

# GARNISHEE ORDERS



## There are two ways

a court will attach a garnishee order deducting an amount from your payslip:

1. In the first case the company (or the person) to whom you owe money, has to prove to the court that you owe them money and that you have not repaid it. The court then grants the order for the money to be taken from your salary. You have to be notified of this action, and you have a right to tell the court your side of the story.
2. In the second case you may have signed a document (when you took out the loan) that says you agree to a judgement against you, should you fail to pay. This is called a Consent to Judgement and you are often asked to sign this before you are given a loan. The company then just has to show this document to the court to win their case.

## New Regulations

- From July 2017 there are new regulations on garnishee orders that restrict garnishee orders to no more than 25% of a worker's salary.
- Now only a magistrate can authorise a garnishee order and not a clerk of the court.
- The new laws also prohibit the practice of forcing credit applicants to sign a consent to an emolument attachment order (garnishee) prior to being granted a loan.

**But remember these new provisions only apply to new garnishee orders and not existing ones existing prior to July 2017.**



### #GetWageWise tip:

If your employer offers a retirement package, take it. That way you are saving money that you don't even realise you are saving, because the money is taken off your salary and put into retirement savings.

