



21ST JUNE 2024 | ISSUE 19

# THE LEGAL INSIGHT

The Official LSK Weekly Newsletter



LAW SOCIETY OF KENYA

THE LAW SOCIETY OF KENYA

# ANNUAL CONFERENCE

13<sup>TH</sup> - 18<sup>TH</sup> AUGUST 2024  
DIAMONDS LEISURE BEACH  
& GOLF RESORT, DIANI

## CHARGES

YOUNG LAWYERS (0-5YEARS) - KSHS. 38,000/-  
ADVOCATES ABOVE 5 YEARS - KSHS. 42,000/-

FOR MORE INFORMATION EMAIL: [annualconference@lsk.or.ke](mailto:annualconference@lsk.or.ke)

[Click here for the full notice](#)

## FEATURED

News Segment

Notices

Upcoming Events



## **LSK LETTER TO NAIROBI REGION POLICE COMMANDER: CALLING OFF OF THE PLANNED PROTESTS IN NAIROBI**

The above refers and the planned protests organized by the citizens of Kenya to oppose the Finance Bill 2024 and to create awareness against over taxation.

We have seen your press statement today in which you purport to cancel the planned protests restricting citizens right to protest peacefully and unarmed. We note that you claim that your authority to reject a notification is for purposes of ensuring the security of both protesters and the public. This alleged discretion to invalidate a notification for want of meeting a self-determined threshold is a nullity and any acts done on account thereof, are an illegality.

We would like to clarify that Article 37 of the Constitution of Kenya provides for the right to assembly and demonstrate and it has no provision for notice to be given to you nor can you limit anyone's right outside what is provided for under Article 24 of the Constitution. Article 19(3) further guarantees these rights and fundamental freedoms. Your actions would hereby be construed to amount to suspension of Article 19 and 37 of the Constitution, which actions are unconstitutional.

We therefore demand that you call off your directive immediately and instruct your officers to stand down from making any arbitrary arrests or meting violence against innocent protesters and allow the protests to go on as planned restricting yourselves to only providing security to the citizens of Kenya during the protests. Further, we demand that any protesters who have already been arrested while carrying out peaceful protests to be released unconditionally.

We are closely monitoring today's events and will take legal action against you and any officer who violates the rights of the protestors on account of your instructions and we will hold you personally liable for any breaches of the Constitution and National Police Service Act.





LAW SOCIETY OF KENYA



**TOLL  
FREE**

**0800 720 434**

The Law Society of Kenya stands in solidarity with those affected by the disrupted peaceful protests.

If you need legal assistance, have been unlawfully detained, or have suffered injuries you would like to report, please reach out to us via the **toll-free line above**.

**#JUSTICEFORKENYA**





LAW SOCIETY OF KENYA

KENYA'S PREMIER BAR ASSOCIATION

# JUSTICE GAMES

27TH JULY 2024

UNIVERSITY OF EMBU

THEME: FAIR PLAY; WHERE LAW MEETS SPORTS

### OUTDOOR



SOCCER



BASKETBALL



VOLLEY BALL

### INDOOR



BADMINTON



SCRABBLE



CHESS



DARTS



POOL & FUN GAMES

# COST

LAW FIRMS: 55,000

CORPORATES: 110,000

REGISTER NOW

<https://bit.ly/JusticeGames2024>

**N/B TEAMS TO REGISTER A MAXIMUM TWO GAMES**







NEWS SEGMENT

## COUNCIL DECISIONS TAKEN ON 10TH JUNE 2024

The Council Decisions on applications taken on 10th June 2024 for admission to the Roll of Advocates, Practising Certificates, Notary Public and Commissioner for Oaths and Admission petitions can be accessed on the link: <https://drive.google.com/file/d/1-1CxopqrsAmn3qfprPAYiuFeV8d-G/view?usp=sharing>

## INDUCTION COURSE FOR NEWLY ADMITTED ADVOCATES

LSK CPD SEMINAR

**INDUCTION COURSE FOR NEWLY ADMITTED ADVOCATES (PREPARE TO FLY)**  
*INDUCTING FOR A STRONG PROFESSIONAL TAKE-OFF*

TARGET GROUP: ADVOCATES ADMITTED IN 2024

**DATE: 25TH & 26TH JUNE 2024 (2PM-4PM)**  
**COST: KES 1,500 CPD UNITS: 5**

 <b>Faith Odhiambo,</b> LSK President	 <b>Hon. Justice Oguttu Mboya,</b> Judge, Environment & Land Court	 <b>Hon. Elizabeth Tanui,</b> Registrar, Court Automation Services'
 <b>William Maema,</b> Chairman, Advocates Disciplinary Committee (ADC)	 <b>Elisha Ongoya,</b> Advocate	 <b>Dr. Andrew Khakula,</b> Advocate

