LAW SOCIETY OF KENYA (GENERAL) REGULATIONS, 2017

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THE LAW SOCIETY OF KENYA ACT
(No. 21 of 2014)

IN EXERCISE of the powers conferred by section 41 of the Law Society of Kenya Act, the Council of the Law Society of Kenya with the approval of general meeting of members of the Society makes the following Regulations-

THE LAW SOCIETY OF KENYA (GENERAL) REGULATIONS, 2017

PART I - PRELIMINARY

1. (1) These Regulations may be cited as the Law Society of Kenya (General) Regulations, 2017.

(2) These Regulations shall come into operation on the day after the date on which they are published in the Gazette.

2. In these Regulations, unless the context otherwise requires-
“advocate” has the meaning assigned to it under the Advocates Act;
“annual grant” means a fraction of the amount collected from members of the Society as annual subscription fee which is remitted annually to a branch to support the functions and activities of the branch in accordance with regulation 52;
“auditor” means the auditor appointed by the Council under regulation 54;
“bar association” includes any association of legal professionals, whether recognised as a voluntary association or as a statutory body;
“branch” means a branch of the Society as provided under the Schedule to the Act;
“candidate” means a member who has been validly nominated to contest in an election and whose nomination has been received by the secretary;
“chapter” means a unit of a branch that is recognised under the Act or these Regulations;
“concurrent function,” with reference to a function of the Council or a branch executive committee, means a function that is conferred on both the
Council and a branch executive committee under the Act or these Regulations;
“copy” includes an electronic document;
“election official” means a tallying officer, a presiding officer or a clerk employed by an electoral body involved in an election under the Act or these Regulations;
“electoral body” means a body or organisation appointed by the Council and approved by general meeting of the Society to conduct elections under Part IV;
“extra-ordinary meeting” means a meeting of the Council convened by the president under regulation 21;
“general membership” means members of the Society who are not serving in any office of the Society, including in branches, chapters or committees;
“legally incapacitated” includes the state of being unable to practise on account of bankruptcy, medical condition certified by a medical practitioner as defined under legislation regulating medical practitioners, or the inability to practise law on account of a lawful court process or order;
“member” means a person whose name is for the time being on a register of members of the Society;
“non-practising member” means a member who does not practise law;
“notice” includes a notice in electronic form, properly sent or delivered to the address given by the recipient;
“polling register” means a register used by an electoral body as the official register of voters for purposes of under Part IV;
“practising” means the act or process of undertaking legal work in ones capacity as a legal expert or legal professional and includes giving legal advice, drafting legal documents, representing clients in legal negotiations or in judicial proceedings;
“public campaign” as used in regulation 34 (1) means the act of publicly soliciting for the support and vote of members through convening public gatherings of members, use of print and electronic media, and includes hosting luncheons or dinners for members, but does not include members’
forums or gatherings organised by a branch for joint debates or addresses by candidates;
“register” includes any of the registers kept by the secretary under regulation 4;
“reporting period” as used in regulation 68 (4) means the half-yearly period between January to June and July to December, inclusive;
“secretariat” means the secretariat established under section 27(1) of the Act;
“senior counsel” means senior counsel as defined under the Advocates Act;
“sole practitioner” means an advocate who does not carry on business in partnership with any other advocate, whether or not such business is under a registered business name;
“tallying officer” means the officer responsible for tallying and certifying the final results of an election under Part IV;
“the Act” means the Law Society of Kenya Act;
“unrestricted funds of the Society” means total annual subscription fee, practising certificate fee, income from investments of the Society and other income of the Society, that are available for purposes of determining annual grants as provided under regulation 52(1), but excludes funds received by the Society for a particular purpose or project, including project funds, annual conference income, building levy, library fund, subscription to a bar association, donations for particular projects or purpose, continuing professional development fees, and any other money charged by the Society to meet cost of an activity;
“voters’ list” means a list of members who are entitled to vote, containing details of a member including the branch and ordinary place of practice, prepared by the secretary under regulation 37.

PART II - MEMBERSHIP OF SOCIETY

3. (1) A member of the Society may be-
(a) an ordinary member;
(b) a special member;
(c) a non-practising member; or
(d) an honorary member.
(2) Except for an honorary member, a member of the Society must be an advocate of the High Court of Kenya as determined by the criteria set out in legislation regulating the practice of law.

4. (1) A person who is admitted as an advocate in Kenya is a member of the Society from the date the name of the person is entered on the Roll of Advocates kept under the Advocates Act, and the secretary shall enter into a register of members of the Society every person who has been admitted as an advocate.

(2) The secretary shall keep and maintain a register for different categories of members of the Society and a register shall be open for inspection by a member at all reasonable time upon request by the member.

(3) A register shall contain particulars of a member’s-
   (i) name as entered on the Roll of Advocates;
   (ii) date of admission;
   (iii) admission number;
   (iv) firm or organisation where the member works, where applicable;
   (v) the branch, and where applicable, a chapter to which the member belongs;
   (vi) last known physical and postal address;
   (vii) e-mail and telephone contacts;
   (viii) any other detail that the Council may consider necessary.

(4) The secretary shall keep different registers of members who have-
   (a) been struck off the Roll of Advocates;
   (b) been suspended from membership;
   (c) been expelled;
   (d) died; or
   (e) in any other manner ceased to be members of the Society.

(5) A register kept under sub-regulation (4) shall, in addition to the particulars under sub-regulation (3), contain-
   (a) the date when the member ceased to be a member; and
   (b) the reason why the member ceased to be a member of the Society.

(6) A register may be in electronic format.
(7) A member who has a principal place of practice but operates another office based in another branch is entitled to be a member of the branch where the member so practices and shall, in that latter capacity, be eligible to participate in the activities of the branch at that level.

(8) A member whose name has been struck off the Roll of Advocates or who is suspended as an advocate shall cease to be a member of the Society but subject to the right of the Society to enforce any obligation of such member to the Society.

5. (1) A proprietor of a law firm shall, within 30 days of registering a law firm or within 30 days of the coming into force of these Regulations, submit to the secretary a copy of the firm’s registration certificate and provide details of the firm in Form LSK-01 in the First Schedule.

(2) The secretary shall keep and maintain a register of all law firms operating in Kenya.

(3) Where there is a change in any of the particulars required under this regulation, including where the firm has ceased to exist, the proprietor of the firm or a person in charge of the firm, shall immediately notify the secretary to update the register accordingly.

6. (1) For the purpose of section 8 of the Act, a person qualifies to be recognised as a special member of the Society if the person is employed in any of the following offices:

(a) office of the Attorney-General;
(b) office of the Director of Public Prosecutions;
(c) office of Chief Land Registrar;
(d) county government;

(2) The Council may recommend to the Attorney-General any other person or category of persons employed in the public service or public corporation as qualified to be a special member and the Attorney-General may gazette the relevant office in accordance with section 10 of the Advocates Act.

(3) A person who is an ordinary member but becomes a special member by reason of being employed in any of the offices under sub-regulation (1) or
(2) shall within 30 days notify the Society in Form LSK-02 in the First Schedule.

(4) Subject to sub-regulation (6), a special member is entitled to all the rights, privileges and is subject to obligations of an ordinary member.

(5) A person who is a special member but becomes an ordinary member by reason of leaving employment in any of the offices under sub-regulation (1) or (2) shall within 30 days notify the Society in Form LSK-03 in the First Schedule.

(6) The scope of participation by a special member in the activities of the Society may be restricted by legislation applicable to the member’s employment or the terms of engagement between the member and the employer.

7. (1) A member who has ceased to practise shall, within 30 days, give notice to the secretary in Form LSK-04 in the First Schedule and the secretary shall enter the member’s name in the appropriate register.

(2) A member who fails to give notice as required under this regulation shall not enjoy the rights or privileges of a non-practising member, but shall be required to comply with all obligations of an ordinary member.

(3) A non-practising member who wishes to practise shall give notice to the Society in Form LSK-05 in the First Schedule and the secretary shall enter the member’s name in appropriate register upon the member satisfying the secretary that the member has complied with all the requirements for practice.

8. (1) The Council may admit a person as an honorary member if the Council is satisfied that the person has contributed to the advancement of the objects and principles of the Society.

(2) A branch executive committee may recommend to the Council a person to be considered for conferment of honorary membership of the Society.

(3) Where the Council confers on a person the status of honorary member under section 9 of the Act, no application shall be required but the secretary shall enter in the register the name of the honorary member.
(4) The Council may for sufficient cause, revoke the status of an honorary member and the name of the member shall forthwith be deleted from the register of honorary members.

9. (1) Subject to this regulation, a member of the Society shall pay to the Society annual subscription fee as provided in the Second Schedule.
(2) An honorary member is not required to pay annual subscription fee to the Society.
(3) A member shall pay to the Society the annual subscription fee on or before the 31st of January in each year.
(4) If, when-
(a) annual subscription fee is due and payable by a member; and
(b) other fee or levy is due and payable by the member to the Society at the same time,
the member shall also pay such other fee or levy together with the annual the subscription.
(5) The Council may, with the consent of members by special resolution in a general meeting, vary the amount of annual subscription fee payable by a member.
(6) A member who has paid annual subscription fee to the Society is not required to pay further subscription fee to a branch or chapter, but a branch or chapter may, by special resolution of members of that branch or chapter, provide for further subscription fee to support branch or chapter activities.
(7) Sub-regulation (3) does not preclude the Society from receiving payment of annual subscription or other levy notwithstanding that the subscription or other levy is paid out of time, without prejudice to any right of the Society to enforce the member’s obligation to pay.

10. (1) The Council may, with approval of members by special resolution, impose a levy or monetary contribution upon members as may be necessary to enable the Council to perform its functions or carry out such projects as may be necessary.
(2) A motion seeking the approval of the members shall specify-
(a) the purpose of the levy;
(b) the amount to be paid by a member or category of members;
(c) the time and duration during which a member is required to contribute; and
(d) the benefit to be derived.

(3) The Council shall not offer as collateral for the purpose of securing a loan as principal or as guarantor, any asset of the Society including subscriptions or levies unless the members have approved such action by a special resolution in a general meeting.

11. (1) A member shall-
(a) promote and help the Society to realise the objectives of the Society as set out in section 4 of the Act;
(b) pay annual subscription fee and other levy within time unless the member is exempted from paying the annual subscription or other levy under the Act or these Regulations;
(c) observe and adhere to the requirements of a code of conduct that is approved by the Society from time to time;
(d) uphold the highest professional standards in delivering legal services to clients or the general public;
(e) inform the Society of any change in the member’s physical address, electronic mail address or postal address, the member’s firm name and the branch where applicable, within 14 days of the change;

(2) A member who does not adhere to the provisions of paragraph (b) or (c) may be liable for disciplinary action.

12. (1) A member whose name is in a register of members of the Society shall automatically be a member of the branch of the Society where the member ordinarily practises.

(2) A member may belong to more than one branch at a time, subject to regulation 57(2).

(3) Where a member or the firm in which the member practises has more than one office in more than one branch of the Society, the member shall elect at the time of applying for a practising certificate, the principal place
of practice and any other place of practice will be deemed to be secondary place of practice for the purpose of this regulation.

