

NO. 27 OF 2015

**THE HIGH COURT (ORGANIZATION
AND ADMINISTRATION) ACT**

SUBSIDIARY LEGISLATION

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**THE HIGH COURT (ORGANIZATION AND
ADMINISTRATION) (GENERAL) RULES, 2016**

[Legal Notice 134 of 2016]

PART I – PRELIMINARY

1. Citation

These Rules may be cited as the High Court (Organisation and Administration) (General) Rules, 2016.

2. Interpretation

In these Rules, unless the context otherwise requires—

"**Act**" means the High Court (Organization and Administration) Act (No. 27 of 2015);

"**Commission**" means the Independent Electoral and Boundaries Commission established under Article 88 of the Constitution;

"**Duty Judge**" means a judge of the Court assigned to hear and dispose of matters during recess;

"**election**" means the election of the Principal Judge of the Court;

"**eligible voter**" means a judge of the Court who is eligible to vote under rule 5; and

"**party**" in relation to a cause before the court includes every interested party.

3. Effect of non-compliance

(1) Despite any provision in these Rules, the Court shall administer justice without undue regard to procedural technicalities as contemplated under Article 159 (2) (d) of the Constitution.

(2) A proceeding before the Court shall not be rendered invalid merely because a party has failed to comply with any aspect of these Rules, but the Court has the discretion to invalidate any proceedings for reasons to be recorded.

(3) Where a party fails to comply with these Rules or the relevant Practice Directions, the Court may, having regard to the seriousness of the non-compliance and generally to the circumstances of the case, give appropriate directions.

(4) The Registrar or an officer discharging the functions of the office may refuse to accept any document which does not comply with these Rules or the relevant Practice Directions and may give appropriate directions.

PART II – ELECTION AND RECALL OF THE PRINCIPAL JUDGE

4. Eligibility to vote and to stand for election

A person shall be eligible to vote or to be nominated to stand for an election if that person

- (a) is judge of the Court; and
- (b) is not being investigated by a Tribunal appointed by the President under Article 168 of the Constitution.

5. Initiation of an election for the Principal Judge

(1) Whenever an election for the Principal Judge is to be held, the Chief Justice shall in consultation with the Commission—

- (a) set the date for the election which shall not be later than ninety days from the date of the vacancy;
- (b) by way of a circular, notify all the judges of the Court of the date of election and invite nominations for the post of the Principal Judge; and

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- (c) specify the day, not later than fourteen days from the date of the circular, by which all nominations must be submitted to the office of the Chief Registrar of the Judiciary.

(2) The Chief Registrar of the Judiciary shall, in consultation with the Chief Justice determine the place or places where the voting shall take place.

6. Nomination of candidates

(1) A candidate for the position of the Principal Judge shall be nominated by an eligible voter who is not a candidate.

(2) A nomination shall be—

- (a) made in the prescribed form; and
- (b) submitted to the Chief Registrar within the period specified in the circular.

7. List of nominated candidates

(1) The Chief Registrar shall, not later than seven days from the date on which all nominations must be submitted, forward the names of all the nominees to the Commission together with—

- (a) a passport sized photograph of the candidate;
- (b) acceptance of nomination in the prescribed form;
- (c) a copy of the candidate's national identity card, valid passport or valid staff identification card; and
- (d) a copy of the national identity card, valid passport or valid staff identification card of the person nominating the candidate.

(2) The Commission shall not later than fourteen days after the receipt of the nominees—

- (a) verify the nominees;
- (b) prepare a list of the validly nominated candidates; and
- (c) design ballot papers setting out the names of each candidate in alphabetical order.

(3) If only one person is validly nominated under this rule, the Commission shall declare that person to be duly elected.

8. Register of eligible voters

(1) The Chief Registrar shall, at the time of submitting the list of nominees to the Commission, also submit a register of eligible voters.

(2) The register referred to under paragraph (1) shall contain the full names and station of every eligible voter.

9. Conduct of elections

(1) A judge participating in any aspect of the electoral process shall conform to and promote the requirements of the Judiciary Code of Conduct relating to maintenance of order, decorum and integrity.

