

Malawi

Sheriffs Act

Chapter 3:05

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Sheriffs Act

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Assented to on 21 December 1967

Commenced on 1 February 1968

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[Note: This version of the Act was revised and consolidated in the Forth Revised Edition of the Laws of Malawi (L.R.O. 1/2015), by the Solicitor General and Secretary for Justice under the authority of the Revision of the Laws Act.]

An Act to make provision for the appointment of Sheriffs and other officers, to set out their respective powers and duties and the manner of the exercise thereof, and for matters incidental thereto

Part I – Preliminary

1. Short title

This Act may be cited as the Sheriffs Act.

2. Interpretation

In this Act, unless the context otherwise requires-

"**court**" means the High Court and a subordinate court;

"**judgment debtor**" means a person liable under a judgment;

"**process**" means a formal written authority issued by a court for the enforcement of a judgment and includes a warrant of possession and any warrant or order of arrest, commitment or imprisonment;

"**Sheriff**" includes the Sheriff of Malawi appointed under [section 3\(1\)](#), any Deputy Sheriff, any Under-Sheriff and any Assistant Sheriff appointed under [section 3\(2\)](#);

[22 of 1988]

"**subordinate court**" bears the meaning ascribed to that term by section 2 of the Courts Act;

[Cap. 3:02]

"**warrant**" includes writ.

[22 of 1988]

Part II – Appointment of Sheriff and other officers

3. Appointment of Sheriff, Deputy Sheriff, Under-Sheriff and Assistant Sheriffs

- (1) The President may appoint a person to be Sheriff of Malawi.
- (2) The President may appoint one or more persons to be Deputy Sheriffs or to be Under-Sheriffs and as many persons as he deems necessary to be Assistant Sheriffs.
- (3) In the exercise of his powers and in the performance of his duties under this Act, a Deputy Sheriff, an Under-Sheriff and an Assistant Sheriff shall be subject to any general or special directions of