(4) Where a member fails to elect as provided under this regulation, the secretary shall designate a member’s ordinary place of practice and the designation shall be as effective as if the member has voluntarily chosen the branch.

13. (1) A member of the Society shall cease to be a member if the member-
(a) is struck off the Roll of Advocates for whatever reason; or
(b) dies.

(2) A member who ceases to be a member of the Society ceases to be a member of a branch or a chapter where the member belongs.

14. (1) A sole practitioner shall nominate a member or members in Form LSK-06 in the First Schedule to be administrator of the member’s legal practice in the event that the sole practitioner-
(a) dies;
(b) is suspended from practising under the Advocates Act;
(c) is struck off the Roll of Advocates; or
(d) is adjudged bankrupt by a court of competent jurisdiction; or
(e) otherwise becomes legally incapacitated.

(2) Nomination under this regulation shall be made once but a member so nominating shall notify the secretary on any change in the name or particulars of the nominee.

(3) A member who is nominated to administer a law firm or practice of another member shall be known as administrator.

(4) The secretary shall not accept nomination unless the nominee has consented to act as administrator, in Form LSK-07 in the First Schedule.

(5) This regulation does not override the right of a member to appoint by Will a qualified executor to act as administrator of the law practice in any of the circumstances contemplated under sub-regulation (1).

15. (1) A member who has been struck off the Roll of Advocates may apply in writing to the Council to be re-admitted as a member if the member’s
name has been restored to the Roll of Advocates in accordance with the provisions of the Advocates Act.

(2) A member who has ceased to be a member of the Society may apply to the Council for re-admission.

(3) An application for re-admission to membership shall be in Form LSK-08 in the First Schedule.

(4) The application shall be accompanied by relevant facts in support of the application.

(5) Subject to sub-regulation (6) the Council may re-admit a member-
(a) if the Council is satisfied that the member who ceased to be a member by being struck off the Roll of Advocates is ready and willing to abide by the relevant laws and rules of the Society or any other condition as the Council may be impose; or
(b) if, in the case where a member ceased to be a member without any default on the member’s part, the member is willing to abide by the Act and the Regulations.

(6) The Council may impose such conditions as may be necessary to ensure that a member who is re-admitted adheres to the relevant laws, regulations or a code of conduct for members.

(7) The secretary shall in writing communicate the decision on re-admission within 30 days from the date of the decision of the Society.

PART III - THE COUNCIL

16. (1) The Council may by resolution generally or in any particular case, delegate in writing the exercise of any of the powers or the performance of any of the functions or duties of the Council-
   a) to a committee of the Council;
   b) to a member of the Council;
   c) to a member of the Society; or
   d) to any other person.

(2) The Council may establish a standing or ad hoc committee for any purpose within the mandate of the Council or of the Society generally.
(3) A committee shall consist of at least 5, and not more than 15, members and members of the committee may be drawn from general membership of the Society.

(4) A committee shall serve for the duration of the Council in office and shall be reconstituted after every election of a new Council.

(5) Without prejudice to the generality of sub-regulation (2) and in addition to the Budget and Finance Committee established under section 40(2) of the Act, there shall be established committees to deal with the following matters:
   (a) practice standards & ethics;
   (b) members & staff welfare;
   (c) young lawyers;
   (d) legal practice, including litigation and conveyancing;
   (e) devolution;
   (f) public interest, legal aid & human rights;
   (g) continuing professional development of members;
   (h) law reform and legislation;
   (i) in-house counsel;
   (j) internal audit.

(6) The Council shall determine in writing the terms of reference of a committee.

(7) The chairperson of a committee shall be appointed by the members of the committee on its first sitting.

(8) A committee shall appoint its secretary from amongst-
   (a) its members;
   (b) the members of staff of the Society; or
   (c) members of the Society.

(9) The Council may establish a task force to undertake a specific task falling within the mandate of the Council or the Society generally.

(10) A committee of the Council shall meet quarterly unless for a reason to be recorded more frequent meetings are justified and reports to the Council on quarterly basis.
(11) The procedure for a meeting of the Council, including the manner of recording conflict of interests, shall apply to a meeting of its committees with any necessary modifications.

(12) The quorum of a committee shall be-
(a) where the committee consists of 10 members or less, 3 members, excluding the secretary; and
(b) where the committee consists of 11 members or more, one-third of its members, excluding the secretary.

(13) The chairperson of a committee shall preside at all meetings of the committee and in the absence of the chairperson, the committee shall nominate one of its members to preside.

(14) The secretary to a committee shall keep, with respect to the proceedings of that committee,-
(a) records of proceedings;
(b) minutes;
(c) register of attendance; and
(d) a register of conflict of interests signed by members in attendance.

17. (1) The Budget and Finance Committee established under section 40 (2) of the Act shall consist of-
(a) six persons from the general membership of the Society, recommended by the Council through a competitive process and approved by the Society in a general meeting;
(b) a member of the Council, appointed by the Council; and
(c) the secretary, who shall be the secretary to the committee.

(2) The chairperson of the committee shall be appointed at the first meeting of the committee from amongst members appointed under paragraph (a) of sub-regulation (1).

(4) The function of the committee shall be-
(a) to consider annual or supplementary budget estimates of the Society and to recommend to the Council for approval;
(b) to undertake such other functions as may be delegated to it by the general meeting of the Society or by the Council.
18. (1) The Council may meet for the dispatch of business, adjourn, and, subject as expressly provided by the Act or these Regulations, otherwise regulate its meetings and proceedings as it thinks fit.

(2) The secretary is responsible, in consultation with the president, to call for a meeting of the Council by issuing not less than 7 days’ notice to the members of the Council accompanied with the agenda of the meeting.

(3) All meetings of the Council shall be held in Nairobi, unless the Council considers it appropriate in exceptional cases to hold a meeting outside Nairobi.

(4) The Council shall meet at least quarterly but may meet more frequently as may be necessary.

19. (1) The quorum for a meeting of the Council shall be five members, excluding the secretary.

(2) Before transacting business at a meeting, each member of the Council present shall declare and register conflict of interests, if any, in relation to a matter on the agenda.

(3) A Council member who has declared conflict of interests in a matter on the agenda shall not participate in deliberations on that agenda or vote in relation to the agenda.

20. (1) A question or issue arising at a meeting of the Council upon which a decision is required to be made shall be decided by a majority of votes of members present and voting, except for a special resolution.

(2) In the case of equality of votes, the president shall have a second or casting vote.

(3) Despite sub-regulation (1) the Council shall endeavour to resolve a question or issue by consensus but if it becomes necessary to put any question to a vote, then it shall be decided by a simple majority of the members present and voting by a show of hands.

(4) The Council may vote on an issue by use of secret ballot.

(5) Members of the Council are collectively responsible for a decision made by the Council or by the majority of the Council members.

(6) A member of the Council owes fiduciary duty to the Society.
(7) The proceedings, resolution or decision of the Council shall not be invalid merely because a person who is not a member of the Council is in attendance.

21. (1) The president may convene an extra-ordinary meeting of the Council by issuing or causing to be issued a 24-hour notice to each of the members of the Council.

(2) The notice shall specify the date, the time, the venue and the agenda of the meeting.

(3) A notice for an extra-ordinary meeting may be sent to members by electronic mail addressed to the electronic mail address of a member of the Council.

22. (1) The Council may, on the basis of any of the grounds set out under section 22(1) of the Act, suspend from office a member of the Council.

(2) A notice of suspension shall be given forthwith to the member so suspended, and to every other member of the Council setting out the grounds for suspension.

(3) The Council shall convene a special general meeting of the Society to be held within 60 days of the suspension for the purpose of removing or otherwise lifting the suspension of the member who is suspended.

(4) A member of the Council who is proposed to be removed from office is entitled to be present, in person or by a legal representative, to make representations at the special general meeting where the removal is to be considered.

(5) A special general meeting of the Society has the power-
(a) to remove from office a member of the Council who is suspended;
(b) to nullify the suspension; or
(c) to take such other action as the Society considers proper.

23. (1) If a vacancy occurs-
(a) in the office of president, the vice-president shall assume the office of president for the remainder of the term;
(b) in the office vice-president, the Council shall appoint one of its members to assume the office vice-president for the remainder of the term;
(2) Where a vacancy occurs in the office of member of Council, the Council shall appoint a qualified member of the Society to serve for the remainder of the term.

(3) The proceedings, decision or act of the Council shall not be invalid merely because the proceedings, decision or act has taken place when there is a vacancy in the office of member of Council.

(4) For the purpose of section 21(2) of the Act, a person who assumes office of president under sub-regulation (1) (a) shall be regarded as having served a term if the remainder of term which the person serves is more than a year.

24. (1) The annual report prepared by the Council under section 30 (2) of the Act shall contain details of the activities undertaken by the Council in the year and the reports submitted to the Council by each of the branches of the Society.

(2) The annual report shall include a report on how the Council, branches and chapters have managed funds.

PART IV- ELECTION OF COUNCIL

25. (1) Elections under this Part shall be conducted either by use of-

(a) a manual or physical system of voting as provided in this Part; or

(b) electronic voting system.

(2) A system that is adopted for elections shall be-

(a) transparent;

(b) secure and free from improper influence;

(c) conducted by an independent electoral body;

(d) administered in an impartial, neutral, efficient, accurate and accountable manner; and

(e) auditable.

(3) The electronic voting system shall relate to-

(a) registration of members as members as voters;

(b) identification of the voter;

(b) voting;

(c) collating and tallying of the votes; and
(d) transmitting the results of elections.
(4) Where electronic voting system is adopted, the Council shall engage the services of a competent and credible service provider to provide the electronic voting platform and to facilitate the process.
(5) Despite sub-regulation (3) an electronic voting system may provide for the necessary mechanisms to electronically carry out any of the steps or processes from the nomination of candidates up to the final release of the results of the election.
(6) Where electronic system is to be used the Council shall satisfy members of the Society that the system meets the minimum requirements under this regulation.
(7) The Council shall not adopt the electronic system of voting unless the system has mechanisms for back-up and the system is approved by members in a general meeting.

26. (1) The Council shall consider and nominate an electoral body to conduct election of the president, vice-president and members of the Council.
(2) The name of the electoral body that is approved by the Council to conduct elections shall be submitted to the members of the Society in a general meeting for approval prior to the elections.
(3) Before the name of an electoral body is presented to the Society for approval, the Council shall obtain from the electoral body a written commitment to conduct the relevant elections.
(4) Where the proposed electoral body is not the Independent Electoral & Boundaries Commission, the Council may propose two or more names of bodies or organization from which the members of the Society shall approve one for the purpose of conducting the elections.

27. (1) At least three months before the 15th day of March in the year of Council elections are to be held, the secretary shall issue notice of vacancies available in the Council-
(a) to each member of the Society; or
(b) through publishing it in a newspaper of national circulation.
(2) The notice shall invite interested qualified members to submit nomination papers for election to those offices.
(3) The notice shall be issued pursuant to this regulation and shall-
(a) specify the office that is vacant on the given date;
(b) contain the requirements on eligibility to be elected to a vacant office;
(c) indicate the date and the manner by which the nomination paper must be submitted to the secretary;
(d) require that nomination of a candidate be by at least two practising members of the Society.
(4) The notice may specify the date and time when elections are to be conducted.
(5) The secretary shall, in addition to the requirements in sub-regulation (1), upload the notice to the website of the Society in such manner as to be easily accessed by members.