(2) The election of the Principal Judge shall be conducted on the date specified under rule 5 and shall be conducted in the manner set out under this rule.

(3) The Principal Judge shall be elected—

- (a) through a secret ballot; and
- (b) by a majority of valid votes cast by the eligible voters.

(4) Every eligible voter shall be entitled to one vote.

(5) The Commission shall issue every eligible voter with a ballot—

- (a) upon production of the voter's national identity card, valid passport or staff identification card; and
- (b) upon verification that the voter has not voted in that election.

- (6) There shall be no voting by proxy.

10. Counting of votes

(1) The Commission shall promptly count the ballots cast for each candidate after the close of the election.

- (2) A candidate or eligible voter may be present during the counting of the ballots.

(3) The Commission shall tally the votes obtained by each candidate and publicly declare the result.

(4) The Commission shall have the discretion to decide whether or not a ballot is spoilt and whether it should be included in the tally of votes under paragraph (3).

(5) The Commission shall declare the candidate who has obtained the highest number of valid votes to be duly elected and shall issue a certificate of that declaration to the Chief Justice and a copy to the duly elected candidate and to all other candidates.

(6) In the event of a tie among the top candidates, the Commission shall hold a fresh election and the candidates in that election shall be only the candidates who garnered the highest number of votes.

11. Resolution of disputes

(1) A candidate who is dissatisfied with the outcome of the election may petition the Chief Justice not later than five days after the declaration of the result.

(2) Upon receipt of the petition, the Chief Justice and two other judges of the Court who are not candidates in the election shall consider the merits of the petition and if satisfied that there are sufficient grounds to warrant investigation, appoint a Panel to determine the matter within five days.

- (3) The Panel appointed under paragraph (2) shall—

- (a) comprise of three judges of the superior courts, other than judges of the High Court; and
- (b) determine the petition within five working days of its appointment.

- (4) The Panel shall regulate its own procedure.

12. Vacancy in the office of the Principal Judge

(1) The office of the Principal Judge shall become vacant if the judge holding the office—

- (a) dies;
- (b) resigns;
- (c) a Tribunal is appointed by the President, on the recommendation of the Judicial Service Commission, to investigate the conduct of the Principal Judge;
- (d) ceases to be a judge of the Court; or
- (e) is otherwise removed from office.

(2) Where a vacancy arises in the office of Principal Judge, an election of Principal Judge shall be initiated in accordance with these Rules.

(3) Where the Principle Judge is temporarily absent from office, the Judge may appoint a Presiding Judge of a division or station to discharge the functions of the office and shall notify all judges of the Court and the Registrar.

(4) In the case of a vacancy in the office of the Principal Judge, the Chief Justice may appoint an acting Principal Judge for a period not exceeding sixty days.

13. Recall of a Principal Judge

(1) Pursuant to section 6(1) of the Judicial Service Act, 2011 (No. 1 of 2011), the Principal Judge shall serve for a non-renewable term of five years, but the Principal Judge may be recalled before the end of the term.

- (2) The judges of the Court may recall a Principal Judge if the Judge—

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- (a) violates the provisions of Chapter Six of the Constitution;
- (b) is incompetent to perform the functions of the office;
- (c) has breached the Code of Conduct prescribed for judges;
- (d) mismanages public resources; or
- (e) is convicted of a felony.

(3) A recall shall be initiated by a petition addressed to the Chief Justice signed by two-thirds the number of all the judges of the Court expressing no confidence in the leadership of the Principal Judge.

(4) Upon receipt of the petition by the Chief Justice—

- (a) a copy of the petition shall be served upon the Principal Judge; and
- (b) the Principal Judge shall within fourteen days prepare and submit to the Chief Justice a written memorandum answering all the allegations in the petition.

(5) The Chief Justice and two other judges of the Court shall consider both the petition and the representations of the Principal Judge and make a decision within seven days.

14. Handover of office by the Principal Judge

Whenever a new Principal Judge is elected, the outgoing Principal Judge shall formally hand over the office to the incoming Principal Judge who shall assume office immediately after an installation ceremony presided over by the Chief Justice not later than thirty days from the date of declaration of the result.

