

2021 No. 300

ENFORCEMENT, ENGLAND AND WALES

TAKING CONTROL OF GOODS

**The Taking Control of Goods (Amendment) (Coronavirus)
Regulations 2021**

<i>Made</i> - - - -	<i>11th March 2021</i>
<i>Laid before Parliament</i>	<i>12th March 2021</i>
<i>Coming into force</i> - -	<i>25th March 2021</i>

The Lord Chancellor makes the following Regulations in exercise of the powers conferred by sections 77(4) and 90 of the Tribunals, Courts and Enforcement Act 2007(a):

Citation, commencement, extent and saving provision

1.—(1) These Regulations may be cited as the Taking Control of Goods (Amendment) (Coronavirus) Regulations 2021 and come into force on 25th March 2021.

(2) These Regulations extend to England and Wales.

(3) Nothing in these Regulations affects any enforcement action taken prior to the coming into force of these Regulations.

Amendments to the Taking Control of Goods Regulations 2013

2.—(1) Regulation 52 of the Taking Control of Goods Regulations 2013(b) is amended as follows.

(2) For sub-paragraphs (a) and (b) of paragraph (2), substitute—

“(a) 457 days’ rent where the notice of enforcement is given on or before 23rd June 2021; and

(b) 554 days’ rent where the notice of enforcement is given on or after 24th June 2021.”.

(3) For sub-paragraphs (a) and (b) of paragraph (2A), substitute—

“(a) 457 days’ rent where the goods are taken control of for the first time on or before 23rd June 2021; and

(b) 554 days’ rent where the goods are taken control of for the first time on or after 24th June 2021.”.

(a) 2007 c. 15. Section 90 was amended by the Crime and Courts Act 2013, s 25(1), s8.

(b) S. I. 2013/1894, as amended by S.I. 2020/451, S.I. 2020/614 and S.I. 2020/1002.

11th March 2021

David Wolfson
Parliamentary Under Secretary of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulation 52 of the Taking Control of Goods Regulations 2013 (S.I. 2013/1894) to specify the minimum amount of outstanding rent for the purposes of section 77(3) of the Tribunal, Courts and Enforcement Act 2007 (c.15) (the “2007 Act”), which will apply to commercial rent arrears recovery during the relevant period, as defined in section 82 of the Coronavirus Act 2020 (c.7).

Regulation 2 provides that, the minimum amount of net unpaid rent for the purposes of section 77(3)(a) (for the time when notice of enforcement is given) and section 77(3)(b) (for the first time goods are taken control of) of the 2007 Act, is 457 days’ rent where the enforcement action takes place on or before 23rd June 2021 and 554 days’ rent where it takes place on or after 24th June 2021.

Nothing in these Regulations affects any enforcement action taken prior to these Regulations coming into force.

As these are temporary, emergency regulations, no impact assessment has been prepared.

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