28. At least two months before the date set for elections under this Part, the secretary shall invite volunteer arbitrators or mediators who may be from within the Society or outside the Society for the purpose of assisting the Society in settling election disputes by alternative dispute resolution mechanisms.

29. (1) There shall be established for every election under this Part an ad hoc elections board to be made up of-
(a) a senior counsel to be the chairperson, appointed by the Senior Counsel Committee; and
(b) six other members nominated by a panel constituted under sub-regulation (2).
(2) (a) The secretary shall constitute an ad hoc panel, made up of not more than one person from the membership of each of the committees for the time being established by the Council, for the purpose of making nominations under paragraph (b) of sub-regulation (1).
(b) At least four of the members nominated under paragraph (b) of sub-regulation (1) shall be from the general membership of the Society.
(3) The members of the board shall appoint one of their members to be secretary.

(4) A member shall not qualify to be appointed as a member of the elections board if the member-
(a) holds an office in the Council;
(b) is a candidate or nominates a candidate in the relevant elections; or
(b) has contested in an election under this Part in the immediate preceding two years.

(5) The elections board shall be established at least two weeks before the deadline set for submission by candidates of nomination papers.

(6) The functions of the elections board are to-
(a) scrutinise the nomination papers submitted by applicants;
(b) determine whether a person has validly been nominated;
(c) resolve any dispute or complaint referred to it relating to elections, except a dispute or complaint on the results of the election;
(d) ensure that the electoral system and processes are in accordance with the principles and requirements under this Part.

30. A member may be nominated as a candidate in an election under the Act and these Regulations only if that member-
(a) is qualified to be elected to the relevant office as at the date set for close of nominations;
(b) is nominated by two members of the Society who are qualified to be elected to the office to which the nomination relates; and
(c) consents in writing to serve in the office to which the member is nominated.

31. (1) Nomination to contest in an election to an office under this Part shall be by way of a nomination paper that shall specify-
(a) the name and address of the candidate;
(b) the name of the organisation where the candidate works, if any;
(c) the year of admission to the Bar in Kenya;
(d) the year and office in the Council previously held by the candidate, if any;
(e) the place where the candidate ordinarily practises;
(f) the office for which the candidate is nominated; and
(g) a description or profile of the candidate in not more than 100 words.

(2) The nomination paper shall contain, or be accompanied by, a written consent of the candidate by which the candidate agrees to serve in the proposed office if elected.

32. (1) Before the expiry of time fixed for submitting nomination papers, a candidate shall personally or by an agent deliver to the secretary the candidate’s nomination paper.

(2) The secretary shall keep a register of names of candidates who have submitted nomination papers.

(3) The register shall contain-
(a) the name of the candidate;
(b) the office to which the candidate seeks to be elected;
(c) the date and time when the nomination paper was delivered to the secretary.

(4) The register shall be signed by both the person delivering the nomination paper and the person receiving the paper.

(5) The secretary shall upload on the website of the Society the list of names of candidates who have submitted nomination papers not later than 24 hours after the deadline set for submitting nomination forms.

33. (1) The elections board shall, within 7 days from the deadline set for submitting nomination papers, scrutinise the nomination papers and determine applicants who qualify to contest for various positions in the elections.

(2) The elections board shall immediately publish on the website of the Society the names of the candidates validly nominated together with such details as the board shall consider necessary.

34. (1) A candidate who has been nominated and approved by the elections board shall not mobilise or galvanise for votes by public campaign.
(2) Immediately upon nomination of candidates, the secretary shall liaise with branch chairpersons and the candidates for the purpose of preparing a calendar of joint meetings of candidates around the country.

(3) A meeting to promote the agenda of a candidate shall be organised by the branches in consultation with the candidates and all candidates shall be invited to attend.

(4) Despite this regulation, a candidate may reach out to members to sell the candidate’s agenda or policies-

(a) by electronic mail addressed to each of the members who are eligible to vote;

(b) by participating in a public platform where candidates address members jointly for the purpose of promoting their respective agenda for the Society;

(c) by uploading their manifesto or agenda on an electronic platform specially set up by the secretary on the Society website; or

(d) by such other method as may be approved by members in a general meeting.

(4) Except as provided in sub-regulation (3) a candidate or an agent of a candidate shall not, with a view to influencing election outcome-

(a) convene a meeting or forum of members for the purpose of persuading the members to vote for the candidate or for the object of introducing the candidate or the candidate’s agenda to the members;

(b) distribute to members pamphlets, literature or other materials relating to the elections;

(c) display in public places advertisements in whatever form;

(c) use the print and electronic media to pass a message relating to a candidate or the relevant elections.

(5) A candidate shall not, during the election period, use language or expression that is abusive, demeaning or tending to demean, or that is intended to or is likely to ridicule another candidate.

(6) A candidate who contravenes a provision of this regulation may be disqualified from participating in the elections.

35. (1) A candidate may nominate not more than two agents to represent a candidate at a polling centre or at a tallying centre.
The Council may allow observers during election process.

36. If the number of candidates nominated to fill vacancies announced does not exceed the number of vacancies in the respective offices, the persons nominated for those offices shall be declared to be elected to the respective offices.

37. (1) The secretary shall, at least 45 days to the date set for elections, publish to the members a voters’ list-
(a) directly to each member through electronic or postal mail;
(b) by uploading the voters’ list on the Society’s website; or
(c) by such other method as the Council may approve.

(2) For purposes of election to an office at national level, a member shall only be registered as a voter and shall only vote at the member’s designated principal place of practice.

(3) The voters list shall contain details or particulars of members who are eligible to vote and a member is entitled to verify the details in the voters list before the date set for election.

(4) The secretary shall submit the voters’ list to the electoral body immediately upon expiry of the period limited for verification of the register by members, for preparation of polling register.

38. (1) For the purpose of voting, selected High Court stations across the country shall be polling centres.

(2) The Council may recommend creation of more polling centres in areas where the nearest High Court station is not close or easily accessed by members for purposes of voting.

39. A ballot paper for use in an election shall have-
(a) the name of the candidate;
(b) a coloured photograph of the candidate;
(d) a serial number printed on the front side; and
(e) a counterfoil with the same serial number.
40. (1) Voting shall be conducted between 8.00am and 5.00pm but the period may be extended by the presiding officer or tallying officer for not more than 2 hours by the presiding officer for a good cause to be recorded.

(2) A voter shall present a national identity card or a valid passport to an elections official before being allowed to vote.

(3) The electoral body shall ensure that there are mechanisms to ensure that the right person votes and that there is no possibility of a person voting more than once.

(4) If, by reason of being unable to read or write, or otherwise unable to vote in the manner prescribed in these Regulations due to a disability, a voter requests a presiding officer for assistance, the presiding officer shall permit the voter to be assisted or supported to the extent necessary by a person of the voter’s own free choice.

41. (1) A voter who has inadvertently dealt with a ballot paper in such a manner that it is spoilt before it is cast is entitled to return it to the presiding officer and to be issued with a fresh one.

(2) A member shall not, on account of spoilt paper, be entitled to receive a ballot paper more than twice in relation to the same office for which the vote is cast.

(3) All spoilt ballot papers and all records relating to the voting shall be preserved.

42. (1) A presiding officer shall count votes for the respective offices in an open and transparent manner in the following order:

   (a) president;
   (b) vice-president;
   (c) member of Council; and
   (d) representative to the Judicial Service Commission or the Disciplinary Tribunal, where applicable.

(2) A presiding officer shall admit to the counting venue a candidate or an agent of a candidate, a member of the elections board or other persons as the presiding officer may think proper.
43. (1) The presiding officer and the candidates or their agents shall sign a declaration in respect of the elections.

(2) The declaration for election results for president, vice-president, member of Council, member Judicial Service Commission and member of the Disciplinary Tribunal shall be in *Forms LSK-09, LSK-10, LSK-11, LSK-12, and LSK-13* respectively in the First Schedule.

(3) The presiding officer shall-

(a) request each of the candidates or agent then present to append their signature; and

(c) provide each candidate, or their agent with a copy of the declaration of the results.

(3) Where a candidate or agent refuses or otherwise fails to sign the declaration form, the candidate or agent shall be required to record the reasons for the refusal or failure to sign.

(4) If a candidate or agent refuses or fails to record the reasons for refusal or failure to sign the declaration form, the presiding officer shall record the fact of their refusal or failure to sign, but the refusal or failure shall not by itself invalidate the results announced.

(5) Where a candidate or agent of a candidate is absent, the presiding officer shall record the fact of their absence.

44. (1) A candidate or agent, if present when the counting is completed, may require the presiding officer to have the ballots re-checked or recounted.

(2) A presiding officer may, on own initiative, have the ballots to be recounted.

(3) A recount of ballots shall not take place more than once.
45. (1) The tallying officer shall be the overall person in charge of elections on behalf of an electoral body.

(2) Immediately after the results from all polling centres have been received by the tallying officer, the tallying officer shall, in the presence of candidates or their agents, members of the elections board and observers, if present, tally the results from the polling centres in respect of each candidate, without recounting the ballots, and the final tally shall be in Form LSK-14 in the First Schedule.

(3) The tallying officer shall formally announce the results of an election as soon as the tallying is complete.

(4) The results as certified by the tallying officer shall constitute the official results of the elections.

(5) The secretary shall keep the results and election materials used until any dispute has been decided or the time within which a candidate may challenge the results has expired.

46. (1) A person who is aggrieved by the results of an election may, within 7 days of announcement of the results, lodge a written complaint with the secretary for determination.

(2) A complaint shall contain all the facts and evidence relied upon and shall set out legal provision alleged to have been contravened.

(3) The secretary shall, within 7 days, notify parties to the dispute to appoint an arbitrator or arbitrators within not more than 7 days of the date of notification.

(4) Subject to this regulation, the procedure for appointing the arbitrator or arbitrators and the manner of hearing and determining a dispute shall be in accordance with regulation 96.

(5) A dispute concerning an election or election results under this Part shall be heard and determined within 21 days from the date of lodging the complaint.

(6) An application or appeal seeking to challenge the arbitration award may be made in accordance with the provisions of the law for the time being applying to arbitration.
PART V-THE SECRETARY & SECRETARIAT

47. (1) The secretary shall be recruited by the Council from amongst qualified members of the Society and shall serve on such terms as the Council shall determine.

(2) Where the office of secretary becomes vacant, the Council shall cause the vacancy to be notified to members through appropriate advertisement inviting qualified members to apply to fill the vacancy.

(3) The Council shall appoint the most qualified person as secretary, taking into account the need for gender equity and national diversity.

(4) The recruitment of the secretary or other member of staff of the Council may be outsourced wholly or partially to a professional body.

48. (1) There shall be established at the secretariat a compliance unit which shall be responsible for monitoring compliance with the rules of practice set out under legislation, guidelines or a code of conduct adopted by the Society.

(2) The Council may appoint officers to be known as compliance officers for the purposes of enforcing compliance with legislation, guidelines or a code of ethics.

(3) A compliance officer shall be a member of the Society of at least two years standing in practice and may be appointed on part-time basis.