PART III – DISPOSAL OF URGENT AND PRIORITY MATTERS DURING RECESS

15. Duty judge during recess

The Presiding Judge shall, in consultation with the Principal Judge, appoint at least one Duty Judge in a station or division who shall sit, hear and determine urgent or priority matters when the court is in recess.

16. Hearing of applications, etc. during recess

All applications which are determined to be urgent shall be heard promptly during recess by the Duty Judge.

17. Applications when court is in recess

(1) A party to a cause may at any time apply to a Duty Judge for an order that the cause shall be tried or heard during recess, and the application shall be accompanied by an affidavit setting out the grounds and the urgency.

(2) The Duty Judge may, upon determining that there is an urgent need for the trial or hearing to take place during recess, make an order accordingly and fix a date for the trial or hearing.

(3) During Court recess, a party to a cause may at any time during a court recess, file an application, in accordance with the Civil Procedure Rules, 2010 (L.N. 151/2010) which application may be heard and determined by the Registrar.

(4) An application under this rule filed before noon shall be considered the same day.

(5) An application under this rule filed after noon shall be considered the following day.

18. Registry to remain open during recess

When the Court is in recess, the Registry and each sub-registry of the Court shall remain open during official working hours.

19. Notification of public of recess dates of the Court

The Principal Judge shall, by notice in the Gazette and in at least two newspapers with national circulation, notify the public of the exact dates of Court recess of the at least fourteen days before the beginning of the recess.

PART IV – SUPERVISORY JURISDICTION OF THE
COURT AND APPEALS FROM SUBORDINATE COURTS**20. Filing of appeals, bail applications and references from subordinate courts**

(1) Subject to the Practice Directions issued by the Chief Justice, the filing of appeals, bail applications and references from subordinate courts, tribunals and other bodies or authorities within regions designated under the Schedule shall be made to the respective High Court Station Registry with corresponding supervisory jurisdiction according to the established judicial administrative regions set out in the Schedule.

(2) Despite paragraph (1), the supervisory jurisdiction of the Court over the subordinate courts and over any person, body or authority exercising a judicial or quasi-judicial function as contemplated under Article 165(6) of the Constitution is not limited, and in particular the Court may—

- (a) call for the record of any proceeding before any subordinate court, body or authority exercising a judicial or quasi-judicial function; and
- (b) make an order or give any direction it considers appropriate to ensure the fair administration of justice.

(3) A judge appointed as the Chairperson of the National Community Service Orders Committee under the Community Service Orders Act, 1998 (No. 10 of 1998) shall coordinate with the respective Presiding judge on matters relating to community service.

(4) The Registrar or an officer discharging the functions of the office may refuse to accept for the filing of an appeal, bail application or reference from subordinate courts, tribunal and other bodies or authorities presented contrary to the judicial administrative regions set out in the Schedule.

(5) The Chief Justice may from time to time amend the Schedule to these Rules.

21. Procedure for filing of appeals etc., from subordinate courts

(1) The form of filing appeals to the Court shall be as specified in the relevant law.

(2) The filing procedures including registration requirements, admission and rejection of appeals may be provided for in the general guidelines.

PART V – CASE MANAGEMENT

22. Application of Part

The provisions of this Part apply in addition to and not in derogation from the provisions of Order 11 of the Civil Procedure Rules.

23. Court may review progress of a matter

The Court may, on its own motion, after notifying the parties or in the course of hearing any application in a case, review the progress of the case and make any order that it may consider necessary to ensure that proceedings are conducted in an expeditious manner.

24. Case management strategies and facilities

For purposes of ensuring proper management of cases, the Deputy Registrars are designated as case managers and shall in that capacity—

- (a) be regularly trained as case managers;
- (b) employ the use of information communication technology in the management of Registries;
- (c) subject to these rules and any other law, deal with such aspects of the case as the occasion may demand without the requirement of the parties to attend court; and
- (d) give directions to ensure that the trial of a case proceeds expeditiously and efficiently.

