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STATUTORY INSTRUMENTS

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**2003 No. 1858 (L.32)**

**DISTRESS, ENGLAND AND WALES**

**The Distress for Rent (Amendment) Rules 2003**

*Made* - - - - - *15th July 2003*

*Coming into force* - - - - - *15th August 2003*

The Lord Chancellor, in exercise of the powers conferred upon him by section 8 of the Law of Distress Amendment Act 1888<sup>(1)</sup> hereby makes the following Rules:

**Citation and commencement**

1. These Rules may be cited as the Distress for Rent (Amendment) Rules 2003 and shall come into force on 15th August 2003.

**Amendments to Distress for Rent Rules 1988**

2. Appendix 1 to the Distress for Rent Rules 1988<sup>(2)</sup> shall be amended as follows—

- (a) in paragraph 1, for “£12.50” substitute “£21.65”;
- (b) in paragraph 3—
  - (i) for “man” wherever it occurs, substitute “person”;
  - (ii) for “£4.50” substitute “£7.80”; and
  - (iii) for “45p” substitute “80p”;
- (c) in paragraphs 2, 4, 5 and 7 for “taxation”, substitute “detailed assessment”.

3. In Form 8 in Appendix 2 to the Distress for Rent Rules 1988, for “man” wherever it occurs substitute “person”.

Dated 15th July 2003

*Falconer of Thoroton, C*

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(1) 1888 c. 21.

(2) 1988/2050, there is a relevant amendment in S.I.1999/2360.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules which apply to England and Wales, amend the Distress for Rent Rules 1988 which relate to distress for rent and (by virtue of the modification effected by the Enforcement of Road Traffic Debts (Certificated Bailiffs) Regulations 1993) for debts under section 78 of the Road Traffic Act 1991, by increasing the fees to be charged for levying distress for rent.

For levying distress, where the sum demanded and due does not exceed £100, the fee is increased from £12.50 to £21.65.

For taking possession, where a person is left in physical possession, the fee is increased from £4.50 to £7.80 each day; and where walking possession is agreed, the fee is increased from 45p to 80p each day. All other fees remain unchanged.

These Rules also make minor amendments to paragraph 3 in Appendix 1 and Form 8 (Form of walking-possession agreement (Request not to remove goods)) in Appendix 2 and amend the references to taxation in Appendix 1 so that they refer to detailed assessment under the Civil Procedure Rules 1998.