

**THE LAW REFORM (RULES OF COURT)  
ORDINANCE, 1961**

**No. 27 of 1961**

*Date of assent: 23rd December, 1961*

*Date of commencement: 26th December, 1961*

AN ORDINANCE TO MAKE PROVISION FOR TRANSFERRING TO THE CHIEF JUSTICE CERTAIN POWERS OF MAKING RULES OF COURT, AND FOR PURPOSES INCIDENTAL THERETO

ENACTED by the Legislature of the Colony and Protectorate of Kenya, as follows:—

1. This Ordinance may be cited as the Law Reform Short title.  
(Rules of Court) Ordinance, 1961.

2. The several Ordinances specified in the first column of the Schedule to this Ordinance are amended, in relation to the provisions thereof specified in the second column, in the manner respectively specified in the third column, of such Schedule. Amendment of certain Ordinances.

SCHEDULE

Justices of the Peace Ordinance. (Cap. 4).	s. 11	Delete "Supreme Court", and substitute "Chief Justice".
Judgments Extension Ordinance. (Cap. 14).	s. 8	Delete and substitute— 8. The Chief Justice may make rules of court prescribing the fees to be paid for any process or proceeding under this Part.
Oaths and Statutory Declarations Ordinance. (Cap. 20).	s. 18 (1)	Delete "as the Supreme Court may from time to time prescribe", and substitute "as the Chief Justice may by rules of court prescribe"; delete "prescribed by the Supreme Court", and substitute "so prescribed".
	s. 18 (2)	Delete.
Arbitration Ordinance. (Cap. 22).	s. 20	Delete "Supreme Court may make rules", and substitute "Chief Justice may make rules of court".

## SCHEDULE—(Contd.)

Criminal Procedure Code. (Cap. 27). (Rev. Ed. 1961).	s. 178 (5)	Delete "Supreme Court", and substitute "Chief Justice".
	s. 201	Delete, and substitute— 201. The Chief Justice may make rules of court prescribing the manner in which evidence shall be taken down in cases coming before the Supreme Court, and the judges shall take down the evidence or the substance thereof in accordance with such rules.
	s. 265 (2)	Delete "Supreme Court", and substitute "Chief Justice".
	s. 357 (3)	Delete "Supreme Court may from time to time make rules", and substitute "Chief Justice may make rules of court".
	s. 389 (2)	Delete "Supreme Court may from time to time make rules", and substitute "Chief Justice may make rules of court".
British and Colonial Probates Ordinance. (Cap. 35).	s. 7	Delete "The Supreme Court may, with the approval of the Governor, make rules", and substitute "The Chief Justice may make rules of court".
Trusts of Land Ordinance. (Cap. 151).	s. 57	Delete the first two lines and paragraph (a), and substitute— The Minister may make rules— (a) prescribing the fees to be paid to the Public Trustee for any acts performed by him under or by virtue of this Ordinance;  Insert "prescribing" at the beginning of paragraph (b).
Crown Lands Ordinance. (Cap. 155).	s. 150	Delete "Supreme Court shall", and substitute "Chief Justice shall".
Land Titles Ordinance. (Cap. 159).	s. 76	Delete "Supreme Court", where it appears for the second time, and substitute "Chief Justice".
Mining Ordinance. (Cap. 168).	s. 68	Delete "The Supreme Court shall, by rule, prescribe", and substitute "The Chief Justice may make rules of court prescribing".
Mental Treatment Ordinance, 1949. (No. 3 of 1949).	s. 72	Delete "court may make rules", and substitute "Chief Justice may make rules of court".

## SCHEDULE--(Contd.)

Compulsory Military Training Ordinance, 1951. (No. 57 of 1951).	s. 30 (4)	Delete "Supreme Court may make rules", and substitute "Chief Justice may make rules of court".
Trade Unions Ordinance, 1952. (No. 23 of 1952).	s. 18 (2)	Delete "Supreme Court may make rules", and substitute "Chief Justice may make rules of court".
Building Societies Ordinance, 1956. (No. 29 of 1956).	s. 77 (2)	Delete "Supreme Court", and substitute "Chief Justice".
Immigration Ordinance, 1956. (No. 35 of 1956).	s. 17	Delete "Supreme Court may make rules", and substitute "Chief Justice may make rules of court"; insert "Supreme" before "Court".
Interpretation and General Provisions Ordinance, 1956. (No. 38 of 1956).	s. 5 (4)	Delete "Supreme Court may make rules", and substitute "Chief Justice may make rules of court".
Personal Tax Ordinance, 1957. (No. 28 of 1957).	s. 20 (2)	Delete, " and may make provision in such rules with regard to fees payable to the courts".
	s. 20	Insert a new subsection after subsection (2)—  (3) The Chief Justice may make rules of court prescribing the court fees which shall be payable in respect of appeals and other proceedings under this Ordinance".
Rules of Court Ordinance, 1960. (No. 44 of 1960).	s. 2	Delete "Supreme Court may make rules", and substitute "Chief Justice may make rules of court".