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25. Principles of case management

In addition to the requirements of the Civil Procedure Rules, 2010, relating to case management, the Court shall apply the following principles and measures—

- (a) encourage cooperation between the parties in the conduct of the proceedings;
- (b) promptly decide which issues need full investigation and trial and accordingly disposing summarily of the others;
- (c) decide the order in which issues are to be resolved;
- (d) encourage the parties to use an alternative dispute resolution procedure if the court considers that appropriate and facilitating the use of such procedure;
- (e) help the parties to settle the whole or part of the case;
- (f) fix timetables or otherwise controlling the progress of the case; and
- (g) consider whether the likely benefits of taking a particular step justify the cost of taking it.

26. Case management measures

(1) The Registrar shall, with a view to making proper use of the Court's time and avoiding unnecessary applications and adjournments, list all or part of the pending cases before a single judge for a case management conference.

(2) The Registrar shall fix a date for the case management conference at least forty five days after the close of pleadings.

(3) At the case management conference, the judge shall, in addition to the provisions of Order 11 of the Civil Procedure Rules, 2010 (L.N. 151/2010)—

- (a) confirm that the pleadings have been prepared in accordance with the Rules and the relevant Practice Directions; and
- (b) give the necessary directions for the filing of supplementary pleadings to rectify any defects and to ensure that all documents that are necessary for the hearing are on the Court record;
- (c) give directions regarding any pending applications; and
- (d) consider and give directions on the manner and length of submissions at the hearing.

PART VI – EXPEDITIOUS DISPOSAL OF CASES

27. Matters to be disposed of within one year

(1) The Principal Judge shall establish measures to ensure that matters are disposed of within twelve months from the date the Court first sets the matter down for hearing.

(2) Without prejudice to the generality of paragraph (1), the Principal Judge may for that purpose—

- (a) equitably assign matters among the judges in the division or station;
- (b) in consultation with the Chief Justice and Chief Registrar, oversee the equitable assignment of resources and equipment among the divisions and stations;
- (c) permit the filing and exchange by the parties of written submissions to supplement or replace oral arguments;
- (d) require judges in the division or station to mention cases at least once before the hearing date for purposes of an order for directions as to any steps to be taken before the hearing of the case;
- (e) encourage the regular holding of call-over sessions for the cases on the daily cause-list for purposes of ascertaining their respective readiness for hearing and allocating time for the hearing;
- (f) encourage judges in the division or station to list for hearing only such number of cases that the Court can reasonably hear and determine that day, and

as much as possible whose witnesses for the parties are certified ready and available;

- (g) encourage the use of alternative dispute resolution by parties where necessary in accordance with Article 159(2) of the Constitution;
- (h) ensure that—
 - (i) priority is given to older cases;
 - (ii) subject to Order 17 rule 1 of the Civil Procedure Rules, 2010 (L.N. 151/2010) and any other relevant law, a judge limits the number of adjournments after a matter has been set down for hearing;
 - (iii) the judge's cause list is regularly reviewed to establish manageable proportion of complex cases and the caseload and creating time for writing judgements and rulings; and
 - (iv) take such other measures as may be necessary to ensure that matters are disposed of within twelve months from the date the Court first sets the matter down for hearing.

28. Pleadings, affidavits, etc.

(1) All pleadings, affidavits, reports or any other documents filed in the Court shall be in print form and may, in addition, be filed in electronic form using an official email address and mobile telephone number.

(2) Where a document is lodged in a sub-registry, the Deputy Registrar receiving the document shall transmit the document to the Registry.

(3) A document prepared for use in the Court may, unless the nature of the document renders it impracticable, be on a paper of durable quality with writings on only one side of the paper, and a margin of not less than one and a half inches on the left side of the sheet.

(4) A document prepared for use in the Court must be clear and legible, and may be produced by printing, typing, lithography, stencil duplicating, photography, xerography, typewriting, writing, other appropriate technology, or any combination of these media.

(5) The record of appeal in a criminal appeal and, in every civil appeal, the memorandum of appeal and the record of appeal, may be bound in more than one volume and the title of the appeal shall appear on the cover page.

(6) The pages of an application including the record of appeal in criminal cases and the memorandum of appeal and the record of appeal in civil cases, shall be numbered consecutively.

(7) In an application or an appeal, every tenth line of each page of the record shall be indicated in the margin on the right side of the sheet.

(8) The Court may limit the number of pages of submissions to be filed and require a summary of authorities that a party seeks to refer to.