**REGISTER HERE**

Contact Us  
**0111045300**

More Information  
**cpd@lsk.or.ke.**






*Hon. Monica Kivuti*



REPUBLIC OF KENYA



JUDICIARY NATIONAL DAY OF MOURNING

Theme: *Celebrating the life of Hon. Monica Kivuti*





# 9 HEALTHY HABITS FOR POSITIVE MENTAL HEALTH



**MOVE YOUR BODY**



**BE MINDFUL**



**EAT NUTRITIOUS FOODS**



**SOCIALIZE**



**VOLUNTEER**



**GET ENOUGH SLEEP**



**DISCONNECT FROM TECHNOLOGY**



**PRACTICE GRATITUDE**



**TALK ABOUT YOUR EMOTIONS**

**For assistance, kindly reach out to: The Advocates' Benevolent Association Secretariat:**

@ aba@lsk.or.ke 0717-595-006 @LSK\_ABA The Advocates' Benevolent Association

**Counsellors and Psychologists Society of Kenya (CPS-K):**

Chairperson, Mr. Kimani Githongo, Advocate – Phone: 0722-715-424





NOTICE

## CALL FOR VOLUNTEERS TO JOIN NAIROBI LEGAL AWARDS TRUST COLLEGE OF ASSESSORS



NAIROBI  
LEGAL AWARDS  
T R U S T



Law Society of Kenya  
NAIROBI BRANCH

Nairobi Legal Awards Trust is in the process of constituting the College of Assessors for the 2024 Awards Cycle. This year, dubbed the Uadilifu Edition, we seek to celebrate advocates who demonstrate the highest ethical standards in legal practice and are trailblazers in their areas of practice. To this end, we seek exemplary advocates from the outlined areas of practice to volunteer and join the esteemed NLA College of Assessors.

Please [click here](#) to access communication to the various committees for your kind action.

1. The Alternative Dispute Resolution Committee (ADR)
2. The Gender Committee
3. The In- House Counsel Committee
4. The Public Interest Litigation Committee.

### **TCA TRAININGS SCHEDULE (MAY-JUNE 2024)**

Training and Consulting Associates Limited (TCA) is an independent CPD provider accredited by the Law Society of Kenya.

[Click here](#) for the schedule.



UPCOMING EVENT

## AFRICA ARBITRATION AWARDS

The graphic features a central white circle labeled 'Award Categories' with five arrows pointing to surrounding colored hexagons: a green one for 'Leading Arbitration Service Provider', a light green one for 'Innovation in Arbitration', a red one for 'Leading Case Counsel Team', a dark red one for 'Young African Arbitrator of the Year', and a grey one for 'African Arbitrator of the Year'. The top left has the 'AFRICA ARBITRATION AWARDS 2024' logo, hosted by 'EAST AFRICA INTERNATIONAL ARBITRATION CONFERENCE'. The top right specifies the date '20 Sept 2024' in Addis Ababa, Ethiopia. The bottom left includes logos for 'I-ARB INTERNATIONAL ARBITRATION AFRICA' and 'GBS AFRICA', along with the website 'WWW.EASTAFRICAARBITRATION.COM'. The bottom right lists 'HOSTED BY' 'EAST AFRICA INTERNATIONAL ARBITRATION CONFERENCE' on '19-20 SEPT 2024, ETHIOPIA', with social media icons for LinkedIn, Facebook, and Twitter, and the 'eaiac' logo.

In its 5th year, the Africa Arbitration Awards aim to celebrate, recognise, and honour outstanding practitioners and leaders in the African arbitration ecosystem and will be celebrated at a Gala Dinner on Friday, 20th September 2024, in Addis Ababa, Ethiopia.

The five (5) Award categories are:

1. African Arbitrator of the Year
2. Leading Arbitration Case Counsel Team
3. Young Arbitration Practitioner of the Year
4. Innovation in Arbitration
5. Leading Arbitration Service Provider

**Nominations Period:** Nominations close on 5th July 2024. [Click here](#) to nominate.





LAW SOCIETY OF KENYA

# APPLICATION FOR LETTERS OF NO OBJECTION

## 1. INDIVIDUAL ADVOCATE APPLICATIONS TO ESTABLISH A SOLE PROPRIETORSHIP

## 2. REQUIREMENT FOR REGISTERING LIMITED LIABILITY PARTNERSHIPS (LLPs)



### Preferred Name for registration

Note that the word 'advocates' must appear in the name. The name should be as it appears on the Roll of Advocates. Sole proprietors cannot use initials only.



