

Distress for Rent (Bailiffs) Act 1933 (Ch 76)

CHAPTER 76

THE DISTRESS FOR RENT (BAILIFFS) ACT.

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CHAPTER 76

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.

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.

Any 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 two hundred shillings.

5. Power to make rules.

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

regulating conditions for the appointment of, and the duration of certificates granted, to bailiffs;

regulating the security, if any, to be required from bailiffs and the

fees, if any, payable by them;

regulating the fees, charges and expenses of bailiffs in and incidental to distress;

generally for better carrying out the purposes and provisions of this Act.

History: Cap 68.