
STATUTORY INSTRUMENTS

2014 No. 1

The Taking Control of Goods (Fees) Regulations 2014

Recovery of fees for enforcement-related services from the debtor

4.—(1) — The enforcement agent may recover from the debtor the fees indicated in the Schedule in accordance with this regulation and regulations 11, 12, 13, 16 and 17, by reference to the stage, or stages, of enforcement for which enforcement-related services have been supplied.

(2) The fees referred to in paragraph (1) may be recovered out of proceeds.

(3) The enforcement agent may recover under this regulation the whole fee provided in the Schedule for a stage where the amount outstanding is paid after the commencement, but before the completion, of that stage.

(4) For the purposes of this regulation, the relevant stage of enforcement is determined according to regulation 5 or 6 as appropriate.

(5) Where the enforcement agent is acting under an enforcement power conferred by a High Court writ—

(a) where the enforcement agent and the debtor enter into a controlled goods agreement which the debtor does not breach, only the first enforcement stage fee may be recovered from the debtor; and

(b) where—

(i) the enforcement agent and the debtor enter into a controlled goods agreement which the debtor breaches; or

(ii) the enforcement agent and the debtor do not enter into a controlled goods agreement, both the first enforcement stage and second enforcement stage fees may be recovered from the debtor, and the first enforcement stage fee is recoverable where sub-paragraph (ii) applies notwithstanding that the first enforcement stage did not apply.