

STATUTORY INSTRUMENTS SUPPLEMENT

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S T A T U T O R Y I N S T R U M E N T S

2022 No. 53.

THE JUDICATURE (COURT BAILIFFS) RULES, 2022

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The Judicature (Court Bailiffs) Rules, 2022
(Under section 41(2)(w) of the Judicature Act, Cap.13)

IN EXERCISE of the powers conferred upon the Rules Committee by section 41(2)(w) of the Judicature Act, these Rules are made this 16th day of June, 2022.

PART I—PRELIMINARY

1. Title

These Rules may be cited as the Judicature (Court Bailiffs) Rules, 2022.

2. Objectives of Rules

The objectives of these Rules are—

- (a) to streamline the management of court bailiffs with the aim of promoting efficiency and effectiveness;
- (b) to provide for the duties and extent of powers of court bailiffs;
- (c) to provide for the procedure and requirements for licensing of court bailiffs;
- (d) to establish the Court Bailiffs Licensing and Disciplinary Committee;
- (e) to provide for the procedure for execution of court orders and warrants;
- (f) to provide for the procedure of receiving and processing of complaints against court bailiffs;

- (g) to prescribe fees and charges payable under these Rules; and
- (h) to prescribe offences and penalties for defaulting court bailiffs.

3. Interpretation

In these Rules, unless the context otherwise requires—

“Act” means the Judicature Act, Cap. 13;

“appointing authority” means the Chief Registrar or any person assigned the duties of the Chief Registrar;

“Committee” means the Court Bailiffs’ Licensing and Disciplinary Committee established by rule 4;

“court” means the High Court and any court constituted by or under the Magistrates Courts Act;

“court bailiff” means a person licensed as a court bailiff under rule 8, but does not include a company, association or body of persons corporate or incorporate;

“execution proceedings” means any proceedings involving the arrest, attachment and sale of any property by order of a court in accordance with the Civil Procedure Rules or any other written law providing a remedy similar to that provided by the Civil Procedure Act and the Civil Procedure Rules for the enforcement of payment of a sum of money or for the placing of any person in possession of property, or for eviction;

“licensing authority” means the Chief Registrar or any person assigned the duties of the Chief Registrar;

“Registrar” means the Chief Registrar, Registrar, Deputy Registrar, Assistant Registrar or any person assigned the duties of a Registrar.

PART II—COURT BAILIFFS LICENSING AND
DISCIPLINARY COMMITTEE

4. Establishment of Court Bailiffs Licensing and Disciplinary Committee

(1) There is established the Court Bailiffs Licensing and Disciplinary Committee which shall comprise of—

- (a) the Chief Registrar;
- (b) the Registrar, High Court;
- (c) the Registrar, Inspectorate of Courts;
- (d) the Registrar, Magistrates' Affairs and Data Management;
- (e) a Secretary designated by the Chief Registrar from among Judicial Officers;
- (f) the President, Uganda Law Society or his or her representative;
- (g) the President, Uganda Court Bailiffs Association.

(2) The Chief Registrar shall be the chairperson of the Committee.

(3) The Committee may co-opt any person as the Chairperson may deem necessary for the performance of the duties of the committee.

(4) The Committee may adopt and regulate its own business at any meeting and is not bound to follow strict rules of procedure.

(5) The quorum of the Committee shall be four members.

5. Functions of Committee

The functions of the Committee are—

- (a) to scrutinise applications for licensing and renewal of licences of court bailiffs and ensure compliance with the licensing requirements;

- (b) to inspect office premises, stores and other facilities required of court bailiffs before the licensing or renewal of licences;
- (c) to receive and process complaints filed against licensed court bailiffs;
- (d) to investigate complaints against court bailiffs and conduct hearings to ascertain the veracity of the complaints;
- (e) to make recommendations to the appointing authority for appropriate action under these Rules; and
- (f) to perform any other duties as may be assigned to it by the appointing authority.

