



Tribunals, Courts and Enforcement Act 2007

2007 CHAPTER 15

PART 3

ENFORCEMENT BY TAKING CONTROL OF GOODS

CHAPTER 1

PROCEDURE

62 Enforcement by taking control of goods

- (1) Schedule 12 applies where an enactment, writ or warrant confers power to use the procedure in that Schedule (taking control of goods and selling them to recover a sum of money).
- (2) The power conferred by a writ or warrant of control to recover a sum of money, and any power conferred by a writ or warrant of possession or delivery to take control of goods and sell them to recover a sum of money, is exercisable only by using that procedure.
- (3) Schedule 13—
 - (a) amends some powers previously called powers to distrain, so that they become powers to use that procedure;
 - (b) makes other amendments relating to Schedule 12 and to distress or execution.
- (4) The following are renamed—
 - (a) writs of fieri facias, except writs of fieri facias de bonis ecclesiasticis, are renamed writs of control;
 - (b) warrants of execution are renamed warrants of control;
 - (c) warrants of distress, unless the power they confer is exercisable only against specific goods, are renamed warrants of control.

Changes to legislation: Tribunals, Courts and Enforcement Act 2007, Section 62 is up to date with all changes known to be in force on or before 17 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](#)

Commencement Information

- I1** S. 62(1) in force at 15.7.2013 for specified purposes by S.I. 2013/1739, **art. 3(a)**
- I2** S. 62(1) in force at 6.4.2014 in so far as not already in force by S.I. 2014/768, **art. 2(1)(a)**
- I3** S. 62(2)-(4) in force at 6.4.2014 by S.I. 2014/768, **art. 2(1)(a)**

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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)