

Changes to legislation: Tribunals, Courts and Enforcement Act 2007, Paragraph 51 is up to date with all changes known to be in force on or before 22 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

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 by S.I. 2013/2605, art. 21K(1) (as inserted (12.11.2018) by The Proceeds of Crime Act 2002 (External Investigations and External Orders and Requests) (Amendment) Order 2018 (S.I. 2018/1078), arts. 1(2), 8)
- C1** Sch. 12 applied by S.I. 2014/1893, art. 34K(1) (as inserted (12.11.2018) by The Proceeds of Crime Act 2002 (External Investigations and External Orders and Requests) (Amendment) Order 2018 (S.I. 2018/1078), arts. 1(2), 20)
- 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

Passing of title

- 51 (1) A purchaser of controlled goods acquires good title, with two exceptions.
- (2) The exceptions apply only if the goods are not the debtor's at the time of sale.
- (3) The first exception is where the purchaser, the creditor, the enforcement agent or a related party has notice that the goods are not the debtor's.
- (4) The second exception is where a lawful claimant has already made an application to the court claiming an interest in the goods.
- (5) A lawful claimant in relation to goods is a person who has an interest in them at the time of sale, other than an interest that was assigned or transferred to him while the property in the goods was bound for the purposes of the enforcement power.
- (6) A related party is any person who acts in exercise of an enforcement power, other than the creditor or enforcement agent.
- (7) "The court" has the same meaning as in paragraph 60.

Commencement Information

- I1** Sch. 12 para. 51 in force at 6.4.2014 by S.I. 2014/768, art. 2(1)(b)

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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)