PART III—LICENSING PROCEDURE

6. Application for appointment and licence as court bailiff

An application for appointment and licencing as a court bailiff shall be made to the appointing authority in Form 1 set out in Schedule 1 to these Rules and shall state—

- (a) the full name, place of business and contact details of the applicant;
- (b) the academic qualifications of the applicant;
- (c) the facilities and location of the place secured by the applicant for the safe storage of goods;
- (d) the name of the applicant's bankers and the address of the bank branch in which his or her account is held;
- (e) the applicant's permanent place of residence;
- (f) the applicant's telephone contact details; and
- (g) the names and addresses of three referees.

7. Prohibition of execution without appointment and licence

A person shall not undertake execution proceedings unless he or she is appointed and licensed as a court bailiff under these Rules.

8. Authority to appoint and licence court bailiffs

(1) The appointing authority may, on the recommendation of the Committee, appoint and licence any person to be a court bailiff if the appointing authority is satisfied that he or she—

- (a) is a Ugandan of good repute and of majority age;
- (b) is in possession of at least a diploma in law;
- (c) is of sound financial standing, evidenced by a current bank statement;
- (d) has adequate facilities for the safe storage of distressed goods;
- (e) is not an undischarged bankrupt or the subject of any bankruptcy proceedings in any country; and
- (f) has not been convicted of any criminal offence involving dishonesty or moral turpitude.

(2) The appointing authority shall, before the appointment of a court bailiff and the issuance of a licence—

- (a) require the applicant to submit—
 - (i) a copy of his or her National Identification Card;
 - (ii) a certificate of good conduct from the Director Interpol;
 - (iii) a letter from the branch manager and a bank statement from the bank in which his or her account is held, for at least six months;
 - (iv) a letter of the Local Council I Chairperson of the place where the applicant ordinarily resides;

(v) letters of recommendation from three referees who are practicing advocates with experience of more than ten years;

(vi) a Statutory Declaration in Form 2 set out in Schedule 1 to these Rules;

(b) verify the applicant's information; and

(c) instruct the Deputy Registrar, Assistant Registrar or Chief Magistrate to inspect the applicant's office and storage facilities.

(3) A Deputy Registrar, Assistant Registrar or Chief Magistrate shall, following the inspection of the applicant's office and storage facilities under subrule (2) (c), complete an inspection report in Form 4 set out in Schedule 1 to these Rules and submit it to the Committee.

(4) An inspection report submitted under subrule (3) shall be verified by the Committee before submission to the licensing authority.

(5) A licence issued under this rule shall be annual and shall remain valid until the 31st day of December of every year.

(6) A court bailiff's licence shall be in Form 5 set out in Schedule 1 to these Rules.

(7) A court bailiff shall display the licence and the firm business name in a conspicuous place at his or her office premises.

9. Mandatory requirements for court bailiffs

The licensing authority shall cause the office and storage facilities of the applicant to be inspected and the Inspector mandated under rule 8(2) (c), shall verify and report to the Committee on the following—

(a) the suitability of the office and the storage facilities for the business of the applicant in terms of accessibility, location, size, ambience, security and other facilities;

- (b) the availability of sufficient furniture, computers, storage equipment and other services required of the office;
- (c) the availability of competent staff fit to perform the tasks required of a court bailiff's office including a computer literate secretary and a process server or clerk in addition to the licensed court bailiff;
- (d) the availability of sound record keeping systems and tools including files, filing cabinets, cupboards, vouchers, receipts, store inventories and stamps;
- (e) the hoisting of the court bailiff's business name at the entrance of the office and display of the court bailiff's licence in the office premises where the court bailiff does his or her day to day work; or
- (f) where the office premises are shared; that the business of other occupiers is not harmful or incompatible with the court bailiff's business such as gambling, metal works, retail shops, betting houses, bars, theatres or places of worship.

10. Licence fees

The fees payable for a licence under these Rules are as specified in Schedule 2 to these Rules.

11. Court bailiff to give security

A court bailiff shall give security by way of a bank guarantee, insurance bond or cash for the faithful discharge of his or her duties in the sum amounting to one hundred currency points before a licence is issued or renewed.

12. Discretion of licensing authority to grant or refuse licence

(1) The licensing authority may grant or refuse to grant a licence under these Rules, whether or not an applicant has previously held a licence.