(4) A compliance officer shall have power to enter premises at all reasonable times, and to interview a person whom the compliance officer has reasonable grounds for believing to be the person in charge of the office, for the purpose of ensuring that the Act or the Regulations are being adhered to.

(5) An occupier of premises or place liable to inspection under this regulation, or any employer, servants and agents of such occupier, or an employee, shall furnish to a compliance officer all such information or documents for inspection as the officer may require.

(6) The premises and places liable to inspection under this regulation are any premises or places where a compliance officer has reasonable ground for believing that the premises are being used for the practice of law, but do not include any private dwelling.
(7) The purpose for which a compliance officer may inspect premises are-
   (a) whether the premises are used for practice;
   (b) whether the persons practising law in those premises are lawful members
       of the Society;
   (c) to verify information or a complaint received relating to anything that is
       undertaken in the premises;
   (d) to confirm that the persons occupying the premises generally comply
       with the laws and standards set under these Regulations or code of conduct.
(8) A compliance officer who inspects premises or examines a document or
   things in the premises so inspected shall compile a report containing
   recommendations and shall submit it to the secretary who shall deal with the
   report as may be appropriate.
(9) A compliance officer may liaise with branch leadership in undertaking
   functions under this regulation.
(10) This regulation does not authorise a compliance officer-
     (a) to demand for an answer or to examine or recover a document whose
         effect would be to breach the rule on advocate-client confidentiality; or
     (b) to enter premises without giving a reasonable notice to the owner or
         occupier before such entry.

**PART VI- FUNDS OF THE SOCIETY, ACCOUNTS AND AUDIT**

49. (1) The sources of the funds of the Society shall be-
   (a) annual subscription fees payable by members;
   (b) levies;
   (b) grants;
   (c) gifts or donations;
   (d) endowment funds;
   (e) income from investments, programmes or projects;
   (f) any other source.
(2) Except as provided under the Act or these Regulation, the Council shall
   not impose on members a levy or other monetary contribution, or create an
   endowment fund using the Society's money, without approval of the
   members by a special resolution.
50. (1) The Society shall operate such bank accounts with reputable bankers as the Council shall determine.

(2) The secretariat may hold as imprest such amount of money as may be approved and allowed by the Council from time to time.

(3) No expenditure shall be incurred for any purpose unless such expenditure has been approved generally by the Council in an annual or supplementary budget estimate of the Society.

(4) A person who contravenes sub-regulation (3) may be liable to be surcharged, upon being allowed to show cause why the person should not be surcharged, for the amount improperly spent.

51. (1) At least three months before the commencement of each year, the secretary shall prepare estimates of the revenue and expenditure of the Society for that year.

(2) The annual estimates shall make provisions for all the estimated expenditure of the Council for the coming year and in particular, the estimates shall provide for-

(a) the payment of the salaries, allowances or other charges in respect to the staff of the Council;

(b) the payment of pensions, gratuities or other charges in respect of the retirement benefits which are payable out of the funds of the Society.

(c) the maintenance of the buildings and grounds of the Society;

(d) the annual grants to branches;

(e) the maintenance, repair and replacement of the equipment and other property of the Society;

(f) the reimbursement of reasonable expenses incurred by Council members, committee members or other persons exercising delegated authority of the Council;

(g) expenses in respect of other matters as the Council may consider appropriate.

(3) The secretary shall, together with the annual estimates, prepare an annual procurement plan and work plan for the following year.
(3) The annual procurement plan and annual work plan shall be approved by the Council.
(4) The annual estimates shall be reviewed by the Budget and Finance Committee and tabled before the Council for approval.
(5) The secretary shall implement the approved budget in accordance with the annual procurement plan and work plan under the general direction of the Council.
(6) The Council may approve adjustment of items within the budget or supplementary budget on the recommendation of the secretary through the Budget and Finance Committee.

52. (1) The Council shall in each year apportion an amount of money, out of the unrestricted funds of the Society, to be disbursed to the branches to support the functions and activities of the branches.
(2) The amount of unrestricted funds available for apportionment to the branches shall be determined based on the latest audited accounts of the Society adopted in a general meeting.
(3) The minimum amount to be apportioned to the branches shall be in accordance with the Third Schedule.
(4) The Council shall, in consultation with branch executive committees, with advice of a revenue allocation expert, review, and may amend the formula as shown in the Third Schedule.
(5) A branch executive committee shall each year equitably apportion to a chapter or chapters within the branch a fraction of the amount allocated to the branch.

53. The Council shall cause to be developed, and shall approve, policies, procedures and guidelines for the management of the funds and assets of the Society in a transparent, accountable and prudent manner.

54. (1) The Council shall recommend to the Society an external auditor for approval by members for the purpose of auditing the accounts of the Society, the branches and the chapters for the immediate preceding year.
(2) An auditor may be appointed to serve for more than one year at a time, subject to regulation 56.
55. (1) The auditor shall audit the accounts of the Council and those of the branches and chapters but the report of the auditor shall clearly show the audit results for each of the branches or chapters.
(2) The secretary shall forward the audited accounts to members of the Society by electronic mail or otherwise not later than the time set for the meeting.

56. (1) An auditor appointed under regulation 54 may not serve as auditor of the Society for more than six consecutive years.
(2) The Council may not remove an auditor before expiry of the period for which the auditor was appointed-
(a) unless the removal is in accordance with the recommendations of the Audit Committee for good cause; and
(b) the recommendation for the removal is approved by a simple majority of members present and voting in a general meeting; or
(3) An auditor may resign in writing addressed to the secretary.

PART VII- MEMBERSHIP, FUNCTIONS & GOVERNANCE OF BRANCHES

57. (1) Subject to sub-regulation (2) a member who ordinarily practises in a region falling within one of the branches shall be entitled to be a member of that branch.
(2) Where a member owns or operates an office in one or more of the regions falling under different branches, the member may have membership to those branches but for the purpose of participating in an election for a national office, the member is deemed to only belong to the branch which the member, or in default, the secretary, has designated as the member’s principal place of practice.
(3) A branch secretary shall keep a register of members of the branch and the law firms operating within the branch, but where there is a conflict between the entries in a register kept under this regulation and a register kept by the secretary, the register kept by the secretary shall take precedence.
(4) A branch secretary-general shall indicate in the register of the members of the relevant branch whether a member is registered at the branch as principal place of practice or a secondary place of practice.

(6) A branch secretary-general may, from time to time, liaise with the secretary for the purpose of updating particulars in the branch register or a register kept by the secretary.

58. A member of a branch shall, in relation to that branch, be entitled to the rights set out under section 12 of the Act, and shall be subject to the obligations set out in regulation 11, with necessary modifications.

59. (1) There shall be established a branch executive committee for each branch.

(2) A branch executive committee shall consist of-

(a) chairperson;

(b) secretary-general;

(c) treasurer; and

(d) at least five and not more than twelve other members.

(3) A member shall not qualify to be chairperson of a branch executive committee unless the member has practised for at least 5 years.

(4) A member shall not qualify to be secretary-general or member of a branch executive committee unless the member has practised for at least 2 years.

(5) The composition of the branch executive committee shall embrace gender equity and equitable geographical representation.

(6) The chairperson shall preside at all meetings of the branch executive committee but in the absence of the chairperson, the branch executive committee shall appoint one of their numbers, not being the secretary-general, to preside.

(7) A branch executive committee may establish such sub-committees as may be necessary to discharge its functions and membership to a sub-committee may include members of the branch who are not members of the branch executive committee.

(8) Except as provided under this Part, a branch executive committee shall determine the manner of conducting its meetings and of making resolutions.
60. (1) A branch shall by resolution of members in a general meeting adopt a procedure for election of chairperson, secretary-general, treasurer and member of branch executive committee.

(2) The procedure adopted for elections by the branch shall be-
(a) transparent;
(b) fair; and
(c) by secret ballot.

61. (1) A chairperson or secretary-general of a branch executive committee shall not serve for more than two consecutive terms of two years each.

(2) Except as provided under sub-regulation (1), there is no restriction on the number of terms a member of the executive committee may be elected into office.

62. (1) Subject to regulation 63, a branch executive committee shall-
(a) represent, protect and assist members of the legal profession ordinarily practising in centres or regions falling within the branch in matters relating to practice and welfare;
(b) collaborate with government entities or other local institutions or offices, falling within the geographical jurisdiction of the branch, for purposes of improving the conditions of practice or welfare of members of the branch;
(c) administer the funds of the branch in accordance with these Regulations, principles and policies established by the Council;
(d) establish mechanisms to promote the welfare of members of the branch;
(e) receive or resolve, through alternative dispute resolution mechanisms, complaints within the meaning of regulations 96 or 97;
(f) inform the Council of any matter that requires the Council to engage a relevant stakeholder on behalf of the branch;
(g) enter into association with other persons or organisations in Kenya, or outside Kenya with the approval of the Council;
(h) consider and approve the creation of a chapter within the geographical jurisdiction of the branch;
(i) convene general meetings of the branch as provided under regulation 66;
(j) prepare and send to the Council annual and other reports relating to the exercise of any of the powers and functions of the branch under these Regulations, or as may be required by the Council;

(2) A branch executive committee may with the approval of members of the branch by special resolution-
   
(a) raise funds by a levy or otherwise to finance its activities or projects;
   
(b) establish a voluntary annual subscription system for branch members and fix the amount payable by each member who has subscribed.

63. (1) A function or power of a branch executive committee shall not extend to a function or power that is specifically conferred upon the Council under the Act.

(2) A concurrent function may be undertaken by the Council or a branch executive committee upon mutual consultation between the Council and the relevant branch executive committee.

(3) Except as provided under regulation 62 (1) the function or power of a branch or a branch executive committee does not extend to dealing with a matter or issue that is national in nature or which by its nature require the Council to deal with.

(4) Where a matter or issue comes to the notice of a branch executive committee but it falls outside the functions or powers of a branch, the branch executive committee shall immediately notify the secretary for the attention of and action by the Council.

(5) In exercising their respective functions and powers, the Council and the branch executive committee shall mutually consult from time to time as may be necessary to ensure that the delivery of services to the members and to the public is efficient and effective.

64. (1) A branch executive committee may enter into collaboration with one or more other branches or chapters if the branch considers it necessary to further the objectives of the branch.

(2) For the purpose of coordinating or facilitating common or mutual interests, the branch chairpersons may form a caucus of chairpersons.
(3) The chairpersons of the branches may elect or appoint one of their own to be the chairperson of the caucus.

65. (1) A branch executive committee may establish a chapter within a region or centre falling under the branch to carry out any of the functions of the branch.

(2) A member of the Society may requisition a branch executive committee for recognition of a chapter falling within the branch.

(3) A chapter may be recognised if-

(a) it has at least 40 members, subject to regulation 100(7);

(b) the person requisitioning satisfies the branch executive committee that there is need to recognise the chapter to enhance the practice and welfare of the members of the proposed chapter; and

(c) the requisition is in writing, signed by the member and at least one third of the members who ordinarily practise in the geographical region of the proposed chapter.

(4) An application for recognition of a chapter shall be accompanied by the names of the proposed chairperson and secretary of the chapter.