### Preferred Name for registration.

Note that the word 'advocates' must appear in the name.



### The statement of particulars or proof of reservation certificate (BN)

as obtained from the business registrar. (can be the screenshot of the name reservation page)



### Duly filled statement of particulars

statement of particulars as per the LLP Act



### Proof of the reservation certificate (BN)

as obtained from the business registrar



### The name of the partner(s)

to the outfit you are about to register.



### The name of the partners

to the outfit you are about to register



### The current PC (s) /receipt of payment



### The current PC (s) /receipt of payment for all partners



Advocates can send the requests by mail or email to [compliance@lsk.or.ke](mailto:compliance@lsk.or.ke) for further processing.

Note: The letters of no objection do not attract any charges from the LSK.





UPCOMING EVENT

# 5 DAY PROFESSIONAL MEDIATION TRAINING COURSE



**VENUE:** SIRIKWA HOTEL, ELDORET

**DATES:** 8th - 12th July 2024

**COST:** KSHS. 55,000/- Plus 16% VAT PP



LAW SOCIETY OF KENYA

Are you looking to enhance your career as a certified professional mediator and gain international recognition for your skills? Look no further than our international professional mediation training program.

**Mediation Training Institute International East Africa (MTI E.A)** is pleased to announce to you a 5 day Professional mediation training course in collaboration with **Law Society of Kenya (LSK)**. MTI E.A has earned a reputation of excellence in the field of Mediation Training. MTI E.A conducts ongoing reviews of content, processes, and is widely acknowledged as one of the leading providers of Professional Mediation training in the world. Our training program has been subjected to extensive scrutiny by leading International standards setting and credentialing institutions.

In just a week face to face training, our intensive training program can help you become an internationally certified professional mediator. Our program covers all aspects of mediation, providing you with the skills and knowledge necessary to succeed in international settings. Our experienced and Certified Professional mediation trainers will lead your training, which includes hands on practice through simulated mediation exercises and role-playing.

### Benefits of our program

- Internationally recognized certification
- Comprehensive training from experienced and certified professional mediation trainers
- Hands on practice through simulated mediation exercises and role playing
- Three certifications upon completion \*IMI\* SIMI\* MTI. E. A
- This course is accredited by the Law Society of Kenya. **Participants will receive 3 CPD units.**

All MTI E. A. trainers are practicing mediators who have undergone extensive Train the Trainer (TOT) Training and have experience in mediation practice. At the end of the training, participants are assessed with highly qualified external assessors.

### Payment by Cheque or bank transfer to:

Account Name: **Mediation Training Institute International East Africa**  
 Bank: **Absa Bank, Harambee Avenue Branch, Nairobi**  
 Account Number: **2027798090**  
**PAYMENT BY MPESA: Paybill 303030 Account No.: 2027798090**

### Registration for the course ongoing

For clarification and registration contact:

MTI EAST AFRICA

Physical address: Jeevan Bharati, 5th Floor (Opp. Electricity House), Harambee Avenue, Nairobi

Tel: Emma 0725-538 320, Hesbon 0714-390 371

Mangerere 0707-124 831 / 0733-854 901

Email: [info@mtieastafrica.org](mailto:info@mtieastafrica.org) / [mangererej2015@gmail.com](mailto:mangererej2015@gmail.com)

Website: [www.mtieastafrica.org](http://www.mtieastafrica.org) / [www.mtieastafrica.or.ke](http://www.mtieastafrica.or.ke)





UPCOMING EVENT

## LSK CPD SEMINARS AND WEBINARS IN THE MONTH OF JUNE

This month, the Law Society of Kenya continues to offer Continuous Professional Development for our members. Kindly access the June CPD calendar through the link below:

[https://drive.google.com/file/d/1DZrrCj80wM0f03jed\\_9oJzSWCYYoXZeN/view?usp=sharing](https://drive.google.com/file/d/1DZrrCj80wM0f03jed_9oJzSWCYYoXZeN/view?usp=sharing)



**Advocates who would like to apply for appointment as Commissioners for Oaths are hereby notified of the following:**

**1. Mode of Application:** Effective 16th January 2023, applications for appointment of Notaries Public will be done **exclusively online** through the **Judiciary Advocates Management System** which is accessible through <https://jams.court.go.ke/>

**2. Account Activation:** Details of all Advocates have been pre-loaded onto the system and each Advocate is to activate his/her account before making the application. For this, click **"Sign Up,"** select **"Advocate"** and provide the required info (P.105. Number and e-mail address). A unique code will be sent to your e-mail address for account activation.