(2) A licence under these Rules may not be granted or renewed where the applicant—

- (a) is an advocate in active practice;
- (b) is a civil servant or public officer in current employment;
- (c) has been convicted of a criminal offence involving moral turpitude;
- (d) has been suspended by the appointing authority;
- (e) is undergoing disciplinary proceedings;
- (f) does not have suitable office or storage facilities;
- (g) does not have qualified staff; or
- (h) is, for any other good cause, not fit to hold a licence.

13. Register of court bailiffs

The appointing authority shall maintain a register of all court bailiffs appointed and licensed under these Rules and shall record in the register, any notice of revocation or suspension of a licence whenever it occurs.

14. Duties of court bailiffs in execution

(1) A court bailiff appointed and licensed under these Rules may execute any order of court, arising from—

- (a) civil proceedings;
- (b) criminal proceedings;
- (c) distress for rent proceedings; or
- (d) any other proceedings sanctioned by a court or tribunal established by law.

(2) Subject to the Civil Procedure Act, the Civil Procedure Rules and the terms of a licence if any, a court bailiff shall personally execute any order of court assigned to him or her within the boundaries of Uganda.

(3) Where a sale of property that has been attached is envisaged, a court bailiff shall, after attachment, present a valuation report and seek the permission of court before a sale can be effected.

(4) A court bailiff shall ensure that he or she obtains the correct information describing the subject of execution, and shall be entitled to a free copy of the court judgment and decree for execution.

(5) A court bailiff shall comply with all the applicable procedural laws and guidelines relevant to the mode of execution envisaged.

(6) A court bailiff shall, during execution, ensure—

- (a) a high level of diligence in handling property and persons in accordance with these Rules; and
- (b) care and appropriate custody of attached property and persons arrested pursuant to the orders of the court and the law.

(7) A court bailiff shall, in performing his or her duties under the Act and these Rules, have regard to the terms of the order of court and shall be guided by the relevant laws and practice.

(8) A court bailiff shall, in the case of a sale—

- (a) obtain the best price in accordance with the valuation conducted under rule 16;
- (b) incur only expenses relating to the execution; and
- (c) account for all the proceeds of the sale before the court within seven days from the date of the sale.

(9) A court bailiff who abides by the terms of a court order or any applicable law shall be immune from civil or criminal proceedings arising out of such execution acts in accordance with section 46(2) of the Act.

15. Cancellation or suspension of licence

(1) The licensing authority may, for good cause, revoke, cancel or suspend the licence of a court bailiff.

(2) A court bailiff aggrieved by the decision of the appointing authority under this rule may appeal to the High Court within thirty days of notification of the decision.

(3) Any suspension or cancellation of licence shall be recorded in the Register of court bailiffs and any such order shall be advertised in the public media.

(4) A court bailiff whose licence has been cancelled or suspended shall surrender the licence to the licensing authority, immediately upon notification, pending the outcome of any appeal or review process.

(5) A court bailiff whose licence has been suspended or cancelled shall not perform any work of a court bailiff and shall be required to return to the court any pending warrants issued to him or her, until his or her licence has been restored either by lifting the suspension or by order of court.

PART IV—PROPERTY VALUATION AND SALE

16. Valuation of attached property

(1) A court bailiff shall, in all cases requiring a sale to be conducted, whether by public auction or otherwise, cause a valuation of the property to be done first, and cause a report of the valuation to be filed before court.

(2) Where the goods attached are of such a nature that their disposal should be immediate, the court bailiff shall seek the directions of court, and the court may waive or modify the antecedent requirement of valuation and advertising.

(3) Notwithstanding rule 8(2) of Order XXII of the Civil Procedure Rules, where the court is not satisfied with the value attached to an item, it shall review and determine the value of the property attached and, where it deems fit and for recorded reasons, obtain the valuation report.

(4) Where the highest bid of the property is below the value determined under subrule (1) or (3), a fresh advertisement shall be made.

(5) Where, after a fresh advertisement is made under subrule (4), the property is still below the value determined under subrule (1) or (3), the bailiff shall seek the approval of court before the sale.

(6) The bailiff shall, in all cases, notify the judgment debtor of the value of the property and furnish to court, proof of the notification at least seven days before the property is sold.

