

2003 No. 1857 (L.31)

COUNTY COURTS

The Enforcement of Road Traffic Debts (Certificated Bailiffs) (Amendment) Regulations 2003

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

Laid before Parliament *17th July 2003*

Coming into force - - *15th August 2003*

The Lord Chancellor, in exercise of the powers conferred upon him by section 78(4) and (5) of the Road Traffic Act 1991(a) hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Enforcement of Road Traffic Debts (Certificated Bailiffs) (Amendment) Regulations 2003 and shall come into force on 15th August 2003.

Amendments to the Enforcement of Road Traffic Debts (Certificated Bailiffs) Regulations 1993

2. Schedule 1 to the Enforcement of Road Traffic Debts (Certificated Bailiffs) Regulations 1993(b) shall be amended as follows—

- (a) in paragraph 1, for “£10.00”, substitute “£11.20”;
- (b) in paragraph 2—
 - (i) for “£25.00” substitute “£28.00”;
 - (ii) for “25%” substitute “28%”; and
 - (iii) for “5%” substitute “5.5%”;
- (c) in paragraphs 3, 5, 6, 7 and 8 for “taxation”, substitute “detailed assessment”;
- (d) in paragraph 4—
 - (i) for “man” substitute “person”;
 - (ii) for “£5.00” substitute “£5.60”; and
 - (iii) for “50p” substitute “55p”.

Dated 15th July 2003

Falconer of Thoroton, C

(a) 1991 c. 40.

(b) 1993/2072, amended by 1998/1351.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Enforcement of Road Traffic Debts (Certificated Bailiffs) Regulations 1993 by increasing the fees to be charged by certificated bailiffs for the enforcement of certain road traffic debts in accordance with section 78 of the Road Traffic Act 1991.

For preparing and sending a letter advising the debtor that a warrant is with the bailiff and requesting the total sum due, the fee is increased from £10.00 to £11.20.

For levying distress, where the sum demanded and due does not exceed £100, the fee is increased from £25.00 to £28.00; and where the sum demanded and due exceeds £100, the fee is increased from 25% to 28% on the first £200 and on any additional sum over £200, the fee is increased from 5% to 5.5%.

For taking possession, where a person is left in physical possession (close possession), the fee is increased from £5.00 to £5.60 each day; and where walking possession is agreed, the fee is increased from 50p to 55p each day for the first 14 days. All other fees remain unchanged.

These Regulations also make a minor amendment to paragraph 4 in Schedule 1 and amend the references to taxation in Schedule 1 so that they refer to detailed assessment under the Civil Procedure Rules 1998.

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