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[CONFIDENTIAL.]
(Rough Draft for Consideration Only.)

No. , 1926.

A BILL

To amend the law with regard to the attachment of wages or salaries; to amend the District Courts Act, 1912, and the Small Debts Act, 1912; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Wages and Short title. Salaries (Attachment Limitation) Act, 1926."

(2) The amendments made by this Act shall not affect any proceedings taken to enforce the payment of the amount of any judgment obtained before the commencement of this Act. Saving.

2. The District Courts Act, 1912, is amended by omitting subsection two of section one hundred and seventeen and by inserting in lieu thereof the following new subsections :— Amendment of Act 1902, No. 23, s. 117.

(2) No order for the attachment of the wages or salary of a servant or employee shall be made in any case where the rate of the wages or salary does not exceed two pounds per week.

(3) Where the debt sought to be attached is a debt due to a servant or employee for wages or salary—

(a) notice of the application for the rule absolute in the manner or in or to the effect of the form prescribed by rules of court shall be given to the judgment debtor ;

(b) no order made shall operate to prevent the payment to the servant or employee of wages or salary at the rate of at least two pounds per week.

(4) The judge shall take into consideration any evidence adduced before him in relation to the circumstances of the judgment debtor, and those, if any, dependent on him, and shall make an order for the payment of such amount only as may seem just in all the circumstances of the case.

3. The Small Debts Recovery Act, 1912, is amended by omitting subsection five of section fifty-six, and by inserting in lieu thereof the following new subsections :— Amendment of Act 1912, No. 33, s. 56.

(5) No order for the attachment of the wages or salary of a servant or employee shall be made in any case where the rate of the wages or salary does not exceed two pounds per week.

(6) Where the debt sought to be attached is a debt due to a servant or employee for wages or salary—

(a) notice of the application in the manner or in or to the effect of the form prescribed by rules of court shall be given to the judgment debtor ;

(b)

Wages and Salaries (Attachment Limitation).

(b) no order made shall operate to prevent the payment to the servant or employee of wages or salary at the rate of at least two pounds per week.

(7) The court, or when it is not sitting, the registrar or a justice of the peace shall take into consideration any evidence adduced before him in relation to the circumstances of the judgment debtor and those, if any, dependent on him, and shall make an order for the payment of such amount only as may seem just in all the circumstances of the case.