(7) Where the judgment debtor disputes the value of the property notified under subrule (6), the Registrar or Magistrate shall consider the objection and may make any decision that he or she deems necessary.

(8) Where the item attached is livestock or other animal, the Registrar or Magistrate shall sanction the arrangement for the safe keeping of the livestock or other animal before the attachment and disposal of the livestock or other animal.

(9) The court shall, before issuing an attachment warrant, have regard to the value of the property to be attached and the decretal amount, and where there is over attachment, the court shall issue such directions as it may deem appropriate and may decline to issue a warrant.

- (10) The process of attachment shall be as follows—
- (a) a warrant of attachment shall be served upon the debtor and a return shall be filed in court before the sale is ordered;
 - (b) where the judgment debtor declines or evades service, the court bailiff shall serve the warrant upon the local council of the area and the area police station shall post a notice at the premises, the subject of execution;
 - (c) the court bailiff shall make an inventory of the attached property in triplicate stating the appropriate value of each item which shall be signed by him or her and the debtor if possible, and witnessed by a member of the local council;
 - (d) the court bailiff shall send the original copy of the inventory to the court that issued the attachment warrant and retain the duplicate for himself or herself and the triplicate for the debtor.

17. Court bailiff may do business of auctioneer

(1) A court bailiff may, without an auctioneer's licence required under section 3 of the Auctioneers Act, carry out the business of an auctioneer under section 17 (a) of that Act.

(2) Where a court bailiff is called upon to auction any goods by a person other than the owner of the goods, the court bailiff—

- (a) shall file an application in court, detailing the properties for auction, accompanied by a valuation report of the properties;
- (b) advertise the goods in a local newspaper indicating—
 - (i) the location of the goods and the owners as far as is known;
 - (ii) the person in present custody of the goods; and
 - (iii) the proposed date, place and time of sale;

- (c) the court shall give the necessary directions; including summoning any person for examination in relation to the goods;
- (d) the court may order a sale to be done by public auction or private treaty not earlier than fifteen days from the date of advertisement;
- (e) the proceeds of sale shall be deposited in court and the court shall give directions in relation to—
 - (i) the disposal of the proceeds;
 - (ii) the remuneration of any persons involved;
 - (iii) the remuneration of the court bailiff; and
 - (iv) the settling of costs incurred in storage, advertising and security.

(3) Where the goods are of such a nature that their disposal requires to be immediate, the court bailiff shall seek the directions of court, and the court may waive or modify any of the antecedent requirements under these Regulations.

(4) Where any person desires to be heard on any matter relating to the attachment or sale, he or she may move court at any time before sale, and satisfy the court as to his or her interest in the goods.

(5) The court may, on receipt of an application under subrule (4), make necessary directions including releasing the goods from attachment or ordering the payment of the proceeds from such goods to the applicant or some other person.

(6) Where a court bailiff is engaged to sell the goods by the owner, the Auctioneers Act shall apply in relation to the agreement between the court bailiff and the owner.

(7) For purposes of hearing applications under this rule, 'court' means a magistrate's court or a registrar handling the execution process.

18. Court bailiff not to sell to himself or herself

A court bailiff shall not sell any of the attached property to himself or herself or to a member of his or her family or to a firm or company in which he or she has an interest or to a member of the court that issued the order.

19. Discharge of duties by court bailiffs in rotation

(1) Where there is more than one court bailiff duly licensed and operating within the jurisdiction of a court, the court bailiffs shall be called upon in rotation to carry out the execution proceedings.

(2) Notwithstanding subrule (1), a particular court bailiff may be called upon out of turn by the court to act in execution proceedings on application by the party desiring the services of that particular court bailiff and for a cause recorded by the court.

20. Proceeds and costs of execution

(1) A court bailiff shall pay out the proceeds of his or her execution to the court immediately but in any case not later than seven days from the date of the execution and shall thereafter submit his or her bill of costs including his or her fees and disbursements for taxation.

(2) Where a court bailiff, after execution, makes payment into court by cheque, his or her bill of costs shall not be taxed before the cheque is cleared.

