

# 24 Hour Bailiffs Ltd

A: PO Box 1145, Canterbury, Kent, CT1 9PA

T: 01227 750 966

E: Enforcement@24hourbailiffs.com



2022

## HIGH COURT WRIT OF CONTROL Collecting an outstanding debt with a Writ of Control

### Fees and Charges Information Sheet

In the case of recovering a debt, the fees and charges for this work are set by law with in the Fees Regulations. These fees are paid by the debtor. Other than a refundable court fee of £71.00, which is refunded once the High Court Enforcement Officer successfully recovers the debt and all fees in full, there is no cost to the creditor who is owed the money.

The recovery of a debt via a High Court Enforcement Officer is split into four stages, with fees assigned to each stage. The High Court Enforcement Stage and Fee Scale for recovering a debt via a Writ of Control.

Enforcement Stage	Fee 1	Fee 2	Description
<b>Compliance</b>	£75		This begins when a High Court Enforcement Officer receives an instruction to recover a debt AND receives a sealed Writ of Control from the claimant. The High Court Enforcement Officer will then send a 'Notice of Enforcement' to the person who owes the debt. The debtor then has seven days to pay the debt, any interest, court fees and the £75 compliance fee in full or the process moves to Enforcement Stage One and the additional fees set out below also apply.
<b>Enforcement - Stage One</b>	£190	+ 7.5% of the debt value over £1,000	This begins if the person who owes the debt fails to make contact with the High Court Enforcement Officer or requests to pay by instalments during the Compliance Stage. An Enforcement Agent will attend their premises to take control of goods and may discuss payment options based on circumstances at this stage.
<b>Enforcement - Stage Two</b>	£495		This begins if the person who owes the debt: refuses to make payment and also refuses to enter into an acceptable agreement to pay their debt and fees in instalments, or makes and then breaks a legal agreement to repay their debt in instalments
<b>Sale and Disposal</b>	£525	+ 7.5% of the debt value above £1,000	Should enforcement get to the stage where the debtor's goods need to be removed to pay the debt, then the 'Sale and Disposal' stage begins.

The fee is charged for each stage the case progresses to. For example, if a debt is collected at Enforcement Stage One then the debtor will pay the £75 Compliance Fee and the relevant Enforcement Stage One fee.

The sooner the debtor pays the judgment and the High Court Enforcement Officer's fees, the less the total fees and interest will be.

## Disbursements

High Court Enforcement Officers may also recover disbursements reasonably and actually incurred, such as

- the cost of storing goods which have been taken into control and removed
- the cost of hiring a locksmith to gain access to premises when using reasonable force to enter them and to secure them thereafter
- any other exceptional costs that may be allowed by court application
- court fees in relation to any applications made by the enforcement agent

## VAT on High Court enforcement fees

VAT registered creditors - Where the instructing creditor (and not their solicitor or agent) is VAT registered, VAT should be charged to that creditor and no VAT should be charged to the debtor. A VAT Invoice should be issued to the creditor and that VAT should be accounted for to HMRC in the usual way.

Non-VAT registered creditors - Where the instructing creditor is not VAT registered, or is VAT registered but ineligible to reclaim VAT, we recommend that a sum equivalent to VAT should be charged to the debtor, as at present and in-line with the VAT Guidance 13th October 2021 issued by the Ministry of Justice.

No VAT Invoice should be issued (to either debtor or creditor) and that sum, to be treated as VAT, should be accounted for to HMRC in the usual way.