(5) The branch executive committee shall consider the application within 60 days and shall-

(a) inform the applicant and the Council of its decision within 15 days of making the decision; and

(b) forward a report to the Council which shall include-

(i) the name of the proposed chapter;

(ii) the names of the interim officials;

(iii) the proposed head office;

(iv) the number and names of members ordinarily practising in the region;

(v) the approximate geographical area; and

(vi) any relevant information that may help the Council to understand the proposed chapter.

(6) A member of a chapter is entitled, as regards the particular chapter, to all the rights of a member and is subject to the obligations to that chapter, consistent with the Act and these Regulations.
(7) A person who applies for recognition of a chapter and is aggrieved by a decision of the branch executive committee under this regulation may within 21 days from the date of receipt of notification of the decision, appeal in writing to the Council.

(8) The Council shall review the decision of the branch executive committee, and communicate its decision in writing to the person who has appealed, within 60 days from the date of lodging the appeal.

66. (1) The procedure of the Council and the Society relating to the following matters shall, with necessary modifications, extend and apply to a branch:

(a) meetings of the Council;
(b) general meetings of the Society;
(c) resolutions;
(d) suspension or removal from office;
(e) filling of casual vacancy in the executive committee.

(2) Save as provided under sub-regulation (1) a branch executive committee shall regulate its meetings and those of the branch membership.

(3) Where the Council has scheduled a meeting or other activity of the Society involving all members, a branch or chapter shall not organise any other activity at the same time that is likely to interfere with a meeting or activity planned by the Council.

67. (1) At least one months before the commencement of a financial year, a branch executive committee shall cause to be prepared estimates of the revenue and expenditure for the following year.

(2) The annual estimates shall make provision for all estimated expenditure of the branch executive committee for the relevant financial year, and in particular shall provide for the payment of the salaries, allowances and other disbursements in respect of the members and the staff of the branch and the maintenance of building and grounds of payment of rent.

(3) The annual estimates shall be submitted to the Council for consideration before the Council disburses annual grant.

(4) The Council may make recommendations as it deems appropriate regarding proposed annual estimates of a branch and shall communicate to the relevant branch executive committee.
(5) A branch executive committee may, if it thinks appropriate, take into account the recommendations of the Council on the proposed annual estimates.

68. (1) A branch executive committee shall-
(a) open and operate a bank account or accounts into which revenue that is not immediately required shall be deposited;
(b) for effective management, operate separate bank accounts for the Society’s annual grant and other funds.
(2) The signatories to a branch account shall not be less than two and must include the chairperson of the branch executive committee.
(3) A branch executive committee shall, within 14 days of opening a bank account, send to the Council details of-
(i) the name and branch of the bank, and the account number;
(ii) the signatories to the account;
(iii) the type of account; and
(iv) the purpose of the account.
(4) A branch executive committee shall, on half-yearly basis, and within 21 days after the end of the relevant reporting period, cause to be prepared and submitted to the secretary a management report that includes a statement of income and expenditure of the branch.
(5) A statement of income and expenditure in sub-regulation (4) shall include a summary of income and expenditure by a chapter falling under the branch.

69. (1) A branch executive committee shall cause proper books and records of accounts to be kept of all funds, assets and liabilities of the branch to be kept, and to be audited as of the 31st December of every year.
(2) Within a period of two months after the end of each year, a branch executive committee shall submit to the auditor the accounts of the branch together with-
(a) a statement of income and expenditure during that year; and
(b) a statement of the assets and liabilities of the branch executive committee as at 31st December of the immediate preceding year.
(3) The accounts of a branch shall be audited by an auditor appointed by the Council under regulation 54.

70. (1) A branch executive committee may employ such members of staff as it considers necessary for the discharge of its functions under the Act and these Regulations upon such terms and conditions as it may determine.

(2) The Council may second an employee of the Council to work with a branch executive committee generally or for a specified period.

71. (1) The members of a chapter committee shall consist of-
(a) chairperson;
(b) secretary; and
(c) not more than three other members.

(2) A person is not qualified to be chairperson, secretary or a member of a chapter committee unless the person has attained not less than two years’ experience in the practice of law.

72. (1) Subject to this regulation, a chapter committee shall exercise, in relation to the region falling under the chapter, all the powers and functions exercisable by a branch executive committee.

(2) Nothing in this regulation shall authorise a chapter committee to exercise any powers in relation to formation of a further unit under it or in relation to the powers or functions that are expressly reserved for the Council under the Act, other legislation or under these Regulations.

(3) A chapter committee may employ such members of staff on such terms as the chapter committee considers appropriate to enable discharge of its functions.

73. (1) A chapter committee shall cause proper books and records of accounts of all funds, property, assets and liabilities of the branch to be kept, and to be audited as of the 31st December of every year.

(2) A chapter secretary shall keep minutes of all meetings of the chapter committee and shall make quarterly reports, including a statement of income and expenditure, to the branch executive committee within 14 days after the
end of each quarter in such manner as the branch executive committee shall require from time to time.

(3) A chapter committee shall notify the branch executive committee for onward transmission to the Council, details of a bank account and the names of signatories to the account within 15 days of opening the account.

(4) The accounts of a chapter shall be audited by an auditor appointed by the Council under regulation 54.

(5) A chapter committee shall prepare and submit an annual report to the branch executive committee within 15 days of the end of the year.

74. The procedure adopted by a branch executive committee and approved by members of the branch in a general meeting, for election, suspension, removal, filling of casual vacancy in relation to chairperson, secretary-general or a member of a branch executive committee, shall extend and apply to a chapter committee falling within the branch, with any necessary modifications.

PART VIII: GENERAL MEETINGS OF THE SOCIETY

75. (1) A general meeting may either be an ordinary general meeting or a special general meeting.

(2) A general meeting of the Society shall be held in Nairobi or at such other place as the Council may determine.

76. (1) The secretary shall send notice of a general meeting to every member of the Society at least 28 days before the date set for the meeting, setting out the date, time and venue of the meeting.

(2) A notice for a general meeting may be given to a member-
(a) by sending it to the email address given by the member in the member’s application for practising certificate or latest particulars given by the member;
(b) by sending it by post to the member;
(c) by delivering the notice at the member’s usual or last known business address; or
(d) by personal delivery.
(4) The secretary may publish in a newspaper of national circulation an advance notice of a scheduled general meeting.

(5) Not later than 14 days before a scheduled meeting, the secretary shall send to members-
(a) the agenda of the meeting; and
(b) a notice of motion pursuant to regulation 77, if any.

(6) The Secretary may, in consultation with the president, send any other information or document to members for purposes of a meeting.

(7) The accidental omission to give notice of a meeting to a member or the nonreceipt of the notice by a member, or nonreceipt of a matter under sub-regulation (5) or (6) shall not invalidate the proceedings or a resolution made at a general meeting.

77. (1) A member who desires to move a motion on an issue during an ordinary general meeting of the Society shall give notice to the secretary of the intention to move the motion and the notice shall set out the exact form in which the motion shall be presented at the meeting.

(2) A notice of motion shall be signed by the mover and the seconder of the motion and must be delivered to the secretary at least 21 days before the date set for the meeting where the motion is intended to be moved or discussed.

(3) A notice of motion may be delivered to the secretary by sending a signed scanned copy to the official electronic mail address provided by the secretary and the delivery of the notice is deemed to be made at the end of the day on which the notice was dispatched.

(4) Where a member sends a notice under sub-regulation (3) the member shall deliver the original notice of motion to the secretary at least 15 days before the date on which the motion is to be discussed.

78. For the purpose of section 31(2) of the Act, notice requisitioning a special general meeting shall be in Form LSK-15 in the First Schedule and shall be submitted to the secretary.

79. (1) For the purpose of section 16 (7) of the Act, in the absence of-
(a) both the president and the vice-president; or
(b) a member of Council, or if a member of the Council present is not willing to preside,
the members of the Society present shall nominate the senior-most member of the Society present to preside at the meeting.

(2) For the purpose of this Part, the power or discretion conferred upon the president regarding conduct of a general meeting shall be exercisable by a person for the time being lawfully presiding at a meeting in the absence of the president.

80. (1) No business shall be transacted at a general meeting unless a quorum is present at the time when the meeting proceeds to business.

(2) If within fifteen minutes from the time appointed for the meeting a quorum of members is not present, the meeting-
(a) if convened on the requisition of members, shall be dissolved; and
(b) shall, in any other case, stand adjourned to the same day in the following week, at the same time and place.

(3) If at the adjourned meeting a quorum of members is not present within fifteen minutes from the time appointed for the meeting, the members then present shall constitute a quorum.

(4) A member present at a general meeting shall have one vote.

(5) The president or a person presiding at a general meeting shall have a deliberative as well as a casting vote.

81. The president may, with the consent of the meeting by a majority of the members present, adjourn the meeting from time to time and place to place, but no business, other than the business left unfinished at the meeting from which the adjournment took place shall, without consent of the president, be transacted at any adjourned meeting.

82. Subject to the discretion of the president to regulate the proceedings as the president thinks appropriate, the following rules of debate shall be observed:

(a) in case of debate on any matter, no member shall be permitted to speak more than once on the same question, except that the mover of a motion or
resolution shall be allowed to speak in reply after which the debate shall be closed;

(b) a member who has spoken may, by permission of the president, be again heard in explanation; but the member shall not introduce new matter or interrupt a member who is speaking;

(c) the mover of an original motion shall not, against the evident sense of the meeting as expressed by the president, speak for more than ten minutes; and no other speaker shall, nor shall the mover in reply, as against such evident sense expressed as aforesaid, speak for more than ten minutes;

(d) a member desiring to move that the meeting proceeds to take a decision upon either an original motion or an amended motion may do so by moving that the question be now put;

(e) the mover of a motion—

(i) that the question be now put;

(ii) that either the meeting or debate be adjourned; or

(iii) that the meeting do proceed to the next business, may speak for not more than five minutes, and any such motion shall be seconded without a speech; and a member (the mover of the motion or amendment under discussion to have the preference) may speak for not more than five minutes in opposition to any such motion, which shall then be put by the president without debate;

(f) whenever an amendment to an original motion has been moved and seconded, no second or subsequent amendment to the motion shall be moved until the first amendment has been disposed of;

(g) if an amendment is carried, the motion as amended shall take the place of the original motion, and shall become the motion of which any further amendment may be moved;

(h) no member shall move more than once that any one motion be amended;

(i) the president may call the attention of the meeting to continued irrelevance, repetition, improper use of language, or any breach of order on the part of a member, and may direct such member to discontinue speech or to leave the meeting.
83. (1) At a general meeting every issue on which a decision is required shall be decided in the first instance by a show of hands, when every member present in person shall be entitled to one vote.

(2) Unless a poll is directed by the president or demanded by at least three members-

(a) a declaration by the president that a resolution or decision has been adopted or not adopted or adopted or not adopted by a particular majority; and

(b) an entry to that effect in the minutes of the meeting,

shall be conclusive evidence of the facts without proof of the number or proportion of the votes recorded for or against such resolution or decision.

(2) A direction or demand for a poll may be withdrawn at any time before the adjournment of the meeting and shall not be given or made in respect of the question of adjournment of a meeting.