(3) Bank drafts by a judgment debtor or by the purchasers of the attached property shall be made in the name of the Registrar of the High Court.

(4) Where execution is prevented on a stay of execution for whatever cause, the costs of the court bailiff, if any, shall be paid by the judgment creditor.

(5) A court bailiff shall file a court bailiff-client bill of costs for taxation by court under subrule (4).

(6) Where a court bailiff fails to execute a court warrant due to negligence or other personal reasons, the court bailiff shall refund any deposits paid to him or her by the judgment creditor.

21. Insurance of goods in custody of court bailiff

(1) A court bailiff shall—

(a) take out a general policy of insurance covering the goods that may be in his or her custody and additional policies covering attached expensive items, against theft, damage or destruction by fire; and

(b) within fourteen days of taking out a licence, submit to the appointing authority proof that he or she has taken out a general policy of insurance.

(2) The appointing authority shall inspect the policy of insurance and any current receipts of premium paid by a court bailiff.

PART V—REMUNERATION AND EXPENSES OF COURT BAILIFFS

22. Remuneration of court bailiffs

(1) A court bailiff appointed and licensed under these Rules shall be entitled to remuneration for his or her services in accordance with the scale of fees specified in Schedule 3 to these Rules.

(2) When, in execution proceedings, it is necessary for a court bailiff to travel outside the limits of the city, municipality, town or other place where his or her place of business is situated, he or she may claim such additional sum as may, in the opinion of the court, be reasonably necessary to cover the actual cost of the journeys.

23. Expenses of court bailiffs

(1) The expenses of a court bailiff in respect of advertising, inventories, catalogues, insurance and safeguarding property, including wages of a watchperson and rent for premises for storage, shall be payable out of the fees payable to him or her and shall not be charged for additionally.

(2) Notwithstanding subrule (2), with the permission of the court, the following additional expenses may be allowed if the court is satisfied that they are necessary and reasonable in the circumstances—

- (a) actual out of pocket disbursements for publication of an advertisement of sale in one or more newspapers;
- (b) actual disbursements by way of wages of a watchperson to safeguard the property while under attachment on premises other than the premises of the court bailiff;
- (c) actual disbursements by way of rent for storage of property under attachment on the premises of the court bailiff; and
- (d) insurance of expensive items, if the court thinks fit, and a proportion of the general policy taking into account the time the goods have been in the possession of the court bailiff.

PART VI—GENERAL

24. Complaints

(1) Any person who is dissatisfied with the conduct of a court bailiff may lodge a complaint before the Committee, in Form 6 set out in Schedule 1 to these Rules.

(2) A complaint may also be forwarded to the Committee by the Inspectorate of Courts, the Judicial Service Commission, a court or a member of the Judiciary administration, to whom any complaint has been addressed.

(3) The Committee shall review the complaint and determine whether the complaint is unfounded or requires a hearing by the Committee.

25. Action by Committee

(1) Disciplinary and administrative complaints shall be addressed to the Secretary to the Committee.

(2) Upon receipt of a complaint by the Committee, the Secretary to the Committee shall cause the complaint to be registered and may issue a "Notice to show cause" to the court bailiff who shall respond to the complaint within the time specified in the notice.

(3) Where the Committee determines that a complaint should be heard, both parties shall be summoned to appear before the Committee for the interparty hearing.

(4) The Committee may refer any complaint to the police for investigation and prosecution or to a court for civil redress.

(5) Where the Committee refers a complaint to another body for determination, it shall inform the parties within fourteen days of the reference and the complainant may follow up or withdraw the complaint.

(6) Where a referral has been preferred, the licensing authority may suspend the court bailiff's licence, pending the decision on the outcome.

(7) The Committee may, after hearing a complaint—

(a) make an order for refund of any money not accounted for by the court bailiff;

(b) refer any matter to the police for further investigation;

(c) suspend or cancel the licence of the court bailiff; or

(d) make any other order as the Committee may deem appropriate.

(8) Where a court bailiff fails to account for money under these Rules, execution shall issue against the court bailiff.

(9) A person aggrieved by a decision of the Committee may appeal to the High Court or seek judicial review.

26. Filing of applications and appeals

(1) All formal applications under these Rules shall be by notice of motion, supported by affidavit.

