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STATUTORY INSTRUMENTS

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**1998 No. 3132**

**The Civil Procedure Rules 1998**

[<sup>F1</sup>PART 85

Claims on Controlled Goods and Executed Goods

*SECTION I*

*Scope and Interpretation*

[<sup>F1</sup>Scope

**85.1.**—(1) This Part contains rules about claims on controlled goods and executed goods as follows—

- (a) Section II sets out the mode of application for claims under this Part;
  - (b) Section III relates to the procedure for making claims to controlled goods;
  - (c) Section IV relates to the procedure for making claims against executed goods;
  - (d) Section V relates to the procedure for a debtor making a claim to exempt goods;
  - (e) Section VI relates to the powers of the court hearing any application under this Part.
- (2) The rules in this Part apply where—
- (a) a person makes an application to the court claiming that goods of which control has been taken belong to that person and not to the debtor;
  - (b) a person makes an application to the court claiming that goods, money or chattels taken or intended to be taken under a writ of execution or the proceeds or value of such goods or chattels belong to that person and not to the debtor; and
  - (c) a debtor, whose goods have been made subject to an enforcement power under an enactment, writ or warrant of control or have been taken or are intended to be taken under a writ of execution, claims that such goods or any of them are exempt goods.]

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**Textual Amendments**

- F1** Pt. 85 inserted (6.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rule 2(3), [Sch.](#) (with rule 41)

**Status:**

Point in time view as at 01/10/2017.

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 85.1.