84. (1) A poll allowed in accordance with the provisions of regulation 83 may be undertaken and concluded during the same meeting by-

(a) causing a division; or

(b) where appropriate, be administered electronically according to an established system.

(2) Subject to sub-regulation (1), a poll may be taken by means of voting papers in accordance with the following provisions-

(a) the president shall appoint not less than three scrutineers from amongst the members of the Society to receive and examine the voting papers and certify the result of the poll;

(b) two scrutineers shall be a quorum and the death of one or more of the scrutineers shall not affect the poll;

(c) if by death, refusal or incapacity to act, the number of scrutineers is reduced below two, a member to fill each vacancy shall forthwith be nominated by the president of the Society or, if the president is for any reason prevented from doing so, by the vice-president;

(d) the president shall then fix a day to which the meeting, at the conclusion of the other business, shall stand adjourned;
(e) the secretary shall as soon as possible after the poll has been granted send a voting paper by post to each member with a specially marked envelope for return;

(f) the voting paper shall be in such form as the Council may direct and shall include-

(i) a statement of the question on which the poll has been directed or demanded; and

(ii) the day on or before which the voting paper must be returned;

(g) a voting paper shall be returned on or before the specified time or date to the secretary sealed in a specially marked envelope, or in an envelope endorsed “voting paper” in the top left-hand corner thereof, and the secretary shall place all such envelopes unopened in a box and shall deliver them to the scrutineers for opening and examination;

(h) a voting paper which is unsigned or is received by the secretary after the prescribed time or date, or a voting paper that shows that a member has voted twice shall be rejected by the scrutineers;

(i) as soon as the voting papers have been examined and the result of the poll ascertained, the scrutineers shall prepare a written report, and the voting papers shall be closed up and under the seal of the scrutineers and shall be retained by them for one month after the date of the adjourned meeting and may then be destroyed;

(j) the report of the scrutineers shall be signed by them and shall contain the following particulars-

(i) the total number of valid votes cast in favour of the question;

(ii) the total number of valid votes cast against the question;

(iii) the total number of voting papers received; and

(iv) the number of voting papers, if any, rejected and the grounds of rejection;

(k) the report of the scrutineers shall be read to the adjourned meeting and the president shall declare that the question has been decided by the meeting either in the affirmative or negative accordingly;

(l) in the case of an equality of votes the president shall have a casting vote.
(3) In all cases of dispute, doubt or difficulty respecting or arising out of matters of procedure or order, the decision of the president shall be final and conclusive.

(4) If any irregularity occurs in the convening or holding of any general meeting, or in any election or other proceeding taking place at or prior to any such meeting, and it is not objected to at that meeting, then that general meeting, election or proceeding shall be of the same force and validity as if no irregularity had occurred; but if any irregularity is objected to, the president shall decide thereon and the decision shall be final and conclusive.

85. (1) A notice of intention to propose a special resolution as defined under section 33(2) of the Act shall be given at least 21 days before the date proposed for the resolution.

(2) Where the Council or a member of the Society proposes to alter or rescind a resolution or special resolution made in a general meeting, the Council or member shall give notice of intention to propose an alteration or rescission in the same manner as any other motion.

(3) The secretary shall keep and maintain a register of all resolutions made by the Society and a member shall have access to the resolutions at all reasonable hours.

86. (1) The secretary shall, in addition to the minutes kept under section 37 of the Act, keep record of the proceedings and decisions of a general meeting.

(2) Minutes of the proceedings of a general meeting shall be kept in a book to be provided for that purpose, and, if approved by the next succeeding general meeting, shall be signed by the president thereof; and any minutes so signed shall be conclusive and binding on all members of the Society.

PART IX-REPRESENTATION OF THE SOCIETY ON OTHER BODIES

87. (1) The secretary shall keep and maintain a register of all constitutional, statutory and other public bodies where the Society is required by legislation or otherwise to nominate or elect representative to sit on their organs.
(2) The register shall contain—
(a) the name of the body;
(b) the position in which the Society is represented;
(c) the name of the member for the time being in office;
(d) the commencement and projected end of the tenure of the member; and
(e) a statement on whether the representative is eligible for further appointment.

(3) The register shall be available for inspection by a member at all reasonable times upon notice.

88. (1) Where the Society is required by legislation or otherwise to nominate a member to serve on an organ of a constitutional, statutory or other public body, the secretary shall issue notice of the vacancy and shall at the same time invite interested qualified members to apply to be considered for that position.

(2) The Council shall consider all applications received and shall make a decision on the qualified person for nomination to a relevant office.

(3) The qualification for nomination to a constitutional, statutory or other public body shall include—
(a) the requirements under the relevant provisions of the constitution, legislation or requirements of the particular institution to which the member is to be nominated.
(b) the relevant experience and competence of the applicant; and
(c) the academic qualification commensurate with the office in which the member is to be nominated.

(4) Despite this regulation, the president may appoint a qualified member to a public body where—
(a) request for nomination has come on short notice; or
(b) where the appointment is of temporary nature or for a short period.

(5) (a) Despite sub-regulations (1) and (2), a representative of the Society to the Judicial Service Commission or the Disciplinary Tribunal shall be elected by members either during the election of the Council or separately so long as the process is competitive, transparent and allows members to exercise their right to secret ballot.
(b) Where the election of a representative of the Society to the Judicial Service Commission or to the Disciplinary Tribunal is required within a period of three months or less after the date set for election of the Council, such election shall be done in advance at the same time as the election of Council.

89. (1) A member who is nominated to serve on a constitutional, statutory or other public body is subject to legislation for the time being regulating the relevant body.

(2) A representative of the Society on a constitutional, statutory or other public body shall not represent the Society on more than one body at a time.

(3) A member who is so nominated shall articulate and represent the interest of the Society in accordance with the objectives of the Society set out under sections 4 and 6 of the Act.

(4) Despite sub-regulation (1), a member who represents the Society under this regulation shall make quarterly reports to the Council in Form LSK-16 in the First Schedule.

(5) A member who represents the Society may at any time be recalled by the Council-

(a) if the member is liable to be recalled by virtue of the law under which the member has been nominated, if the requirements under that law have been met;

(b) if the member ceases to be a member of the Society;

(c) if it is shown that the member has failed to articulate or is incapable of articulating the interests of the Society, or has failed without reasonable cause to follow lawful guidance or directions given by the Council;

(d) if it is shown that the member has acted in a manner not befitting the office in which the member serves and the conduct has brought or is likely to bring the Society into disrepute; or

(e) if the member fails to submit quarterly report to the Society for two consecutive quarters.

(7) A member of the Society may initiate the process of recall by lodging an application in writing setting out the grounds for recall and the facts in
support of the application and the Council shall consider the application and make a decision.

(8) A member may not be recalled by the Council unless the resolution to recall the member is supported by at least two thirds of all the members of the Council.

(9) Before the Council recalls a member under this regulation, the member shall be given opportunity to show cause why the member’s representation of the Society should not be recalled.

90. (1) A representative of the Society on a constitutional, statutory or other public body may at any time resign in writing addressed to the secretary.

(2) Where a vacancy occurs in the representation of the Society for whatever reason, the vacancy may be filled by the Council for the unexpired term and the procedure for nomination to a constitutional, statutory or other public body shall apply in filling the vacancy.

(3) Where a vacancy occurs as a result of recall or resignation, the position left vacant shall be filled for the unexpired period in accordance with the procedure provided under regulation 88 but the Council may defer the filling of casual vacancy if, at the time the vacancy occurs, the unexpired period of service of the member is six months or less.

PART X-MISCELLANEOUS PROVISIONS

91. (1) The Council may cause to be published a journal, magazine, book or other publication for the purpose of promoting the objects or principles of the Society.

(2) Without prejudice to the generality of sub-regulation (1) the Council shall periodically produce a publication to be known as “The Advocate” to be the official journal of the Society and shall collect from each member of the Society, by the 31st January in each year, an annual levy as may be determined from time to time by the Council and approved by members in a general meeting.

(3) The Council shall, with the approval of the Society, establish a fund to be known as “The Society Library Fund” and shall collect an annual levy
from each member of the Society, upon approval by the Society in a general meeting payable on the 31st January in each year.

92. (1) A member of the Council, or of a committee or a task force appointed or approved by the Council is entitled to be paid a reasonable allowance from the funds of the Society, as well as to be reimbursed traveling and other expenses reasonably incurred by the member in attending meetings or handling activities of the Council, committee or task force.

(2) A member of a branch or chapter executive committee is entitled to be paid a reasonable allowance from the funds of the branch or chapter, as well as to be reimbursed traveling and other expenses reasonably incurred by the member in attending a meeting or handling an activity of the branch or chapter.

93. (1) The common seal of the Society shall be kept in the custody of the secretary, and shall not be affixed to a document otherwise than pursuant to authority of the Council.

(2) A document made by the Council, other than a document made under seal, shall be executed, and a decisions of the Council shall be signified, under the hand of the secretary.

94. (1) The Council may within or outside Kenya, for the purpose of better carrying out its mandate and meeting the objectives of the Society-

(a) enter into collaboration or mutual recognition with another bar association; or

(b) join with a regional or international bar association to form another bar association or body.

(2) Where the Council proposes to enter into association or collaboration with another bar association, the Council shall do so by resolution and shall sign a memorandum of association or other instrument that clearly defines the terms of association or collaboration, including the objectives and the duration of such collaboration.

(3) Without prejudice to the generality of sub-regulation (1) and (2), the Council shall only enter a collaboration with another bar association if-

(a) the constitution of the other bar association allows such collaboration;
(b) the arrangement has potential to benefit members of the Society by improving the practice of law, welfare of the members, or the promotion of the rule of law, justice or constitutionalism.

(4) A branch or a chapter may enter into a collaboration with a foreign bar association upon written approval by the Council.

(5) Where a branch or a chapter wishes to enter into collaboration with another bar association, it shall write to the Council setting out-
(a) the name of the bar association;
(b) the country where the bar association is based;
(c) evidence that the bar association is a lawful entity in the country where it is based and that it is empowered by its constitutive instrument to enter into such collaboration;
(d) a summary of the objects of the foreign bar association;
(e) the benefits expected to be derived from the collaboration; and
(f) the rights and obligation of the respective parties to the collaboration.

95. (1) A member of the Society shall at all times adhere to and be subject to a code of conduct, ethics or etiquette proposed by the Council and approved by members in a general meeting from time to time.

(2) A code of conduct shall contain rules of conduct that are generally accepted by members as reflecting best practices.

(3) The Council shall upon approval of a code of conduct, ethics or etiquette, publish it in the Gazette.

96. (1) Where a dispute arises-
(a) relating to the exercise of the mandate or the management of the affairs, of the Society, of a branch or chapter; or
(b) relating to the rights of a member against any other member or the Council, branch executive committee or chapter committee, the aggrieved party shall-
(i) refer the dispute in writing to the secretary, where the dispute concerns the national office of the Society; or
(ii) refer the dispute in writing to the secretary-general of the relevant branch where the dispute involves an issue or a party at the branch level.
(2) A dispute may exist between or amongst one or more of the parties listed in sub-regulation (1).