(2) Applications under these Rules may be instituted in a magistrate's court or in the High Court, subject to the value of the subject matter involved.

27. Offences and penalties

(1) A court bailiff commits an offence who—

- (a) fraudulently procures a licence;
- (b) executes a warrant of court without a court order;
- (c) executes a warrant of court against a wrong party;
- (d) executes a warrant of court, outside the stipulated time;
- (e) executes or attempts to execute a court warrant without a valid licence;
- (f) fails to follow legal steps in conducting execution;
- (g) fails to comply with an order of court;
- (h) fails to honour an order of stay of execution issued by a court;

- (i) commits acts of violence during execution;
- (j) fails to account for all the proceeds of execution;
- (k) sells attached property or goods before confirmation of the approved value by court;
- (l) holds out as an advocate, legal consultant or liquidator;
- (m) fails to file a return in court within the prescribed period;
- (n) refuses to return a warrant cancelled or recalled by court;
- (o) files false documents in court, whether under oath or otherwise; or
- (p) fails to return a licence that has been revoked, suspended or cancelled.

(2) A court bailiff who commits any offence under subrule (1) is liable, on conviction, to imprisonment not exceeding three months.

(3) Any person who resists execution of a court order or who incites violence and hostility in order to obstruct or prevent lawful execution of a court warrant, commits an offence and is liable, on conviction, to imprisonment not exceeding three months.

(4) A person who aids, abets or is an accomplice to the commission of any offence under these Rules commits an offence and is liable to suffer the same punishment as the principal offender.

(5) A person who holds out as a court bailiff and executes or attempts to execute an order of court, commits an offence and is liable, on conviction, to imprisonment not exceeding three months.

(6) A court bailiff who contravenes or fails to comply with any provision of these Rules or in any way abuses his or her powers, commits an offence and is liable, on conviction, to imprisonment not exceeding three months.

(7) The Committee may suspend or revoke a licence upon proof that the licence holder is guilty of any form of misconduct under these Rules.

28. Revocation of S.I. 13-16 and savings

(1) The Judicature (Court Bailiffs) Rules S.I. 13-16 are revoked.

(2) Notwithstanding the revocation under subrule (1)—

(a) any execution conducted or pending under the revoked Rules shall be valid and effective as if done under these Rules; and

(b) any licence issued under the revoked Rules shall remain valid according to its tenure, until a new licence is issued under these Rules.

(3) A court bailiff licensed under the revoked Rules who does not hold a diploma in law shall, notwithstanding rule 8(1)(b), be eligible for the renewal of his or her licence for a period not exceeding two years, to enable him or her to acquire a diploma in law.

SCHEDULES

SCHEDULE 1

FORMS

Rule 6

FORM 1

THE REPUBLIC OF UGANDA

**IN THE HIGH COURT OF UGANDA AT KAMPALA
THE JUDICATURE (COURT BAILIFFS) RULES, 2022
APPLICATION FOR APPOINTMENT AND LICENCE**

(Note: This form must be completed in block letters)

I.....*(full name)* apply to be appointed and licensed as a bailiff of the Courts of Judicature and furnish the following particulars—

A. PERSONAL PARTICULARS

1. Sex
2. Date of birth
3. Nationality
4. National Identity Number (NIN)
5. Report No
6. Residential address.....
7. Postal code/address.....
8. Telephone/Mobile No.
9. Present occupation.....
10. Work address.....
11. Work telephone No.
12. Location and address of storage facilities.....

13. Do you, or have you, at any time, suffered from any physical or mental defect or any serious disease? (Yes, or No. If yes, give details).

.....
.....
.....

14. Have you ever been convicted of a criminal offence? Yes/No.

.....
.....

15. Have you ever been declared insolvent? Yes/No.

.....
.....

