



England and Wales

Judicial auctions - England and Wales

The following section details the provisions in England & Wales relating to the seizure of property as a means of recovering money owed.

In England and Wales there is no longer a requirement for a District Judge to authorise and appoint the removal firms and auctioneers. [Section 41](#) of Schedule 12 of the Tribunals, Courts and Enforcement Act provides for the sale of goods by public auction unless the court orders otherwise.

Removal and auctioneers firms can apply to each individual court supplying details of their charges and current insurance so that a decision can be made locally as to who will be appointed. The decision on which firm to use should be formally made by a panel of managers based upon the details and charges provided.

Following appointment, a list will be displayed in the court office detailing the names and addresses of appointed firms. The list will be reviewed annually and certainly prior to expiry of any insurance certificates. Where possible the selected providers should be rotated on a regular basis. Ground rules apply where it is only possible to use one firm regularly.

At least 7 days before the sale takes place the bailiff must send the debtor and any co-owners notice of sale.

When a sale takes place and the proceeds are received from the auctioneers the Bailiff/Delivery Manager is responsible for confirming that all of the goods that have been taken control of and seized are accounted for. The warrant should be suitably endorsed.

See Regulations 34 to 43 of the [Taking Control of Goods Regulations](#) for further detail regarding the removal, storage and sale of controlled goods.

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