(9) Notwithstanding any other provision in this rule, the Court may, where necessary and in the interest of justice, vary the requirements relating to filing of documents in the Court.

29. Further pleadings, affidavits, etc

(1) A party may, with the leave of the Court or with the written consent of the other party, lodge further pleadings or affidavits.

(2) An application for leave under this Rule may be made informally.

30. Service and transmission of documents

(1) Where under these Rules a document is to be served on a person, the service may in addition to any other form of service permitted under the law, be effected with the leave of the Court—

- (a) through a licensed courier service provider approved by the Registrar or, as a last resort, by registered post;

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- (b) on a person entitled to appear on that person's behalf;
- (c) by electronic means in accordance with the Practice Directions; or
- (d) in such other manner as the Registrar may direct and certify or as permitted under the law.

(2) All pleadings, affidavits or other documents filed under this rule shall be served on all parties in accordance with this rule.

(3) Proof of service shall be by affidavit in the prescribed form.

(4) The Registrar may give notice of any directions in a manner approved by the Court.

31. Representation of a party before the Court

A party in a proceeding before the Court may—

- (a) appear in person;
- (b) be represented by an advocate;
- (c) with leave of Court, be assisted by intermediaries as contemplated under Article 50(7) of the Constitution; or
- (d) in the case of an aided person under the Legal Aid Act, 2016 (No. 6 of 2016) be assisted by a legal aid provider, within the meaning of that Act.

32. Delivery of rulings or judgements

(1) Subject to the Civil Procedure Rules, 2010 (L.N. 151/2010) and Criminal Procedure Code (Cap. 75), the Court may, at the close of any hearing, give its decision but reserve its reasons.

(2) Where the Court reserves its reasons for a decision under paragraph (1), the Court shall deliver the reasons within seven days and for purposes of an appeal, the date of delivery of the reasons shall be the date of the decision.

(3) Where a decision of one judge is to be read by another Judge, any judge of the Court shall deliver the decision.

(4) A decision or reasons for a decision under paragraph (2) and (3) shall be written, dated and signed by the judge who wrote it, and the judge delivering the decision or reasons shall countersign and date it in open court.

33. Consideration and disposal of procedural or administrative matters by Deputy Registrar

(1) In addition to the special powers of Registrars provided under Order 49 of the Civil Procedure Rules, 2010, a Deputy Registrar of the Court may, with the approval of the Court, issue administrative or procedural directions.

(2) Without prejudice to the generality of paragraph (1), a Deputy Registrar of the Court shall issue directions relating to—

- (a) extraction and execution of Court orders;
- (b) release of dischargeable exhibits to the lawful owners;
- (c) filing documents electronically;
- (d) allocation of lawyers for pauper briefs in criminal matters and child offenders in cases involving children;
- (e) organizing and coordinating site visits;
- (f) facilitating the appearance of court interpreters including sign interpreters; or
- (g) co-ordinating prison visits.

(3) Where the Principal Judge has not issued any direction on a question relating to the application of a rule of procedure or any administrative arrangement of the Court, the Deputy Registrar shall make a decision—

- (a) in accordance with the principles of judicial authority under Article 159(2) of the Constitution;

- (b) in accordance with the rules of natural justice;
- (c) for the attainment of the ends of justice;
- (d) to uphold the rule of law and dignity of the Court; and
- (e) to protect the interests and rights of court users.

34. Internal arrangements to facilitate expeditious disposal of cases

For purposes of ensuring expeditious disposal of cases, A judge in a station or division of the Court may, in consultation with the Presiding Judge and with the approval of the Principal Judge, make arrangements with a view to—

- (a) re-organize the daily cause list to create time for writing judgements and rulings; and
- (b) adjust hearing of cases to dispense with administrative matters.

PART VII – COURT RECORDS

35. Information sharing and management

(1) The Registrar or an officer discharging the functions of the office may, in consultation with the Principal Judge, categorize any information as confidential information in the control of the court for purposes of safeguarding the rights and welfare of vulnerable persons.

(2) Where the information is categorized as confidential in accordance with paragraph (1), the Principal Judge may specify which information may be available to the public and in which form.

