

CHAPTER 286

THE DISTRESS FOR RENT (BAILIFFS)

ACT Arrangement of Sections

Section

1. Interpretation
2. Appointment of bailiffs under certificate of certifying officer
3. Power of cancellation, *etc.* of certificate
4. Penalty for acting without certificate
5. Power to make rules
6. Power to amend Schedule

SCHEDULE

Schedule

Currency Point

CHAPTER 286

THE DISTRESS FOR RENT (BAILIFFS) ACT

Commencement: 30 June, 1933**An Act relating to the appointment of bailiffs for the purposes of distress for rent.****1. Interpretation**

In this Act—

“bailiff” means a bailiff for the purpose of distress for rent;

“certifying officer” means a chief magistrate and a magistrate grade I;

“currency point” has the value assigned to it in the Schedule to this Act.

2. Appointment of bailiffs under certificate of certifying officer

No person, other than a landlord in person, his or her attorney or the legal owner of a reversion, shall act as bailiff to levy any distress for rent unless he or she shall be authorised to act as bailiff by a certificate in writing under the hand of a certifying officer, and such certificate may be general or apply to a particular distress or distresses.

3. Power of cancellation, etc. of certificate

A certificate so granted may at any time be cancelled or declared void by a certifying officer.

4. Penalty for acting without certificate

A person, required by this Act to hold a certificate as a bailiff, who levies distress for rent without being the holder of a certificate, is, without prejudice to any civil liability, liable to a fine not exceeding one hundred currency points.

5. Power to make rules

The Minister may, on the advice of the Chief Justice, make rules—

- (a) regulating conditions for the appointment of, and the duration of certificates granted, to bailiffs;
- (b) regulating the security, if any, to be required from bailiffs and the fees, if any, payable by them;
- (c) regulating the fees, charges and expenses of bailiffs in and incidental to distress;
- (d) generally for better carrying out the purposes and provisions of this Act.

6. Power to amend Schedule

The Minister responsible for finance may, by statutory instrument, with the approval of Cabinet, amend the Schedule to this Act.

SCHEDULE

Sections 1, 6

Currency Point

A currency point is equivalent to twenty thousand shillings.

History: Cap. 68 (Revised Edition, 1964); Cap. 76 (Revised Edition, 2000); Act 17/2023
