
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 83

Writs and Warrants – General Provisions

SECTION II

Writs and Warrants

[^{F1}**Writs and warrants conferring a power to use the TCG procedure – duration and priority**

83.4.—(1) This rule applies to—

- (a) a writ of control;
- (b) a warrant of control; and
- (c) any other writ or warrant that confers power to use the TCG procedure.

(2) A writ or warrant to which this rule applies is referred to in this rule as a “relevant writ or warrant”, “relevant writ” or “relevant warrant” as appropriate.

(3) A relevant writ or warrant will be valid for the period in which an enforcement agent may take control of the goods in question, as specified in regulation 9(1) of the TCG Regulations.

(4) If a period in which to take control of goods is extended by the court under regulation 9(3) of the TCG Regulations, the validity of the relevant writ or warrant will be extended for the same period.

(Rule 84.5 contains provisions about applications to the court requesting a time extension.)

(5) Irrespective of whether it has been extended under regulation 9(3) of the TCG Regulations—

- (a) the priority of a relevant writ will be determined by reference to the time it is originally received by the person who is under a duty to endorse it; and
- (b) the priority of a relevant warrant will be determined by reference to the date on which it was originally issued.

(6) The production of—

- (a) the extension order granted under regulation 9(3) of the TCG Regulations, or a copy of it; or
- (b) the relevant writ or warrant endorsed in accordance with rule 84.5(3)(b), or a copy of it,

will be evidence that the writ or warrant has been extended.

(7) If, during the validity of a relevant writ or warrant, a person makes an application under Part 85 in relation to goods taken into control under that writ or warrant, the validity of the writ or warrant will be extended until the expiry of 12 months from the conclusion of the proceedings under Part 85.]

Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, Section 83.4. (See end of Document for details)

.....

Textual Amendments

F1 Pt. 83 inserted (6.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rule 2(3),
[Sch.](#) (with [rule 41](#))

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 83.4.