(3) The categorization of information under this rule shall take into account the need to safeguard the rights and welfare of vulnerable persons including—

- (a) children under the Children Act, 2001 (No. 8 of 2001);
- (b) victims of sexual offences under the Sexual Offences Act, 2007 (No. 3 of 2007);
- (c) persons living with HIV and AIDs under the HIV and AIDs Prevention and Control Act, 2006 (No. 14 of 2006); or
- (d) victims of human rights violations under the Victim Protection Act, 2014 (No. 17 of 2014).

(4) Except as provided in these Rules, the disposal of records in the custody of the Court shall be in accordance with the provisions of the Records Disposal Act (Cap. 14), or as the Chief Justice may direct.

36. Records management system

(1) Pursuant to section 28 of the Act, the Registrar shall establish and maintain a uniform court record management system to be administered in accordance with the stipulated guidelines and other directions issued by the Chief Justice.

(2) The records management system shall, for purposes of ensuring integrity—

- (a) classify cases in a systematic manner;
- (b) contain a serialization system;
- (c) ensure efficient filing, storage, maintenance and retrieval system;
- (d) ensure traceable file movement and bring-up diary system;
- (e) ensure safe custody, regular file audit, tracing and reconstruction of missing files; and
- (f) provide systems for disposal and destruction of records pursuant to the Records Disposal Act.

(3) Where a file of the Court is reported missing, the Court may, after notifying the parties and allowing a period of fourteen days for its tracing, order for the reconstruction of the file within fourteen days.

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(4) A decision of the Court to reconstruct a lost file shall be communicated to all the parties in a matter.

(5) Where a lost file is traced after a new one is reconstructed, the two files shall be consolidated into one.

37. Automation of court records

(1) The Principal Judge may from time to time, in consultation with the Chief Justice and the Chief Registrar, publish general guidelines for the automation of court records.

(2) The generality of paragraph (1), the guidelines shall provide for—

- (a) the use of information and communications technology to record, retain, manage, retrieve and share court records; and
- (b) the other forms in which court records in electronic form shall be recorded, retained, managed, retrieved and shared including in video, audio, audio-visual and Braille forms.

(3) Where the proceedings of the Court are recorded other than by hand, such records may be kept in any secure form including video, audio, audio-visual, Braille and computer-based systems.

38. Custody of records of the Court

The Registrar shall be the custodian of the records of the Court.

PART VIII – PROCEDURE RELATING TO CONTEMPT OF COURT

39. Object of Part

(1) The object of this Part is to—

- (a) uphold the dignity and authority of the Court;
- (b) ensure compliance with the directions of the Court;
- (c) ensure the observance and respect of due process of law;
- (d) preserve an effective and impartial system of justice; and
- (e) maintain public confidence in the administration of justice as administered by court.

(2) The Court has power to—

- (a) punish a person for contempt on the face of the Court; and
- (b) uphold the dignity and authority of subordinate courts.

(3) The Court has the same jurisdiction, power and authority in respect of contempt of subordinate courts as it has in contempt before it.

(4) In any other case, other than contempt on the face of a subordinate court, the Court shall, in the exercise of its supervisory powers and on application by any person to the Court, punish contempt of court.

40. Summary proceedings

(1) An offence of contempt of court may be hied summarily and the court shall keep a record of the proceedings.

(2) Despite paragraph (1), proceedings on contempt of court may be held in camera.

41. Procedure where contempt is in the face of the court

(1) Where it is alleged that, or appears to the Court that a person has committed contempt of the Court while the Court is in session, the Court may cause such person to be detained in custody and at any time before the rising, the Court may—

- (a) cause the person to be informed of the nature of the contempt of court with which he or she is charged;
- (b) afford that person an opportunity to make defence to the charge;

- (c) after taking such evidence as may be necessary and after hearing the person, proceed, either forthwith or after adjournment, to determine the matter of the charge; and
- (d) make an order for the punishment or discharge of such person on such terms as may be just.

(2) Upon conclusion of proceedings of contempt of court, the Court may issue orders concerning appeals and limitation for appeals.

(3) Despite the provisions of this rule, any proceedings to try an offence of contempt of court shall not take away the right of a person to a fair administrative action and fair trial provided in Articles 47 and 50 of the Constitution.

