

Changes to legislation: Tribunals, Courts and Enforcement Act 2007, Cross Heading: Abandonment of goods other than securities is up to date with all changes known to be in force on or before 25 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

Abandonment of goods other than securities

- 52 Paragraphs 53 and 54 apply to controlled goods other than—
- (a) securities;
 - (b) money to which paragraph 37(1) does not apply.

Commencement Information

- II** Sch. 12 para. 52 in force at 6.4.2014 by S.I. 2014/768, art. 2(1)(b)

- 53 (1) Controlled goods are abandoned if the enforcement agent does not give the debtor or any co-owner notice under paragraph 40 (notice of sale) within the permitted period.
- ^{F1}(2)
- (3) Regulations may prescribe other circumstances in which controlled goods are abandoned.

Textual Amendments

- F1** Sch. 12 para. 53(2) omitted (6.4.2014) by virtue of Crime and Courts Act 2013 (c. 22), ss. 25(6), 61(3); S.I. 2014/830, art. 2

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Commencement Information

- I2** Sch. 12 para. 53(1)(2) in force at 6.4.2014 by [S.I. 2014/768](#), [art. 2\(1\)\(b\)](#)
- I3** Sch. 12 para. 53(3) in force at 15.7.2013 for specified purposes by [S.I. 2013/1739](#), [art. 3\(g\)\(xxvii\)](#)
- I4** Sch. 12 para. 53(3) in force at 6.4.2014 in so far as not already in force by [S.I. 2014/768](#), [art. 2\(1\)\(b\)](#)

- 54 (1) If controlled goods are abandoned then, in relation to the enforcement power concerned, the following apply—
- (a) the enforcement power ceases to be exercisable;
 - (b) as soon as reasonably practicable the enforcement agent must make the goods available for collection by the debtor, if he removed them from where he found them.
- (2) Regulations may make further provision about arrangements under sub-paragraph (1)(b), including in particular provision about the disposal of goods uncollected after a prescribed period.
- (3) Where the enforcement power was under a writ or warrant, sub-paragraph (1) does not affect any power to issue another writ or warrant.

Commencement Information

- I5** Sch. 12 para. 54(1)(3) in force at 6.4.2014 by [S.I. 2014/768](#), [art. 2\(1\)\(b\)](#)
- I6** Sch. 12 para. 54(2) in force at 15.7.2013 for specified purposes by [S.I. 2013/1739](#), [art. 3\(g\)\(xxviii\)](#)
- I7** Sch. 12 para. 54(2) in force at 6.4.2014 in so far as not already in force by [S.I. 2014/768](#), [art. 2\(1\)\(b\)](#)

Changes to legislation:

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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)