



# Tribunals, Courts and Enforcement Act 2007

## 2007 CHAPTER 15

### PART 3

#### ENFORCEMENT BY TAKING CONTROL OF GOODS

#### CHAPTER 1

#### PROCEDURE

#### 63 Enforcement agents

- (1) This section and section 64 apply for the purposes of Schedule 12.
- (2) An individual may act as an enforcement agent only if one of these applies—
  - (a) he acts under a certificate under section 64;
  - (b) he is exempt;
  - (c) he acts in the presence and under the direction of a person to whom paragraph (a) or (b) applies.
- (3) An individual is exempt if he acts in the course of his duty as one of these—
  - (a) a constable;
  - (b) an officer of Revenue and Customs;
  - [<sup>F1</sup>(ba) a person authorised to use the procedure in Schedule 12 by the Welsh Revenue Authority (or by a person to whom the Welsh Revenue Authority has delegated the function of authorising the use of the procedure);]
  - (c) a person appointed under section 2(1) of the Courts Act 2003 (c. 39) (court officers and staff).
- (4) An individual is exempt if he acts in the course of his duty as an officer of a government department.

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**Changes to legislation:** Tribunals, Courts and Enforcement Act 2007, Section 63 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- (5) For the purposes of an enforcement power conferred by a warrant, an individual is exempt if in relation to the warrant he is a civilian enforcement officer, as defined in section 125A of the Magistrates' Courts Act 1980 (c. 43).
- (6) A person is guilty of an offence if, knowingly or recklessly, he purports to act as an enforcement agent without being authorised to do so by subsection (2).
- (7) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

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#### Textual Amendments

- F1** S. 63(3)(ba) inserted (25.1.2018) by [Tax Collection and Management \(Wales\) Act 2016 \(anaw 6\)](#), [ss. 170\(2\)](#), [194\(2\)](#); [S.I. 2018/33](#), [art. 2\(h\)](#)
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#### Commencement Information

- I1** S. 63 in force at 6.4.2014 by [S.I. 2014/768](#), [art. 2\(1\)\(a\)](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(8)(bza) inserted by [2022 c. 36 s. 23\(2\)](#)
- s. 13(8)(bzb) inserted by [2022 c. 36 s. 24\(9\)](#)
- s. 16(3)(a) word inserted by [2015 c. 2 s. 85\(3\)\(a\)](#)
- s. 16(3)(b) and word inserted by [2015 c. 2 s. 85\(3\)\(b\)](#)
- s. 16(3A)(3B) inserted by [2015 c. 2 s. 85\(4\)](#)
- s. 22(6) inserted by [2022 c. 35 Sch. 4 para. 4\(2\)](#)
- s. 23(8) inserted by [2022 c. 35 Sch. 4 para. 4\(3\)](#)
- s. 25A inserted by [2022 c. 36 s. 80\(1\)](#)
- s. 29(3A) inserted by [2022 c. 36 s. 81\(6\)](#)
- Sch. 5 para. 11A and cross-heading inserted by [2022 c. 36 s. 80\(2\)](#)
- Sch. 7 para. 6(1)(e) words substituted by [2013 c. 22 Sch. 14 para. 13\(2\)](#) (Sch. 7 was already repealed when this amendment came into force)
- Sch. 7 para. 6(4)(b) words substituted by [2013 c. 22 Sch. 14 para. 13\(2\)](#) (Sch. 7 was already repealed when this amendment came into force)