42. Revision of orders of a subordinate court

(1) The Court may on application made by a person aggrieved by the order made by a subordinate court to punish for contempt revise such order on such terms as it thinks fit and may upon revision of the order the Court may—

- (a) uphold the order of the judicial officer; or
- (b) release the applicant with or without conditions; or

(2) The Court has power to revise an order made by a subordinate court to punish contempt on such terms as deems fit and may upon revision—

- (a) uphold the order of the judicial officer; or
- (b) release the applicant with or without conditions; or
- (c) make such other order as may be necessary.

PART IX – GENERAL

43. Registry of the Court

There shall be a Registry in every station of the Court which shall be administered and operated in accordance with the guidelines and directions issued by the Chief Justice from time to time.

44. Use of other language other than official languages

(1) Where a party intends to address the Court in a language other than English or Kiswahili, the party may give the Deputy Registrar seven days' written notice before the date of the hearing.

(2) On the date of hearing, the Deputy Registrar shall facilitate the appearance in court of a suitable interpreter or a person capable of translating sign language.

45. Alternative dispute resolution

(1) In exercise of its judicial authority, the Court may, on its own motion or at the request of the parties, direct that the dispute be resolved by any appropriate Alternative Dispute Resolution mechanism including conciliation, mediation, arbitration and traditional dispute resolution mechanisms in accordance with Article 159 of the Constitution and Section 26 of the Act.

(2) An alternative dispute resolution mechanism used under paragraph (1) may be guided by the guidelines and rules developed by the Chief Justice for that purpose.

46. Meetings of leadership management teams

(1) The Principal Judge shall, from time to time, publish general guidelines for the conduct of the business and affairs of leadership and management teams of the divisions or stations of the Court.

(2) Subject to paragraph (1), the leadership and management teams shall regulate their own procedures.

[Subsidiary]

47. Code of conduct

(1) A judge of the Court shall sign and subscribe to the Code of Conduct in accordance with the Constitution, the Act or any other written law.

(2) For purposes of section 17 of the Public Service (Values and Principles) Act, 2015 (No. 1A of 2015) the Code of Conduct for Judges shall be the instrument through which the provisions of the Act shall be given effect.

(3) The Code of Conduct shall be administered and enforced through the peer review mechanism established by the Chief Justice from time to time.

48. Revocation of G.N. No. 1756 of 2009

The Practice Directions relating to the filing of suits, applications and references in proper courts issued on the 19 th of February 2009 under sections 11 to 18 of the Civil Procedure Act (Cap. 21) are hereby revoked.

Schedule

[Rule 20.]

**HIGH COURT AND THE RESPECTIVE
MAGISTRATE'S COURT AREAS OF SUPERVISION**

<i>County</i>	<i>High Court Station</i>	<i>Magistrates' Court Stations</i>		
Bungoma	Bungoma	1. Bungoma Law Courts 2. Webuye Law Courts 3. Kimilili Law Courts 4. Sirisia Law Courts		
Busia	Busia	5. Busia Law Courts		
Uasin Gishu	Eldoret	6. Eldoret Law Courts 7. Kapsabet Law Courts 8. Iten Law Courts		
Nandi				
Elgeyo Marakwet				
Embu	Embu	9. Embu Law Courts 10. Runyenjes Law Courts 11. Siakago Law Courts		
Garissa	Garissa	12. Garissa Law Courts 13. Wajir Law Courts 14. Mandera Law Courts		
Wajir				
Mandera				
Homa-Bay	Homa-Bay	15. Homa-bay Law Courts 16. Mbita Law Courts 17. Oyugis Law Courts 18. Ndhiwa Law Courts		
Kakamega	Kakamega	19. Kakamega Law Courts 20. Mumias Law Courts 21. Butere Law Courts 22. Butali Law Courts 23. Vihiga Law Courts 24. Hamisi Law Courts		
Vihiga				
Kericho			Kericho	25. Kericho Law Courts
Bomet			Bomet	26. Bomet Law Courts 27. Sotik Law Courts
Kirinyaga	Kerugoya	28. Kerugoya Law Courts 29. Baricho Law Courts 30. Gichugu Law Courts 31. Wang'uru Law Courts		

