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to do it right

## **The Powers of the HCEO**

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*Jamie B. Waller*  
Chairman

## The History of the Office of the HCEO

**Anglo Saxon times**  
King's interest in shire

**12<sup>th</sup> century**  
county-judicial, police, fiscal and military

**Sheriff Act 1887** The Under Sheriff and his Officers

**High Court Enforcement Officers Regulations 2004**

**2013 reform –** Tribunal Courts and Enforcement Act 2007 (Sch 12) and Taking Control of Goods Regulations 2013

## Types of Writs

### Common writs

- Writ of Control - Money judgment enforcement
- Writ of Possession – Property enforcement
- Writ of Delivery

### Less Common writs

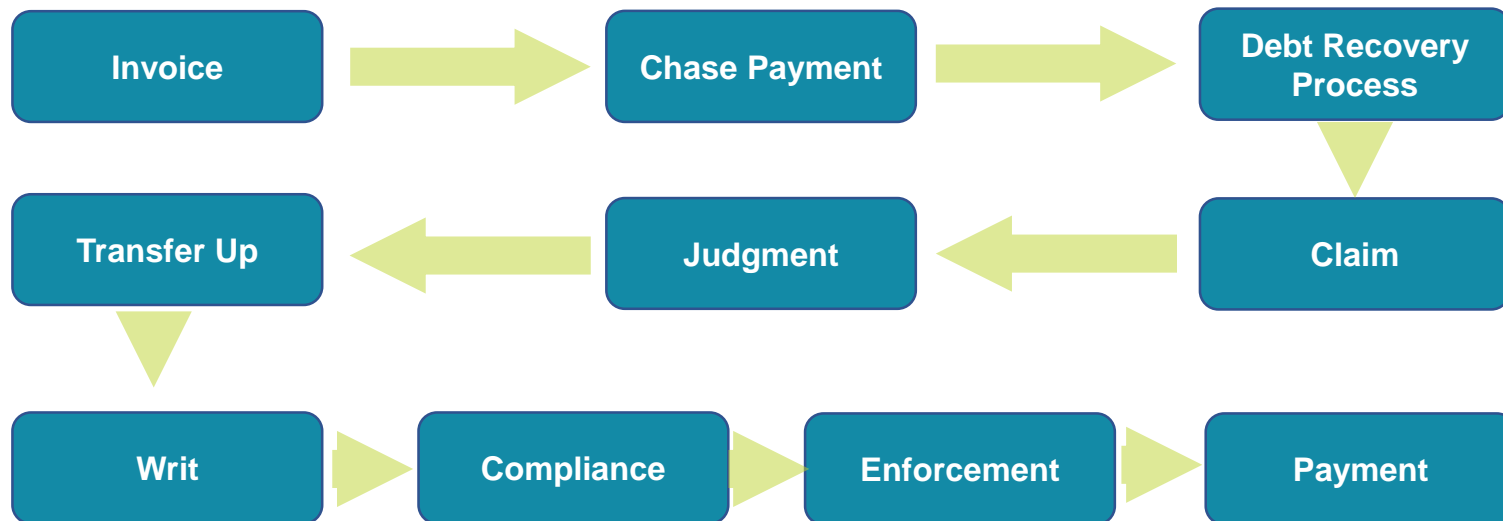
- Writ of Assistance – A writ in aid of another writ
- Writ of Sequestration - rare



