



Courts and Legal Services Act 1990

1990 CHAPTER 41

PART I

PROCEDURE ETC. IN CIVIL COURTS

Miscellaneous

15 Enforcement

- (1) In section 138 of the Supreme Court Act 1981 (effect of writs of execution against goods), the following subsection shall be inserted after subsection (3)—

“(3A) Every sheriff or officer executing any writ of execution issued from the High Court against the goods of any person may by virtue of it seize—

- (a) any of that person’s goods except—
 - (i) such tools, books, vehicles and other items of equipment as are necessary to that person for use personally by him in his employment, business or vocation;
 - (ii) such clothing, bedding, furniture, household equipment and provisions as are necessary for satisfying the basic domestic needs of that person and his family; and
- (b) any money, banknotes, bills of exchange, promissory notes, bonds, specialties or securities for money belonging to that person.”

- (2) In section 89(1) of the County Courts Act 1984 (goods which may be seized under any warrant of execution), the following paragraph shall be substituted for paragraph (a)—

- “(a) any of that person’s goods except—
 - (i) such tools, books, vehicles and other items of equipment as are necessary to that person for use personally by him in his employment, business or vocation;
 - (ii) such clothing, bedding, furniture, household equipment and provisions as are necessary for satisfying the basic domestic needs of that person and his family;”.

Status: This is the original version (as it was originally enacted).

- (3) Where a person takes steps to enforce a judgment or order of the High Court or a county court for the payment of any sum due, the costs of any previous attempt to enforce that judgment shall be recoverable to the same extent as if they had been incurred in the taking of those steps.
- (4) Subsection (3) shall not apply in respect of any costs which the court considers were unreasonably incurred (whether because the earlier attempt was unreasonable in all the circumstances of the case or for any other reason).