(3) Where a dispute has been lodged with a secretary-general of a branch and the dispute cannot be resolved within 14 days, the secretary-general shall, within 7 days, forward the dispute to the secretary and the procedure of hearing and disposal of the dispute provided under this regulation shall thereafter apply.

(4) The secretary or the relevant secretary-general shall, within 14 days upon receiving notification of a dispute from an aggrieved party, or upon the secretary receiving notification of a dispute from a branch under sub-regulation (3), refer the dispute to an arbitrator or arbitrators appointed by the parties to such dispute for determination.

(5) The number of arbitrators so appointed shall not in relation to any one dispute exceed three.

(6) Where a dispute is between-

(a) a member; or

(b) a branch executive committee or chapter committee,

and the parties to the dispute cannot agree on an arbitrator within 7 days, the President shall appoint an arbitrator to hear and determine the dispute.

(7) Where a dispute involves-

(a) the Council; or

(b) a member of the Council and any other party,

the arbitrator shall, where parties cannot agree on an arbitrator within 7 days of lodging of the dispute, be appointed by the Chairperson of the Chartered Institute of Arbitrators, Kenya Chapter.

(8) The arbitrator or arbitrators shall hear and determine a dispute or in accordance with the law for the time being regulating arbitration, and the decision shall be final and binding on all parties to such dispute.

(9) The time provided under this regulation for lodging or taking other step in dispute resolution process is subject to regulation 46 where the dispute concerns election results.
(10) The parties to a dispute may by consensus or consent use the procedure provided under regulation 97 to resolve the dispute prior to resorting to arbitration under this regulation.

97. (1) Parties to a dispute referred to in regulation 96 may, before referring a dispute to arbitration, attempt to reach settlement by-
(a) negotiation;
(b) conciliation; or
(b) mediation.
(2) The procedure for negotiation, conciliation or mediation shall be simple and the process shall be guided by the international best practices or any law for the time being regulating negotiation, conciliation and mediation.
(3) A decision or settlement by the use of any of the methods under paragraphs (a), (b) or (c) of sub-regulation (1) shall be concluded within 14 days from the date of lodging of the dispute.
(4) A decision or settlement by the use of any of the methods under paragraphs (a), (b) or (c) of sub-regulation (1) shall immediately be filed with the secretary and shall be binding on the parties to the dispute, subject to the Act and these Regulations.

98. The Society may, in the exercise of powers and the performance of its functions under the Act or these Regulations, employ such information and communication technology as may be appropriate.

99. Legal notices numbers 546/62, 127/84, 279/95 & 141/97 are revoked.

100. (1) Despite the revocation of legal notices numbers 546/62, 127/84, 279/95 & 141/97-
(a) an act or thing done;
b) a power or function; or
c) a resolution made,
pursuant to a provision in the repealed regulations shall be as valid as if the act or thing was done, or power or function exercised or undertaken, under these Regulations.
(2) A person who has been elected, nominated or appointed in accordance with a provision in the Act or the repealed Regulations shall continue to hold office and to perform the functions of that office for the remainder of the term and any appointment or election to fill the position shall subsequently be in accordance with these Regulations.

(3) A committee established by the Council for any particular purpose or function shall continue to exercise the function for which the committee was established until it is reconstituted under these Regulations.

(4) The amount of annual subscription fee or other levy payable by a member immediately before the commencement of these Regulations shall continue to be the amount payable by the member under these Regulations until varied in accordance with these Regulations.

(5) A member who has, immediately before the commencement of these Regulations, paid annual subscription fee or other levy under the repealed Regulations shall be deemed to have paid the subscription or levy under these Regulations.

(6) A bar association or chapter that has been created or registered under any legislation or otherwise recognised by the Society immediately before the publication of these Regulations shall, within six months from the date of publication of these Regulations, apply to the relevant branch for recognition in accordance with these Regulations.

(7) A bar association or chapter existing at the commencement of these Regulations shall, on application to be recognised as a chapter, be recognised as such despite the bar association or chapter not meeting the requirement of Regulation 65(3) (a).

(8) For the purpose of regulation 52 (3), the formula in the Third Schedule shall take effect from the financial year 2018-2019 and the first review shall be undertaken in the year 2020.

(9) A member of staff of the Council or of a branch who is employed under the authority of the repealed Regulations shall be deemed to be a member of staff of the Council or branch under these Regulations in accordance with the terms of employment.
# FIRST SCHEDULE

**Form LSK-01**

(r. 5(1))

**PARTICULARS OF LAW FIRM**

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<tbody>
<tr>
<td>1.</td>
<td>Name of law firm:</td>
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<td>2.</td>
<td>Date of registration of firm:</td>
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<td>3.</td>
<td>Physical and postal address of firm/principal place of practice:</td>
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<td>4.</td>
<td>Telephone contacts:</td>
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<td>5.</td>
<td>E-mail address:</td>
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<td>6.</td>
<td>Type of proprietorship (sole, LLP or otherwise):</td>
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<td>7.</td>
<td>Number of partners (where applicable):</td>
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<td>8.</td>
<td>Number of associates:</td>
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<td>9.</td>
<td>Branch offices of the firm &amp; contacts (list them here):</td>
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Signed by proprietor/authorised person:

Date:
**Form LSK-02**  
*(r. 6(3))*

**NOTICE OF CHANGE OF MEMBERSHIP STATUS: ORDINARY TO SPECIAL MEMBER**

<table>
<thead>
<tr>
<th>Name of member as entered on the Roll of Advocates:</th>
<th>Admission number (P.105 No.):</th>
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**CURRENT PARTICULARS**

<table>
<thead>
<tr>
<th>Name of new employer:</th>
<th>Date of commencement of new employment:</th>
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<tbody>
<tr>
<td>Physical &amp; postal details:</td>
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<td>Telephone contacts:</td>
<td>Name of branch:</td>
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<tr>
<td>Signature of member:</td>
<td>Date:</td>
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</table>
**Form LSK-03**

**NOTICE OF CHANGE OF MEMBERSHIP STATUS: SPECIAL MEMBER TO ORDINARY MEMBER**

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<th>Name of member as entered on the Roll of Advocates:</th>
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<th>Name of immediate past employer:</th>
<th>Date of cessation of immediate past employment:</th>
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**NEW PARTICULARS**

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<th>Signature of member:</th>
<th>Date</th>
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**Notice of Cessation of Practice**

**Form LSK-04**

### Name of member as entered on the Roll of Advocates:

<table>
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<th>Admission number (P.105 No.):</th>
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### Reason, if any, for cessation of practice:

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### Current Particulars

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<thead>
<tr>
<th>Physical, postal details &amp; E-mail addresses:</th>
<th>Telephone contacts:</th>
</tr>
</thead>
</table>

Take notice that I have with effect from .......... day of ............20...... ceased from practising. I declare that I will not, from this date, offer professional service to any person in a matter of law.

Signature:

Date:
**Notice by a Non-PRACTISING Member of Intentions to Resume Practice**

<table>
<thead>
<tr>
<th>Name of member as entered on the Roll of Advocates</th>
<th>Admission number (P.105 No.)</th>
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<tr>
<th>Year when last took out a practising certificate:</th>
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**Current Particulars**

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<tr>
<th>Name of firm/employer (if any)</th>
<th>Physical, postal &amp; E-mail addresses</th>
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<th>Telephone contacts</th>
<th>Name of branch</th>
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Take notice that I shall, with effect from (date) ..........day of ......... commences practising. I confirm that I have complied with all the requirements for practice in accordance with the provisions of the Advocates Act and the Law Society of Kenya Act.

Signature:

Date:
**Form LSK-06**

*(r.14 (1))*

**NOMINATION OF ADMINISTRATOR OF LAW FIRM**

<table>
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<th>Name of member as entered on the Roll of Advocates:</th>
<th>Admission number (P.105 No.):</th>
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<tbody>
<tr>
<td>Name of firm:</td>
<td>Physical, postal and E-mail addresses:</td>
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</tbody>
</table>

Take notice that I have nominated the member(s) whose particulars are provided hereunder as my administrator(s) in the event that I am unable to continue practising for any of the reasons provided under the Act or the Regulations.

Signature of sole proprietor:

Date:

**PARTICULARS OF NOMINEE(S)**

<table>
<thead>
<tr>
<th>Name(s) as on the Roll of Advocates:</th>
<th>Physical, postal &amp; E-mail addresses:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1). . . . . . . . . . . . . . . . .</td>
<td></td>
</tr>
<tr>
<td>P.105. . . . . . . . . . . . . . . .</td>
<td></td>
</tr>
<tr>
<td>(2). . . . . . . . . . . . . . . .</td>
<td></td>
</tr>
<tr>
<td>P.105. . . . . . . . . . . . . . . .</td>
<td></td>
</tr>
</tbody>
</table>

Name of firm of nominee(s):

Telephone contacts:  
Name of branch:
**NOMINEE’S CONSENT TO ACT AS ADMINISTRATOR**

<table>
<thead>
<tr>
<th>Name of nominee as entered on the Roll of Advocates</th>
<th>Admission number (P.105 No.):</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Name of firm:</th>
<th>Physical, postal and E-mail addresses:</th>
</tr>
</thead>
</table>

I hereby consent to be the administrator of the law firm whose particulars are specified below in the event that the sole proprietor of the firm shall cease to practise for any reason as provided under the Regulations.

Signature of nominee:........................................

Date:

**PARTICULARS OF SOLE PROPRIETOR**

<table>
<thead>
<tr>
<th>Name of sole proprietor as appears on the Roll of Advocates:</th>
<th>Physical, postal &amp; E-mail addresses:</th>
</tr>
</thead>
<tbody>
<tr>
<td>.................................................................</td>
<td></td>
</tr>
<tr>
<td>P.105 ..................................................................</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of firm of sole proprietor:</th>
<th>Name of branch:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Signature:</th>
<th>Telephone contacts:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**APPLICATION FOR RE-ADMISSION AS MEMBER**

<table>
<thead>
<tr>
<th>Name of member (applicant) as entered on the Roll of Advocates:</th>
<th>Admission number (P.105 No.):</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year when the applicant ceased to be a member:</th>
<th>Reason the applicant ceased to be member:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Summary of the facts showing qualification to be re-admitted:

---

**CURRENT PARTICULARS**

<table>
<thead>
<tr>
<th>Name of new firm/employer (if any):</th>
<th>Physical, postal &amp; E-mail addresses:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Telephone contacts:</th>
<th>Name of branch:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

I hereby apply to the Council to be re-admitted to the Society. I am ready to abide by the rules of the Society as set out in the Law Society of Kenya Act and the Regulations.

Signature:

Date:
Form LSK-09 (r.43 (2))

DECLARATION OF RESULTS FOR ELECTION OF PRESIDENT AT A POLLING CENTRE

SERIAL NUMBER.................................................................................................................................

NAME OF POLLING CENTRE.........CODE..................BRANCH.........................................................

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Total number of voters in the register at polling centre</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Number of spoilt ballot papers</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Total number of votes cast</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Number of rejected votes</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Total number of valid votes cast</td>
<td></td>
</tr>
</tbody>
</table>

NUMBER OF VALID VOTES IN FAVOUR OF EACH CANDIDATE:

<table>
<thead>
<tr>
<th>Name of candidate</th>
<th>Number of valid votes cast</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

DECLARATION:

We, the undersigned, being present when the results of the count were announced, do hereby declare that the results shown above are true and accurate count of the ballots at ........................................polling centre.

