



Update: May 2023

## The Judicial Officer in the World

### PORTUGAL

Name (singular and plural): **Agente de Execução / Agentes de Execução**

#### Presentation

##### Generalities

Approx. 1000 judicial officers are appointed within approx. 720 offices. They work together with approx. 1600 staff.

##### Training

###### Initial and ongoing training of judicial officers

To become a judicial officer, the following level is required (at least): College Degree in Law or *Solicitadoria*. There is an initial training for the future judicial officers. This training is compulsory. Duration: 12 months, with a *praticum* of 6 months included. The last training occurred in 2012/2013. An ongoing training is available for the judicial officers.

###### Ongoing training for the staff of judicial officers

Ongoing training courses are available for the staff of judicial officers. This training is organised by a specific training centre at the Solicitadores and Enforcement Agents National Association.

##### The exercise of the profession

A professional exam is necessary to exert the profession of judicial officer. There is a limited number of judicial officers. A judicial officer can exert his activities within a structure including another or several other judicial officers.

The profession is represented at national level by **the Solicitadores and Enforcement Agents National Association (Ordem dos Solicitadores e Agentes de Execução)**.

##### Obligations of the judicial officer and ethical rules

There are rules relating to ethics and/or deontology applicable to the profession of judicial officer. Disciplinary rules are applicable to the profession of judicial officer. The judicial officer is submitted to a control of his activities.



Update: May 2023

## Activities exerted by the judicial officers

### Enforcement of court decisions

The judicial officer oversees enforcing court decisions, including the following enforcement measures:

- Attachment of movable goods in the hands of the debtor.
- Attachment of movable goods in the hands of a third party.
- Attachment of immovable.
- Attachment of earnings.
- Attachment in the hands of a third party of funds owed to the debtor.
- Attachment of intangible goods other than the funds owed to the debtor.
- Freezing and/or collection of tangible movable goods that should be handed over by the debtor according to a court decision.
- Attachment of motor vehicles.
- Attachment of ships and vessels.
- Attachment of airplanes.
- Attachment of crops.
- Attachment of goods locked in a safe.
- Evictions.
- Provisional measures on intangible movable goods of the debtor.
- Setting up of a provisional judicial security on an immovable of the debtor.
- Setting up of a provisional judicial security on a business of the debtor.
- Setting up of a provisional judicial guarantee on shares, stocks and securities of the debtor.
- Distribution to creditors of monies collected during the forced auction sale of a movable good.
- Distribution to creditors of monies collected during the forced auction sale of an immovable good.

When in charge of enforcement, the judicial officer has access to almost information on the assets of the debtor.

### Service of judicial or extrajudicial documents

The judicial officer can serve judicial and/or extrajudicial documents in civil, commercial and/or criminal matters. When serving documents, the judicial officer has access to some information to locate and/or search the addressee.

### Forced public auction sales

The judicial officer can carry out the forced public auction sale of the following goods:

- Physical (as opposed to Internet) auction sale of tangible movable goods attached by the judicial officer.
- Internet auction sale of tangible movable goods attached by the judicial officer.
- Physical (as opposed to Internet) auction sale of intangible movable goods attached by the judicial officer.
- Internet auction sale of intangible movable goods attached by the judicial officer.
- Physical (as opposed to Internet) auction sale of businesses attached by the judicial officer.
- Internet auction sale of businesses attached by the judicial officer.



Update: May 2023

- Physical (as opposed to Internet) sale of immovable attached by the judicial officer.
- Internet auction sale of immovable attached by the judicial officer.

### Voluntary public auction sales

The judicial officer cannot carry out the voluntary public auction sale of goods.

<b>Other activities (X = Yes)</b>	
Debt collection	<b>X</b>
Statements of facts	<b>X</b>
Sequestration of goods	<b>X</b>
Legal advice	<b>X</b>
Bankruptcy proceedings	
Missions entrusted by a judge	<b>X</b>
Mediation	
Representation of parties in the court	
Drawing up of private deeds and documents	
Court service	
Real estate management	