**3. Application Process:** Click **"Applications"**, select **"Commissioner for Oaths"** and upload the required documents. NB. A list of requisite documents is displayed at every application function on your portal.

**4. Service on LSK:** The Judiciary Advocates Management System has been integrated with the LSK System. LSK will have access to your Application, review and give their recommendation.

**5. Appointment:** Upon recommendation by LSK, the Chief Justice will issue a digitally generated Commission appointing the Advocate as a Commissioner for Oaths. **NB** Where LSK objects, the applicant will be notified accordingly

**7. Signing the Roll:** The System will send a notification inviting the applicant to sign the Roll of Commissioners for Oaths before the Chief Registrar on a specified date and time. Thereafter, the Commission will be available on the Portal and email for download.

**8. Stamping:** The Advocate will be required to take the Commission to the Ministry of Lands for stamping as provided for under Sec. 2(2) of the Oaths and Statutory Declarations Act. Thereafter, the Advocate is to **scan and upload to the system a franked copy of the Commission.**

**9. Gazettement:** In accordance with Sec 2(3) of the Oaths and Statutory Declarations Act, the Chief Registrar will publish in the *Gazette* the names of Advocates who have been appointed as Commissioners for Oaths and uploaded the franked Commissions.

**10. Authentication:** The system allows any member of the public to authenticate all digitally signed documents issued to Advocates, including the Commission.

**11. User Support:** Every effort has been made to develop a system that is user friendly for all Advocates. Those with challenges may e-mail [advocatessection@court.go.ke](mailto:advocatessection@court.go.ke) for support.

**12. Training:** The Advocates Section and LSK Secretariat will also hold joint training sessions on the system for Advocates in the coming days. Look out for announcements of these sessions on LSK and Judiciary communication channels.

**13. Feedback:** As this is a new system, we anticipate that users may experience a few challenges. We welcome positive/constructive feedback that will help us address the challenges and enhance the system for the benefit of all users and stakeholders. Feedback on the system can be sent to [judiciary.advocates.system@gmail.com](mailto:judiciary.advocates.system@gmail.com).

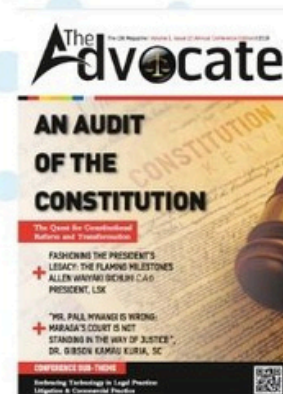
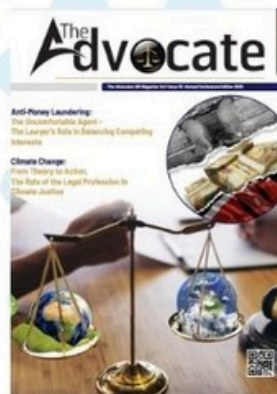


# ADVERTISING OPPORTUNITY ON THE LSK ADVOCATE MAGAZINE ANNUAL CONFERENCE EDITION 2024

THE MAGAZINE ALSO OFFERS AN OPPORTUNITY FOR MEMBERS OF THE LAW SOCIETY OF KENYA AND STAKEHOLDERS/ PARTNERS TO PLACE ADVERTISEMENTS (AT SUBSIDIZED RATES) AS HIGHLIGHTED BELOW:

- DOUBLE PAGE SPREAD KSHS. 250,000
- FULL PAGE KSHS. 150,000
- STRIP FRONT PAGE KSHS. 75,000
- HALF PAGE KSHS. 50,000
- QUARTER PAGE KSHS. 25,000

NB: THE ADVERTISING RATES ARE EXCLUSIVE OF THE 16% RATE OF VAT.







## UPCOMING EVENTS

### CLA JUNE NEWSLETTER



Here, you can find all our latest news from across The Commonwealth, covering official statements, think pieces, insights, regional Hub news, association updates, conference highlights and event summaries.

To access the full breadth of our news updates, click here, <https://www.commonwealthlawyers.com/news/>

### 10TH WORLD WOMEN LAWYERS' CONFERENCE - BOOK NOW



International Bar Association  
the global voice of the legal profession

Founded in 1947, the IBA is the leading organisation for international lawyers and bars, and works to protect and advance the rule of law. Join today to build networks and understand the latest legal developments through our projects, conferences and resources. The IBA hereby presents the IBA Women Lawyers' Committee.

