

Status: Point in time view as at 06/04/2017.

Changes to legislation: Tribunals, Courts and Enforcement Act 2007, Paragraph 12 is up to date with all changes known to be in force on or before 15 June 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)

SCHEDULES

SCHEDULE 12

TAKING CONTROL OF GOODS

Modifications etc. (not altering text)

- C1** Sch. 12 applied (prosp.) by Finance Act 2008 (c. 9), ss. 127(2), 129(4)
C1 Sch. 12 applied (6.4.2014) by Finance Act 2008 (c. 9), ss. 127(2), 129(4); S.I. 2014/906, arts. 2, 3

PART 2

THE PROCEDURE

Value of goods taken

- 12 (1) Unless sub-paragraph (2) applies, an enforcement agent may not take control of goods whose aggregate value is more than—
- the amount outstanding, and
 - an amount in respect of future costs, calculated in accordance with regulations.
- (2) An enforcement agent may take control of goods of higher value on premises or on a highway, only to the extent necessary, if there are not enough goods of a lower value within a reasonable distance—
- on a highway, or
 - on premises that he has power to enter under this Schedule, either under paragraph 14 or under an existing warrant.
- (3) For the purposes of this paragraph goods are above a given value only if it is or ought to be clear to the enforcement agent that they are.
- (4) Sub-paragraph (1) does not affect the power to keep control of goods if they rise in value once they have been taken.

Commencement Information

- I1** Sch. 12 para. 12(1) in force at 15.7.2013 for specified purposes by S.I. 2013/1739, art. 3(g)(v)
I2 Sch. 12 para. 12(1) in force at 6.4.2014 in so far as not already in force by S.I. 2014/768, art. 2(1)(b)
I3 Sch. 12 para. 12(2)-(4) in force at 6.4.2014 by S.I. 2014/768, art. 2(1)(b)

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