

Government to introduce AIO Bill 2007

The Government proposed to introduce a bill to amend the Attachment of Income Order (AIO) legislation to make it apply to the Government as an income source. The Attachment of Income Order (Application to Government and Miscellaneous Amendments) Bill 2007 will be published in the Gazette on Friday (June 15).

The AIO Scheme, which was introduced in 1998, aims to enable a maintenance payee to receive punctual maintenance payments specified in the maintenance order. Under the scheme, the Family Court can make an AIO under the AIO legislation, requiring the income source (e.g. employer) of a maintenance payer to deduct a specified amount from the maintenance payer's wages, and pay the deductions direct to a maintenance payee.

The policy intent of the AIO legislation is to make the income of a maintenance payer attachable, irrespective of whether the source of income is the Government or not.

The existing AIO legislation however contains no express provision stating that it applies to the Government as an income source.

"It is therefore necessary to introduce the Amendment Bill so that maintenance payees can enforce maintenance orders against wages paid by the Government through AIO procedures," a spokesman for the Home Affairs Bureau said. "All AIOs already made against wages paid by the Government will also be validated by the Bill to avoid unnecessary legal challenges."

"The Bill does not create new obligations for maintenance payers subject to maintenance orders, who are obliged to pay the maintenance payees anyway," the spokesman stressed.

"We have consulted major stakeholders, including civil servants and staff employed by the Government on non-civil service terms, mostly through the relevant staff consultative channels and they have not raised any objection to the amendment proposal."

The Amendment Bill will be introduced into the Legislative Council on June 27.

Ends/Wednesday, June 13, 2007

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