<i>County</i>	<i>High Court Station</i>	<i>Magistrates' Court Stations</i>
Trans Nzoia	Kitale	32. Kitale Law Courts
Turkana	Turkana	33. Lodwar Law Courts 34. Kakuma Law Courts
West Pokot	Kapenguria	35. Kapenguria Law Courts
Kisii	Kisii	36. Kisii Law Courts 37. Ogembo Law Court
Nyamira	Nyamira	38. Nyamira Law Courts 39. Keroka Law Courts
Narok		40. Narok Law Courts– <i>Naivasha HC</i> 41. Kilgoris Law Courts– <i>Kisii HC</i>
Kisumu	Kisumu	42. Kisumu Law Courts 43. Winam Law Courts 44. Maseno Law Courts 45. Nyando Law Courts 46. Tamu Law Courts
Siaya	Siaya	47. Siaya Law Courts 48. Bondo Law Courts 49. Ukwala Law Courts
Kitui	Kitui	50. Kitui Law Courts 51. Mutomo Law Courts 52. Mwingi Law Courts 53. Kyuso Law Courts
Machakos	Machakos	54. Machakos Law Courts 55. Kithimani Law Courts 56. Kangundo Law Courts 57. Mavoko Law Courts
Makueni		58. Makueni Law Courts 59. Tawa Law Courts 60. Kilungu Law Courts 61. Makindu Law Courts
Kajiado	Kajiado	62. Kajiado Law Courts 63. Loitoktok Law Courts 64. Ngong Law Courts
Kilifi	Malindi	65. Malindi Law Courts 66. Kilifi Law Courts 67. Kaloleni Law Courts 68. Mariakani Law Courts

[Subsidiary]

<i>County</i>	<i>High Court Station</i>	<i>Magistrates' Court Stations</i>
Tana River	Garsen	69. Garsen Law Courts 70. Hola Law Courts
Lamu		71. Lamu Law Courts 72. Mpeketoni Law Courts
Meru	Meru	73. Meru Law Courts 74. Nkubu Law Courts 75. Maua Law Courts 76. Tigania Law Courts 77. Githongo Law Courts
Isiolo		78. Isiolo Law Courts
Tharaka Nithi	Chuka	79. Chuka Law Courts 80. Marimanti Law Courts
Marsabit	Marsabit	81. Marsabit Law Courts 82. Moyale Law Courts
Migori	Migori	83. Migori Law Courts 84. Rongo Law Courts 85. Kehancha Law Courts
Mombasa	Mombasa	86. Mombasa Law Courts 87. Shanzu Law Courts 88. Tononoka Law Courts
Kwale		89. Kwale Law Courts
Taita Taveta	Voi	90. Taveta Law Courts 91. Wundanyi Law Courts 92. Voi Law Courts
Murang'a	Murang'a	93. Murang'a Law Courts 94. Kangema Law Courts 95. Kigumo Law Courts 96. Kandara Law Courts
Nairobi	Nairobi	97. Milimani Law Courts 98. City Court 99. Milimani Commercial Courts 100. Makadara Law Courts 101. Kibera Law Courts 102. JKIA Law Courts

<i>County</i>	<i>High Court Station</i>	<i>Magistrates' Court Stations</i>
Kiambu	Kiambu	103. Kiambu Law Courts 104. Kikuyu Law Courts 105. Limuru Law Courts 106. Githunguri Law Courts 107. Thika Law Courts 108. Gatundu Law Courts
Nakuru	Nakuru	109. Nakuru Law Courts 110. Molo Law Courts 111. Nyahururu Law Courts
Nyandarua	Naivasha	112. Naivasha Law Courts 113. Engineer Law Courts
Baringo	Kabarnet	114. Eldama Ravine Law Courts 115. Kabarnet Law Courts
Laikipia	Nanyuki	116. Nanyuki Law Courts
Samburu		117. Maralal Law Courts
Nyeri	Nyeri	118. Nyeri Law Courts 119. Othaya Law Courts 120. Karatina Law Courts 121. Mukurwe-ini Law Courts