dict = dictionary	(prev...) = previously
disallowed = disallowed by the Legislative Assembly	pt = part
div = division	r = rule/subrule
exp = expires/expired	reg = regulation/subregulation
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

3 Legislation history

This Act was originally a Commonwealth ordinance—the *Attachment of Wages Limitation Ordinance 1966* No 7 (Cwlth).

The *Australian Capital Territory (Self-Government) Act 1988* (Cwlth), s 34 (4) converted most former Commonwealth ordinances in force in the ACT into ACT enactments. This allowed the ACT Legislative Assembly to amend and repeal the laws. This Act was converted into an ACT enactment on 11 May 1989 (self-government day).

As with most ordinances in force in the ACT, the name was changed from *Ordinance* to *Act* by the *Self-Government (Citation of Laws) Act 1989* No 21, s 5 on 11 May 1989 (self-government day).

The Act was renamed as the *Earnings (Assignment and Attachment) Act 1966* by the *Magistrates Court (Enforcement of Judgments) Act 1994* (see s 68).

Before 11 May 1989, ordinances commenced on their notification day unless otherwise stated (see *Seat of Government (Administration) Act 1910* (Cwlth), s 12).

Legislation before becoming Territory enactment

Earnings (Assignment and Attachment) Act 1966 No 7

notified 28 April 1966

commenced 28 April 1966

as amended by

Ordinances Revision (Administrative Arrangements) Ordinance 1977 No 18

notified 21 June 1977

commenced 21 June 1977

Attachment of Wages Limitation (Amendment) Ordinance 1977 No 36

notified 15 August 1977

commenced 15 August 1977

Endnotes

4 Amendment history

Legislation after becoming Territory enactment

Magistrates Court (Enforcement of Judgments) Act 1994 No 61 pt 7 div 1

notified 11 October 1994 (Gaz 1994 No S197)
s 1, s 2 commenced 11 October 1994 (s 2 (1))
pt 7 div 1 commenced 10 April 1995 (s 2 (2) and Gaz 1995 No S75)

Legislation (Consequential Amendments) Act 2001 No 44 pt 116

notified 26 July 2001 (Gaz 2001 No 30)
s 1, s 2 commenced 26 July 2001 (IA s 10B)
pt 116 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

Court Procedures (Consequential Amendments) Act 2004 A2004-60 sch 1 pt 1.24

notified LR 2 September 2004
s 1, s 2 commenced 2 September 2004 (LA s 75 (1))
sch 1 pt 1.24 commenced 10 January 2005 (s 2 and see Court Procedures Act 2004 A2004-59, s 2 and CN2004-29)

as repealed by

Court Procedures (Consequential Amendments) Act 2004 A2004-60 s 4

notified LR 2 September 2004
s 1, s 2 commenced 2 September 2004 (LA s 75 (1))
s 4 commenced 10 January 2005 (s 2 and see Court Procedures Act 2004 A2004-59, s 2 and CN2004-29)

4 Amendment history

Title

title sub 1994 No 61 s 67

Name of Act

s 1 am 1994 No 61 s 68

New South Wales law to cease to apply

s 2 om 2001 No 44 amdt 1.1260

s 3 om 1977 No 18

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Earnings (Assignment and Attachment) Act 1966
(repealed)
Effective: 10/01/05

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Definitions for Act

- s 4 am 1977 No 36
 def **board** om 1994 No 61 s 69
 def **court** reloc to Court Procedures Act 2004 in s 76 by
 A2004-60 amdt 1.147
 def **dependant** reloc to Court Procedures Act 2004 in s 76 by
 A2004-60 amdt 1.147
 def **determination** om 1994 No 61 s 69
 def **earnings** ins 1994 No 61 s 69
 am A2004-60 amdt 1.145
 reloc to Court Procedures Act 2004 in s 53 (3) by
 A2004-60 amdt 1.146
 def **judgment debtor** reloc to Court Procedures Act 2004 in
 s 76 by A2004-60 amdt 1.147
 def **Metal Trades Award** ins 1994 No 61 s 69
 reloc to Court Procedures Act 2004 in s 76 by A2004-60
 amdt 1.147
 def **wages** om 1994 No 61 s 69

Limitation on attachment of wages

- s 5 am 1977 No 36; 1994 No 61 s 70
 reloc to Court Procedures Act 2004 as s 77 by A2004-60
 amdt 1.148

Assignment of earnings not enforceable

- s 6 ins 1994 No 61 s 71

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	Ord 1977 No 36	31 May 1991
2	Act 1994 No 61	10 April 1995
3	A2001-44	1 August 2002

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