Name of presiding officer:..............................Signature..................Date......................

Candidates or their agents:

1. .................................................................
2. .................................................................
3. .................................................................

Reason for refusing to sign.............................................................................................................
Form LSK-10

DECLARATION OF RESULTS FOR ELECTION OF VICE-PRESIDENT AT A POLLING CENTRE

SERIAL NUMBER OF FORM...........................................................................................................

NAME OF POLLING CENTRE........................CODE........................BRANCH.................................

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Total number of voters in the register at polling centre</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Number of spoilt ballot papers</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Total number of votes cast</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Number of rejected votes</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Total number of valid votes cast</td>
<td></td>
</tr>
</tbody>
</table>

NUMBER OF VALID VOTES IN FAVOUR OF EACH CANDIDATE

<table>
<thead>
<tr>
<th></th>
<th>Name of candidate</th>
<th>Number of valid votes cast</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

DECLARATION:
We, the undersigned, being present when the results of the count were announced, do hereby declare that the results shown above are true and accurate count of the ballots at ........................................polling centre.

Name of presiding officer:..................................................Signature......................Date....................

Candidates or their agents:

1. .................................................................
2. .................................................................
3. .................................................................

Reason for refusing to sign........................................................................................................
**Form LSK-11**

**(r.43 (2))**

**DECLARATION OF RESULTS FOR ELECTION OF COUNCIL MEMBER AT A POLLING CENTRE**

SERIAL NUMBER OF FORM...........................................................................................................

NAME OF POLLING CENTRE...........CODE............................BRANCH..................................

<table>
<thead>
<tr>
<th></th>
<th>Total number of voters in the register at polling centre</th>
<th>Number of spoilt ballot papers</th>
<th>Total number of votes cast</th>
<th>Number of rejected votes</th>
<th>Total number of valid votes cast</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
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<tr>
<td>3</td>
<td></td>
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<tr>
<td>4</td>
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<tr>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NUMBER OF VALID VOTES IN FAVOUR OF EACH CANDIDATE:

<table>
<thead>
<tr>
<th>Name of candidate</th>
<th>Number of valid votes cast</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

DECLARATION:
We, the undersigned, being present when the results of the count were announced, do hereby declare that the results shown above are true and accurate count of the ballots at ................polling centre.

NAME OF PRESIDING OFFICER:..............................SIGNATURE..................DATE..................

CANDIDATES OR THEIR AGENTS:

1. ..................................................................
2. ..................................................................
3. ..................................................................

Reason for refusing to sign........................................................................................................
Form LSK-12

DECLARATION OF RESULTS FOR ELECTION OF REPRESENTATIVE TO THE JSC, AT A POLLING CENTRE

SERIAL NUMBER OF FORM...............................................................

NAME OF POLLING CENTRE..........................CODE...............BRANCH..........................

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Total number of voters in the register at polling centre</td>
</tr>
<tr>
<td>2</td>
<td>Number of spoilt ballot papers</td>
</tr>
<tr>
<td>3</td>
<td>Total number of votes cast</td>
</tr>
<tr>
<td>4</td>
<td>Number of rejected votes</td>
</tr>
<tr>
<td>5</td>
<td>Total number of valid votes cast</td>
</tr>
</tbody>
</table>

NUMBER OF VALID VOTES IN FAVOUR OF EACH CANDIDATE:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Name of candidate</td>
</tr>
<tr>
<td></td>
<td>Number of valid votes cast</td>
</tr>
<tr>
<td>2</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

DECLARATION:
We, the undersigned, being present when the results of the count were announced, do hereby declare that the results shown above are true and accurate count of the ballots at ..................................polling centre.

Name of presiding officer:........................................Signature..................Date..................

Candidates or their agents:

1. ..................................................
2. ..................................................
3. ..................................................

Reason for refusing to sign........................................................................................................

68
**Form LSK-13**

*(r.43 (2))*

**DECLARATION OF RESULTS FOR ELECTION OF MEMBER TO THE DISCIPLINARY TRIBUNAL, AT A POLLING CENTRE**

SERIAL NUMBER OF THE FORM……………………………………………………………………………………………..

NAME OF POLLING CENTRE………………CODE……………………BRANCH………………………………………

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Total number of voters in the register at polling centre</td>
</tr>
<tr>
<td>2</td>
<td>Number of spoilt ballot papers</td>
</tr>
<tr>
<td>3</td>
<td>Total number of votes cast</td>
</tr>
<tr>
<td>4</td>
<td>Number of rejected votes</td>
</tr>
<tr>
<td>5</td>
<td>Total number of valid votes cast</td>
</tr>
</tbody>
</table>

NUMBER OF VALID VOTES IN FAVOUR OF EACH CANDIDATE:

<table>
<thead>
<tr>
<th></th>
<th>Name of candidate</th>
<th>Number of valid votes cast</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

DECLARATION:

We, the undersigned, being present when the results of the count were announced, do hereby declare that the results shown above are true and accurate count of the ballots at ……………………………polling centre.

Name of presiding officer:…………………………..Signature………………..Date………………

Candidates or their agents:

1. ..............................................................
2. ..............................................................
3. ..............................................................

Reason for refusing to sign…………………………………………………………………………………………
Form LSK-14

DECLARATION OF FINAL RESULTS OF ELECTIONS

SERIAL NUMBER OF THE FORM.................................................................

NAME OF TALLYING CENTRE.................................................................

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Total number of voters in the register</td>
</tr>
<tr>
<td>2</td>
<td>Number of spoilt ballot papers</td>
</tr>
<tr>
<td>3</td>
<td>Total number of votes cast</td>
</tr>
<tr>
<td>4</td>
<td>Number of rejected votes</td>
</tr>
<tr>
<td>5</td>
<td>Total number of valid votes cast</td>
</tr>
<tr>
<td>6</td>
<td>Number of polling centres</td>
</tr>
</tbody>
</table>

NUMBER OF VALID VOTES IN FAVOUR OF EACH CANDIDATE:

<table>
<thead>
<tr>
<th>OFFICE OF PRESIDENT</th>
<th>Name of candidate</th>
<th>Number of valid votes cast</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OFFICE OF VICE-PRESIDENT</th>
<th>Name of candidate</th>
<th>Number of valid votes cast</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COAST REPRESENTATIVE</th>
<th>Name of candidate</th>
<th>Number of valid votes cast</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>UPCOUNTRY REPRESENTATIVE</th>
<th>Name of candidate</th>
<th>Number of valid votes cast</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NAIROBI REPRESENTATIVE</th>
<th>Name of candidate</th>
<th>Number of valid votes cast</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Name of candidate</td>
<td>Number of valid votes cast</td>
<td></td>
</tr>
<tr>
<td>------------------</td>
<td>---------------------------</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

CERTIFICATE BY TALLYING OFFICER:
I,………………………………………………., certify and declare that the results shown above are true and accurate tallying of the results received from all polling centres.

Signature…………………………………………date……………….
NOTICE REQUISITIONING SPECIAL GENERAL MEETING

To: The Secretary, Law Society of Kenya.

We, the undersigned members of the Society, hereby requisition for a special general meeting of the Society in accordance with the provisions of section 31(1) (a) of the Law Society of Kenya Act, No. 21 of 2014.

The object/agenda of the meeting shall be:

1. ..............................................
2. ..............................................

We confirm that at least 5% of the members of each branch have appended their signatures upon this notice in support of the requisition.

Signed by:

<table>
<thead>
<tr>
<th>NO.</th>
<th>NAME</th>
<th>P.105 NUMBER</th>
<th>SIGNATURE</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

COAST BRANCH

1.
2.

NORTH RIFT BRANCH

1.
2.
3.
4.

MOUNT KENYA BRANCH

1.
2.

Received by the Secretary this .................day of .........................20 .........................
Signed: ........................................................................................................
### Form LSK-16

**QUARTERLY REPORT BY A REPRESENTATIVE ON PUBLIC BODY**

| REPORT FOR MONTHS OF:..........................TO:............................ YEAR: ........... |
|-------------------------------------------|-----------------------------------------------|
| Name of member:                           | P.105 No.                                     |
| Name of Constitutional, statutory of other body: | Capacity in which the member represents the Society: |
| Date of commencement of term:             | Date of end of term:                          |
| Eligible/Not eligible for re-appointment (tick one) | Appointing authority:                        |
| Number of sittings/sessions had in the quarter: |                                               |
| Summary of important issues touching on the objects and principles of the Society: |                                               |
| Recommendation(s) to Council:             |                                               |
| Signature of the representative:          |                                               |
| Date:                                     |                                               |
**SECOND SCHEDULE**

**ANNUAL SUBSCRIPTION FEES**  
(r. 9 (1))

<table>
<thead>
<tr>
<th>NO.</th>
<th>CATEGORY OF MEMBER</th>
<th>ANNUAL SUBSCRIPTION FEE (KSHS)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>A member who has practised for a period of more than 5 years</td>
<td>7,300/=</td>
</tr>
<tr>
<td>B.</td>
<td>A member who has practised for a period of 5 years or less</td>
<td>4,500/=</td>
</tr>
<tr>
<td>C.</td>
<td>A member who is over 70 years of age or is a non-practising member</td>
<td>2,250/=</td>
</tr>
</tbody>
</table>
### 1. TOTAL AMOUNT TO BE APPORTIONED TO BRANCHES

<table>
<thead>
<tr>
<th>NO.</th>
<th>NARATIVE</th>
<th>ALLOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td>Amount of unrestricted funds to be apportioned to the branches in the years 2018-2019 &amp; 2019-2020.</td>
<td>13%</td>
</tr>
<tr>
<td>b)</td>
<td>Amount of unrestricted funds to be apportioned to the branches in the financial year 2020-2021 &amp; 2021-2022 shall be as reviewed in accordance with regulation 100(8).</td>
<td></td>
</tr>
<tr>
<td>e)</td>
<td>Amount of unrestricted funds to be apportioned to the branches after the year 2021-2022 shall be reviewed and determined every five years.</td>
<td></td>
</tr>
</tbody>
</table>

### 2. SHARING AMONGST BRANCHES

<table>
<thead>
<tr>
<th>NO.</th>
<th>PARAMETER</th>
<th>PERCENTAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td><strong>Basic equal share</strong> - the total sharable amount is shared equally amongst all the branches.</td>
<td>70%</td>
</tr>
<tr>
<td>b)</td>
<td><strong>Member-based share</strong> - shared proportionately according to the number of members in each branch as determined by the records kept by the secretary of those who have paid annual subscription fees.</td>
<td>20%</td>
</tr>
<tr>
<td>c)</td>
<td><strong>Distance to courts</strong> – cumulative distance measured and added up from the branch headquarters to the various centres in the branch where there is a High Court.</td>
<td>5%</td>
</tr>
<tr>
<td>d)</td>
<td><strong>Equalization fund</strong>: administered by the Council upon Council resolution to uplift those branches that need to be uplifted to reach the level that others enjoying in terms of facilities and service delivery.</td>
<td>5%</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL</strong></td>
<td>100%</td>
</tr>
</tbody>
</table>