
STATUTORY INSTRUMENTS

2014 No. 1

The Taking Control of Goods (Fees) Regulations 2014

Fees and disbursements not recoverable where enforcement process ceases

17.—(1) The enforcement agent may not recover fees or disbursements from the debtor in relation to any stage of enforcement undertaken at a time when the relevant enforcement power has ceased to be exercisable.

(2) Paragraph (1) does not apply where the enforcement power ceases to be exercisable because the debtor has paid the amount outstanding or that amount has been recovered from proceeds or otherwise.

(3) In a case in which the enforcement agent is instructed by a landlord to exercise CRAR and the court makes an order under section 78(1) of the Act—

- (a) the enforcement agent may not recover fees or disbursements from the debtor where the order is made under section 78(1)(a);
- (b) where the order is made under section 78(1)(b), the enforcement agent may recover fees and disbursements from the debtor in accordance with these Regulations only if the court has made a further order permitting further steps to be taken under CRAR.

(4) In paragraph (3), “CRAR” has the meaning given by section 72(2) of the Act.