

**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**

<i>Schedule</i>	Currency Point
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**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—

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- (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.

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

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