

SCHEDULES

SCHEDULE 12

TAKING CONTROL OF GOODS

PART 2

THE PROCEDURE

Sale

- 41 (1) The sale must be by public auction unless the court orders otherwise.
- (2) The court may make an order only on an application by the enforcement agent.
- (3) Regulations may make provision about the types of sale the court may order.
- (4) In an application for an order under sub-paragraph (2) the enforcement agent must state whether he has reason to believe that an enforcement power has become exercisable by another creditor against the debtor or a co-owner.
- (5) If the enforcement agent states that he does, the court may not consider the application until notice of it has been given to the other creditor in accordance with regulations (or until the court is satisfied that an enforcement power is not exercisable by the other creditor against the debtor or a co-owner).