## Liability and delegated authority

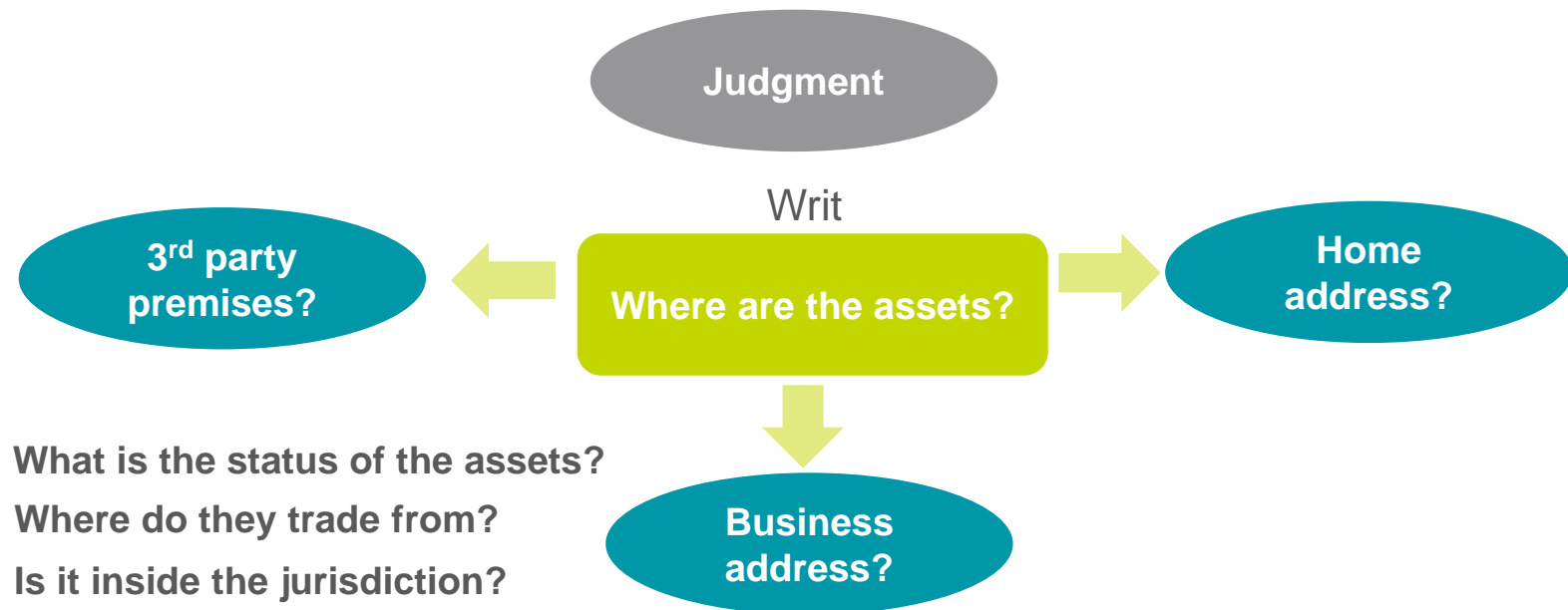


## Writ of Control's Enforcement Journey



There is significant value that is missed without considering High Court Enforcement in the credit cycle