(Delete whichever is not applicable)

B. LANGUAGE PROFICIENCY

(State "Good", "Fair" or "Poor" in the appropriate space)

	English	Other Language (Specify)	
Speak			
Read			
Write			

C. QUALIFICATIONS

1. Highest school qualification
2. Year in which you completed school.....
3. Certificate, diploma or degree obtained.....
4. Name of educational institution.....
.....
.....
5. Year when the qualification was attained
6. Attach copies of degrees, diplomas and certificates

.....
SIGNATURE OF APPLICANT

FORM 2

Rule 8 (2)(a)(vi)

THE REPUBLIC OF UGANDA

**IN THE MATTER OF THE STATUTORY DECLARATIONS ACT,
CAP. 22**

STATUTORY DECLARATION

I of P. O Box
do hereby solemnly and sincerely declare as herein under:-

1. That I am a female/ male adult Ugandan of sound mind and of the above particulars.
2. That I have applied for a grant of a court bailiff's licence under the trade name of with offices situate at
3. That I have fulfilled all the requirements for the grant of a court bailiff's licence for which I have applied.
4. That I am a law abiding citizen, holding a Degree/Diploma in Law obtained from and without any criminal record as per attached certificate of good conduct.
5. That I depone this statutory declaration in support of my application for a court bailiff's licence.
6. That whatever is stated herein is true and correct to the best of my knowledge, belief and understanding.

Deponed at.....this day of 20.....

.....
Deponent

BEFORE ME

.....
COMMISSIONER FOR OATHS/MAGISTRATE

FORM 3

Rule 8(2) (c)

THE REPUBLIC OF UGANDA

THE JUDICATURE (COURT BAILIFFS) RULES, 2022

CHAMBERS OF THE CHIEF REGISTRAR
PLOT 2, THE SQUARE
High Court Building
P.O. Box 7085, Kampala, Uganda
Tel: +256 414233420/3

THE JUDICIARY
BLC/INSPECTION 20.....

Our Ref:.....

Date.....

To.....

INSPECTION OF BAILIFF'S PREMISES

This is to instruct you to carry out inspection of the office premises and stores of Mr./Ms.....

.....

Address.....

To verify whether he/she has the following requirements:

- (a) Appropriate office space not housing other businesses, not located in a market place, not in a dangerous area or residential area and adequate storage for distressed properties;
- (b) Adequate office with furniture;
- (c) Competent personnel; including secretary, clerk, cashier, store keeper;
- (d) Office equipment; including computer, printer, telephone, photocopier and safe;
- (e) A sign post placed in a conspicuous place.

Thereafter, you are requested to fill in and stamp the attached inspection report.

.....
CHIEF REGISTRAR

THE JUDICATURE (COURT BAILIFFS) RULES, 2022

INSPECTION REPORT

Date of inspection

In respect of the premises of:.....

1. Address:

- (a) Name of court bailiff
- (b) Trade name of court bailiff.....
- (c) Plot No. and street.....
- (d) Name of building
- (e) Suite number and level where office of court bailiff is situated: ...
- (f) Post Office box number:
- (g) Office telephone number.....
- (h) Mobile telephone number of court bailiff.....

2. Comment on suitability of location and office environment.

.....
.....
.....

3. Office equipment (Tick if available and cross if not)

- (a) Signpost of the firm
- (b) Office chairs
- (c) Office tables
- (d) Reception desk
- (e) Filing cabinet/safe

- (f) A working computer and a printer
- (g) Bookshelf for files/records
- (h) Legal reference materials

4. Store

- (a) Location.....
- (b) Size/conditions.....

5. Book keeping *(Tick if available and cross, if not)*

- (a) Receipt books in name of firm/court bailiff
- (b) Cheque book in the names of the firm/court bailiff
- (c) Inventory/store book
- (d) Register for warrants
- (e) Visitors book
- (f) Ledger book
- (g) Invoice booklet

6. Other equipment; specify

.....

.....

.....

7. Names and designations of staff

.....

.....

.....

I confirm that the inspection was carried out in my presence:

.....
 NAME OF COURT BAILIFF OR
 STAFF MEMBER

.....
 SIGNATURE

Date.....

FOR OFFICIAL USE ONLY

Notes

- a. *If not approved, the inspector should write in this part in red ink and if approved, in blue or black ink with reasons.*
- b. *Inspectors shall attach evidence to confirm inspections.*

8. The court bailiff should be/not be licensed (*state reasons*):

.....
.....
.....