For more details, please click here, <https://www.ibanet.org/conference-details/CONF2503>



# CALL FOR ARTICLES FOR THE ADVOCATE MAGAZINE 2024- ANNUAL CONFERENCE EDITION

The Law Society of Kenya invites members to submit articles for consideration for publication in the August 2024 issue of The Advocate Magazine – Annual Conference Edition.

The submitted articles should:

- a) Be in line with this year's Annual Conference Theme - **"Empowering Legal Excellence: Good Governance and the Rule of Law for Sustainable Development."** or Sub-theme – **"AI in Law: Navigating the Future of Legal Practice"**
- b) Not exceed 1000 words (footnotes are not required).
- c) Attach passport sized photos of the author to be published together with the submitted article.

**All articles and requests to advertise/partner should be sent to [a.rodil@lsk.or.ke](mailto:a.rodil@lsk.or.ke) and copied to [gloria.kuyoh@lsk.or.ke](mailto:gloria.kuyoh@lsk.or.ke) to reach us not later than Friday, 28th June 2024.**







## UPCOMING EVENT



# IBA 2024 MEXICO CITY

ANNUAL CONFERENCE OF THE INTERNATIONAL BAR ASSOCIATION

15 - 20 Sept



## CENTRO CITIBANAMEX, MEXICO CITY, MEXICO



**T**he 2024 IBA Annual Conference will be held in Mexico City. Located between the USA and South America, Mexico has a rich history and is the largest Spanish-speaking country in the world. With a population of almost 130 million, a rich cultural history and diversity, and abundant natural resources, Mexico is the world's 11th largest economy\* and the fourth-largest economy and a significant financial centre in the Americas.

Mexico has attracted many companies to take advantage of the opportunities for multinational businesses. Mexico City is home to a diverse range of businesses across multiple industries. The city is a significant financial centre, and is the headquarters for many international businesses, banks and financial institutions. It is also home to a thriving technology industry, with start-ups and established tech companies in the city.

\* Source: [www.imf.org](http://www.imf.org)

Mexico City has seven hundred years of history from pre-hispanic remains through to the modern city around Reforma. The Zócalo, the colonial era main square, is a fantastic mixture of the architectural styles from that period. Just outside the city is the amazing Teotihuacan. The Pyramid of the Sun is the largest building in Teotihuacan, and one of the largest in Mesoamerica dating back to c. 200 AD

The cuisine in is much more than tacos and a shot of tequila. Steeped in tradition, there is a wide variety of bars and excellent restaurants serving all kinds of Mexican and international food.

Located at the crossroads of the Americas and taking place in such a bustling economic and financial centre, Mexico City will be an exceptional host for the IBA Annual Conference.



## WHAT WILL IBA 2024 OFFER YOU?

- Access 5,000+ attendees representing over 2,700 law firms, corporations, governments and regulators from more than 130 jurisdictions
- Hear from leading international figures, government officials, general counsel and experts from across all practice areas and continents
- Opportunities to win more work and referrals at the world's best networking and business development event for lawyers and law firms
- Save time and money by meeting all of your legal contacts under one roof



## BOOK NOW:

Visit: [www.ibanet.org/conference-details/CONF2421](http://www.ibanet.org/conference-details/CONF2421)

To receive details of all exhibiting and sponsorship opportunities for the IBA Annual Conference in Mexico City, email [andrew.webster-dunn@int-bar.org](mailto:andrew.webster-dunn@int-bar.org)

OFFICIAL CORPORATE SUPPORTER







UPCOMING EVENT

# PALU 14TH ANNUAL CONFERENCE- ADDIS ABABA,ETHIOPIA



**Pan African Lawyers Union**  
Union Panafricaine des Avocats  
União Pan-Africana dos Advogados  
اتحاد المحامين الأفارقة



**ANNOUNCEMENT**

## **PALU 14TH ANNUAL CONFERENCE!**



**NEW DATES:** 16-19 OCT. 2024



**NEW VENUE:** ADDIS ABABA, ETHIOPIA

MORE INFORMATION TO BE SHARED SOON! STAY TUNED

<https://www.lawyersofafrica.org>

[events.lawyersofafrica.org](https://events.lawyersofafrica.org)

[events@lawyersofafrica.org](mailto:events@lawyersofafrica.org)

+255 (68) 507-8794

@lawyersofafrica





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Lavington, Opposite Valley Arcade, Gitanga Road  
P.O BOX 72219- 00200  
Nairobi, Kenya**

**Phone Number: 0111- 045 300**

**Email: [lsk@lsk.or.ke](mailto:lsk@lsk.or.ke)  
[www.lsk.or.ke](http://www.lsk.or.ke)**