

OBSTRUCTION OF A COURT BAILIFF IN HIS WORK

A court bailiff is authorised to remove a person who obstructs an enforcement procedure.

A PERSON WHO INSULTS, ABUSES, THREATENS TO ATTACK, ATTEMPTS TO ATTACK, ATTACKS OR IN ANY OTHER WAY OBSTRUCTS A COURT BAILIFF, WHO IS AN AUTHORISED OFFICIAL IN THE PERFORMANCE OF HIS DUTIES IN THE ENFORCEMENT OF A COURT DECISION, SHALL BE CRIMINALLY LIABLE IN ACCORDANCE WITH THE LAW!

YOUR RIGHTS

If you consider that a court bailiff has, in the execution of enforcement actions, violated your rights or acted improperly in the seizure of your property, you may immediately upon his departure, through an objection or other submission, request that the court eradicates the irregularity created by the court bailiff during enforcement.

The court may, through a conclusion, revoke the unlawful and improper actions of the court bailiff, return the case to its previous state and initiate disciplinary proceedings against the court bailiff.



Visoko sudsko i tužilačko vijeće Bosne i Hercegovine
Visoko sudbeno i tužiteljsko vijeće Bosne i Hercegovine
Високи судски и тужилачки савет Босне и Херцеговине
High Judicial and Prosecutorial Council of Bosnia and Herzegovina



HJPC BiH, Kraljice Jelene 88, 71000 Sarajevo
Tel. +387 33 707 500, fax: + 387 33 707 550
Email: vstvpress@pravosudje.ba or vstvbih@pravosudje.ba
Web: www.hjpc.ba, www.pravosudje.ba



Visoko sudsko i tužilačko vijeće Bosne i Hercegovine
Visoko sudbeno i tužiteljsko vijeće Bosne i Hercegovine
Високи судски и тужилачки савет Босне и Херцеговине
High Judicial and Prosecutorial Council of Bosnia and Herzegovina



Court bailliffs



WHO ARE COURT BAILIFFS?

According to the Law on Enforcement Procedure (FBiH, RS and Brcko District), they are officers of the court who, as tasked by a judge, directly undertake various actions in enforcement procedures, such as:

- Debt collection (on all bases),
- Listing movable property,
- Eviction from apartment or business premises,
- Handing over ownership of an apartment or business premises,
- Executing temporary security measures,
- Conducting public auctions and other.

WHAT POWERS DO THEY HAVE?

When inspecting your apartment or undertaking other enforcement-related actions, court bailiffs are required to act with due care towards you and your family members.

The inspection and taking possession of your property by a court bailiff can, in accordance with the Law on Enforcement Procedure, only be carried out if required for an enforcement procedure.

Enforcement of your movable property is carried out through:

- seizure,
- appraisal,
- and sale.

After seizure has been carried out, a list of seized items is recorded in the form of minutes.

When seizing movable property, a court bailiff shall list as many items as are required in order to settle the claim of the judgment creditor as well as the enforcement expenses.

The court bailiff leaves the listed items with you for safekeeping, unless determined otherwise by the court on the motion of the judgment creditor, together with a ban on the disposal of such items by the persons who possess them or have control over them, without a court order.

ENFORCEMENT CAN BE CARRIED OUT EVERY WORK DAY BETWEEN 7:00 – 19:00h, AS WELL AS ON WEEKENDS IF ORDERED BY THE COURT.

PROPERTY THAT CANNOT BE SEIZED BY A COURT BAILIFF

- items that are needed by you or your family members in order to meet your/their everyday needs,
- a three-month supply of food and heating fuels as required by you and the members of your household,
- medals,
- commemorative war memorabilia and other medals and honours,
- wedding ring,
- personal letters, manuscripts and other personal documents of yours,
- family photographs,
- personal and family documents,
- family portraits.