

## **58. Powers of the Authority to intervene in cases of non-payment**

58.1 This Rule applies where any payment due from the claimant or purchaser of a claimed or sold horse is not made in accordance with the requirements of this Chapter.

58.2 The Authority shall be regarded as having the authority of the claimant or purchaser

58.2.1 to make a payment of the full claiming or purchase price on his behalf, or

58.2.2 to cause the Stakeholder to make payment under Rule 129.

58.3 If the Authority makes such a payment, it may take possession of the horse and may sell or otherwise deal with it in all respects unrestricted as if it were the owner.

58.4 Where

58.4.1 the Authority arranges for a horse to be sold, and

58.4.2 the net sale receipts amount to less than the price paid by the Authority,

the claimant or the purchaser on whose behalf the payment was made shall be liable to the Authority for any balance.

58.5 Any balance due under Paragraph 58.4 shall be regarded as being Arrears due under these Rules, but this is without prejudice to

58.5.1 any civil legal action that may otherwise be available to the Authority, and

58.5.2 the Authority's general powers to take Disciplinary Action against the claimant or purchaser who has failed to make the payment.

58.6 The Authority

58.6.1 may direct any Person who has possession of the horse to deliver it up free of any lien for unpaid training or other fees or any other claims of any description, and

58.6.2 where the Authority gives such a direction, it shall be responsible for all keep fees from the time the direction is given.

58.7 A direction under Paragraph 58.6.1 may include details as to delivery of the horse or may specify that the horse is to be held to the order of the Authority.