Name..... Signature.....

**DEPUTY REGISTRAR/ASSISTANT REGISTRAR/
CHIEF MAGISTRATE**

9. Verification

The above inspection report is verified by the Court Bailiffs Licensing and Disciplinary Committee

(Note: If report is not approved, the verifying officer should give reasons in the space provided.)

.....
.....
.....

10. Inspection report has been verified and approved by:

(a) Name.....
Title.....
Signature.....

(b) Name.....
Title.....
Signature.....

(c) Name.....
Title.....
Signature.....

Notes

Requirements/checklist for new applicants

1. Application for registration as a court bailiff
2. Recommendation of three referees who are practising advocates
3. Letter of recommendation from the Local Council I Chairperson of the applicant's residence
4. Certificate of Good Conduct from Interpol Uganda
5. Letter from Bank manager and certified Bank statement of the bank in which the court bailiffs firm/company has been banking for at least six months prior to the application
6. 2 passport size photographs
7. Insurance policy covering fire and burglary
8. Security by way of a bank guarantee or insurance bond of a sum of 100 currency points
9. Certificate of registration of court bailiff's firm/company
10. Tax Identification Number (TIN) of court bailiff's firm/company
11. Academic transcripts and certificates
12. A tenancy agreement and current receipt of rent
13. Approval of Uganda Court Bailiff's Association (UCBA)
14. Proof of payment of prescribed fees
15. Inspection report from the Deputy/Assistant Registrar or Chief Magistrate.

Note: All academic documents submitted must be certified.

FORM 5

THE REPUBLIC OF UGANDA

IN THE HIGH COURT OF UGANDA AT KAMPALA

**THE JUDICATURE (COURT BAILIFFS) RULES, 2022
LICENCE**

(Issued under rule 8(6) of the Judicature (Court Bailiffs) Rules, 2022)

.....

is hereby appointed and licensed to be a Court Bailiff of the Courts of
Judicature of Uganda until the day of 20.....

Dated at Kampala this day of 20.....

CHIEF REGISTRAR

THE JUDICATURE (COURT BAILIFFS) RULES, 2022

COMPLAINT

A. DETAILS OF COMPLAINANT

- 1. Full name of complainant _____
- 2. Physical address _____
- 3. Telephone contact _____
- 4. E-mail address _____

B. DETAILS OF COMPLAINT:

.....

.....

.....

(*Summarise the details of the complaint here)

C. DETAILS OF COURT BAILIFF

- 6. Name of court bailiff(s).....
- 7. Name of firm of court bailiff
- 8. Office address of court bailiff
- 9. Bailiff's telephone contact, if known.....
- 10. Name of witness(es), if any
- 11. Nature of evidence submitted to the Court Bailiffs Licensing and Disciplinary Committee, if any
- 12. Any additional information provided

.....

.....

.....

13. State the court case from which this complaint arises, if applicable
.....
.....
.....

D. DECLARATION

I confirm that whatever I have stated herein above is true and correct to the best of my knowledge.

Given by

Signed

Translated by:

Signed

Complaint received by:

Signed.....

Date:

SCHEDULE 2

Rule 10

LICENCE FEES

1. Issue of licence	200,000 Shillings
2. Renewal of licence	100,000 Shillings
3. Issue of duplicate licence	40,000 Shillings
4. Issue of identity card	100,000 Shillings
5. Search and certification fee	1500 Shillings per copy

SCHEDULE 3

Rule 22 (1).

REMUNERATION FOR COURT BAILIFFS

Service	Fee (Ug.Shs)
1. Where the sum for which execution has been issued is tendered to a court bailiff entrusted with the execution before or at the time of or within an hour after attaching the property, whether movable or immovable, together with his or her legally recoverable fees and expenses up to that time—	3% of the amount recovered.
2. In any other matter not specified—	Not less than 100,000 shillings and not more than 5,000,000 Shillings

Cross References

Auctioneers Act, Cap. 270
Civil Procedure Act, Cap. 71
Civil Procedure Rules, S.I. 71-1
Magistrates Courts Act, Cap. 16

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ALFONSE CHIGAMOY OWINY- DOLLO
Chief Justice