## Where are the assets?

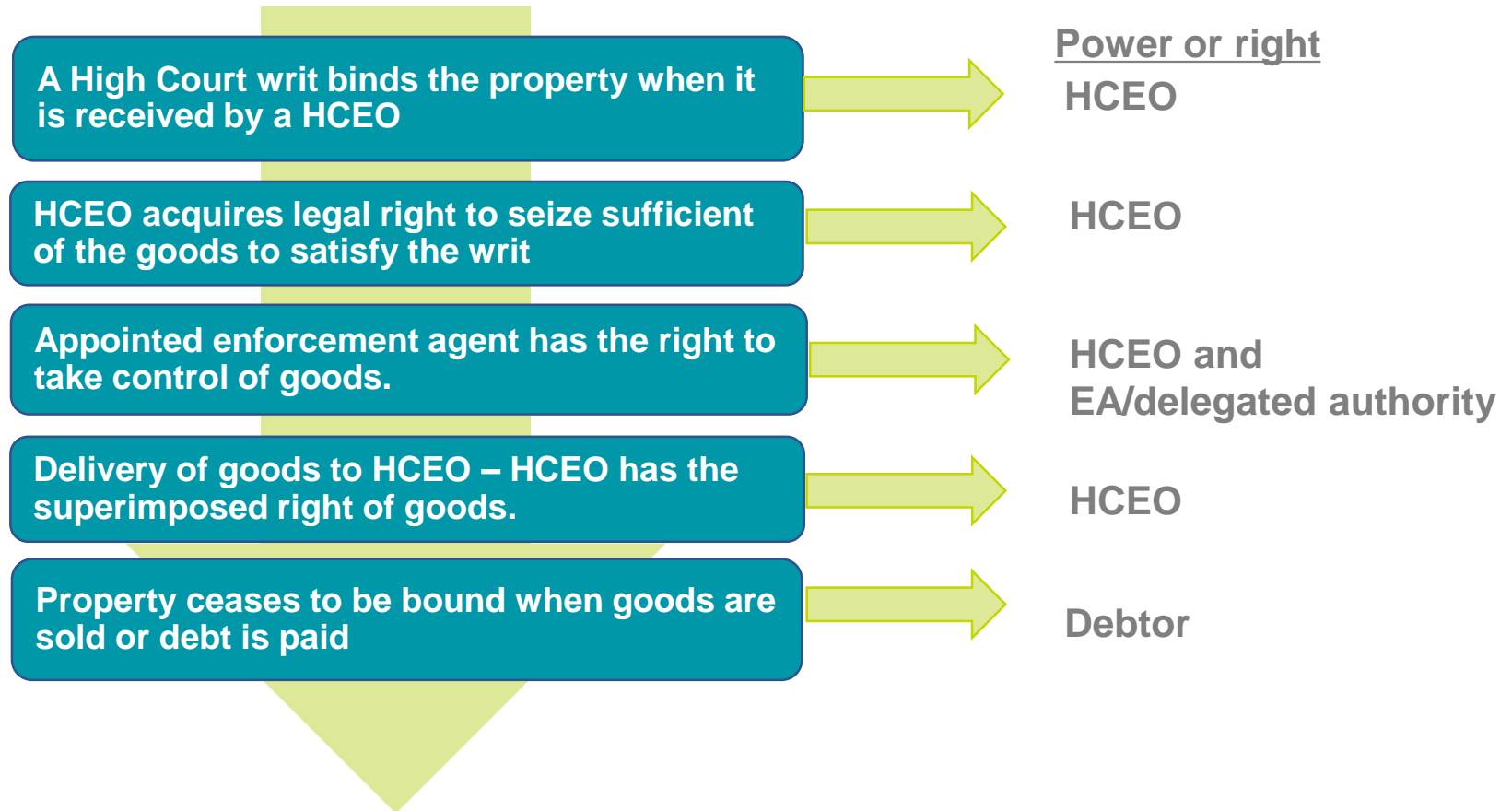


## Execution process





## Binding property in the debtors' goods



## Power of entry

- Address that a HCEO has power to enter
- An order made by a Master granting permission

### Power to enter premises

- Entry without a warrant – General power under the writ
- Entry with a warrant – Tribunal Courts and Enforcement Act 2007



## Taking Control of Goods

A HCEO can take control of goods by:

- By entering in to a controlled goods agreement
- By securing the premises where the goods are found
- By removing and storing the goods elsewhere
- By fitting an immobilisation device in the case of a vehicle.



## Exempt goods

- Goods which are necessary for use personally by the debtor in the debtor's employment, business, trade, profession, study or education, except the aggregate value of the goods exceeds £1,350
  - Basic domestic and household needs of the debtors
  - Any goods reasonably required for the care of a person under the age of 18, a disabled person or an older person
  - Assistance dogs or domestic pets
  - A vehicle with a valid disabled person badge or a health emergency badge or being used for police, fire or ambulance purposes
-

## Specialised enforcement

- High value or Niche assets
- Require an expert suited to the seized goods
- Involve a more specialised risk management approach
- Consider additional insurance policies



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