



Update: May 2023

The Judicial Officer in the World

ZAMBIA

Name (singular and plural): **Court bailiff or enforcement officer / Court bailiffs or enforcement officers**

Presentation

Generalities

The country has approximately 55 enforcement officers working under the Judiciary in enforcing court orders, serving processes and conducting public auction sales.

Training

Initial and ongoing training of judicial officers

To become a judicial officer, the following level is required: The levels are according to rank, the lowest requires o level certificate, followed by a diploma in law, a degree in law and a practising certificate of about 8 years post admission to the bar. There is an initial training for the future judicial officers

Ongoing training for the staff of judicial officers

Trainings are usually organised by the Judiciary Advisory Committee on Training and Continuing Education.

The exercise of the profession

Under exception, the judicial officer is subjected to interviews to ascertain their knowledge of the profession. The judicial officers are appointed by the Judicial Service Commission. The number of judicial officers is determined by the bailiwicks available for their operations. A judicial officer can exert his activities within a structure/bailiwick including another or several other judicial officers.

The profession is under the Judiciary of Zambia which is headed by the Chief Justice the Hon Dr Mumba Malila and the bailiffs are represented at national level by the Sheriff of Zambia. The current holder is Mrs. Claudia Luswili.

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 is in charge of 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.
- Attachment of motor vehicles.
- Attachment of ships and vessels.
- Attachment of airplanes.
- Attachment of crops.
- Attachment of goods locked in a safe.
- Evictions.
- Arrest of persons according to a court decision.
- Provisional measures on tangible movable goods of the debtor.
- Provisional measures on intangible movable goods of the debtor.
- Physical (as opposed to Internet) forced auction sale of tangible movable goods attached by the judicial officer.
- Forced public auction sale of tangible movable goods.
- Forced public auction sale of intangible movable goods.
- Forced public auction sale of immovable.
- Forced auction sale of businesses attached by the judicial officer.
- 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 is given access to information on the assets of the debtor by the creditor.

Service of judicial or extrajudicial documents

The judicial officer can serve judicial and/or extrajudicial documents in civil, commercial and/or criminal matters.

| Other activities (X = Yes) | |
|-------------------------------|---|
| Debt collection | |
| Statements of facts | |
| Sequestration of goods | X |
| Legal advice | |
| Bankruptcy proceedings | |
| Missions entrusted by a judge | |
| Mediation | |



Update: May 2023

| | |
|--|----------|
| Representation of parties in the court | |
| Drawing up of private deeds and documents | |
| Court service | X |
| Real estate management | |
| Preparing Court Process for Interpleader Proceedings | X |