

# SHERIFFS AND CIVIL PROCESS ACT

## SHERIFFS AND CIVIL PROCESS ACT

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**An Act to make provision for the appointment and duties of sheriffs, the enforcement of judgments and orders, and the service and execution of civil process of the Courts throughout Nigeria.**

[40 of 1955. Order 47 of 1951. L.N. 1 of 1955. 47 of 1955. 107 of 1955.]

[1st June, 1945]

[Commencement.] PART I

### *Short title*

## **1. Short title**

This Act may be cited as the Sheriffs and Civil Process Act.

*Interpretation*

## **2. Interpretation**

In this Part, unless the context otherwise requires –

[L.N. 47 of 1955.]

“**court**” includes a High Court and a magistrate’s court;

“**process**” has the meaning assigned to it in section 19 of this Act.

*Sheriff and deputy sheriffs*

## **3. Appointment of sheriffs**

There shall be appointed for each State of the Federation and the Federal Capital Terri-

tory, Abuja, a fit and proper person to be the sheriff for the State or for the Federal Capital Territory, Abuja.

## **4. Appointment of deputy sheriffs**

There shall be appointed for each State of the Federation and the Federal Capital Territory, Abuja, a fit and proper person to be the deputy sheriff who shall be subject to the general control and direction of the sheriff.

*Bailiffs*

## **5. Appointment of bailiffs**

The sheriffs may appoint such number of persons as bailiffs as may be necessary.

## **6. Declaration by bailiffs**

Every bailiff and every other person who has authority to intermeddle with the execution of writs issued by any court of record, shall before he does so make a declaration, which shall be exempt from stamp duty, in the form in the First Schedule to this Act, or to the like effect, before any judge or magistrate for the division or district in which he exercises such authority.

[First Schedule.]

*Powers, duties and liabilities of sheriff, deputy sheriffs, bailiffs and*



## **7. Sheriff may command person to arrest felon**

The sheriff may command any person to arrest any person who has committed or is suspected of having committed a felony, and any person failing to obey such command shall on conviction be liable to a fine of N200 or to imprisonment for one year or to both such fine and such imprisonment.

## **8. Sheriff to make return of writs**

The sheriff shall receive writs and process of a court-issued in accordance with this Act and shall be charged with making returns thereto.

## **9. Duties at assizes**

At the sessions the sheriff shall direct a sufficient number of police constables to be employed to keep order in and within the precincts of the court.

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