

29TH APRIL 2024 ISSUE 13 THE LEGAL INSIGHT

The Official LSK Weekly Newsletter

THE UNTIMELY PASSING OF THE FOUNDER OF MOTHERS OF VICTIMS & SURVIVORS NETWORK

We humbly offer our condolences for the untimely and terrible loss of Ms. Benna Buluma, Mama Victor (in a purple turban), due to flooding in Mathare North. The fact that her life was lost as a result of a breach in the enshrinement of her ECOSOC Rights is a double tragedy, as she lost two of her boys to extrajudicial killings in 2017. In her role as Convener of the Mothers of Victims and Survivors Network(MVSN), her unflinching bravery and astute leadership was inspirational.

Not only does the news of her passing affect the MVSN, but the human rights community as a whole, as does the loss of her daughter, 2 grandchildren and another MVSN member. May Mama Vic's legacy provide comfort and strength to her family and community. The Law Society of Kenya shall continue to work with the Social Justice Movement to advocate for the rights of the vulnerable in Society.



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 FEATURED

 News Segment

 Notices/Vacancies

 Upcoming Events





The Council of the Law Society of Kenya, led by the LSK President, Ms. Faith Odhiambo addressed the media on Monday, 22nd April 2024.

The LSK President addressed the growing concerns surrounding the implementation of the National Fertilizer Subsidy Program (NFSP), which has recently come under scrutiny due to reports of substantial breaches of duty, acts of incompetence, and allegations of fraud and corruption.

Access the full statement via this <u>link</u>.



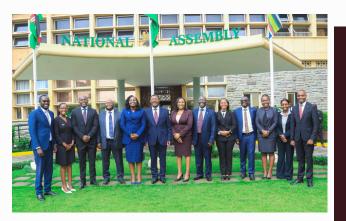
NEWS SEGMENT

COURTESY CALL TO THE NATIONAL ASSEMBLY

The Council of the LSK paid a courtesy call to the Speaker of the National Assembly, Hon Moses Wetangula at the Parliament Buildings. The LSK President

Ms. Faith Odhiambo led the discussions, highlighting various areas of collaboration, which included legislative review, enhancement of public participation in shaping legislation & governance process, legal aid and capacity building for advocates in legislative drafting.

The LSK appreciates the for the National Assembly significant strides in the development of numerous legislations and hope to collaborate to further improve the legislative process.





COURTESY CALL TO THE ATTORNEY GENERAL

The LSK President Faith Odhiambo led the Council to a Courtesy Call on the Attorney General (AG) Hon. Joseph Muturi at his Chambers at Sheria House.



The LSK presented a memorandum addressing some areas of concern while identifying possible areas of partnerships and collaboration. Some of the areas identified included Capacity Building on CPD, workshops & seminars, welfare concerns of State Counsels, especially on voting, enhancing the effectiveness and fair compensation of the members of the Advocates Disciplinary Tribunal (ADT), Public Interest Litigation and Law Reform among other areas.

The Council and the Hon. AG agreed to further their discussions on the identified areas of mutual interest.



COURTESY CALL TO THE ODPP

The Council of the Law Society of Kenya, led by President Faith Odhiambo, flanked by VP Mwaura Kabata and Secretary/CEO Florence Muturi, paid the DPP Renson Ingonga a courtesy call at his office at the ODPP House.

The Council held the Courtesy call with a view to enhancing partnerships and collaboration between the two institutions. Some of the key issues discussed included legal education and training (CPD and training workshops), case management and prosecutorial practices, evidence handling, forensic procedures, and continuous work towards prosecuting unqualified persons acting as advocates, amongst others. The team agreed to work together in the various key areas of criminal justice reform with the aim of driving positive change and improving the administration of justice in Kenya.





NOMINATION TO SERVE IN THE AUCTIONEERS LICENSING BOARD

The Auctioneers Licensing Board is established by Section 3(1) of the Auctioneers Act No. 5 of 1996. The said Act requires the Law Society of Kenya (LSK) to nominate two (2) Advocates of the High Court of Kenya of not less than ten years standing to serve as members of the Tribunal. The term of one of the LSK Representatives to the Board has since expired.

This is a call for any member with the relevant experience and interest in serving in the Auctioneers Licensing Board to express interest for consideration by the Council, by filling in this form <u>https://forms.gle/fCE1KKVQA31SZcfU9</u> to reach us not later than **3rd May**, **2024**.

NOTICE FOR COMMENTS ON THE TREATY MAKING AND RATIFICATION (AMENDMENT) (NO. 2) BILL, 2024

The Treaty Making and Ratification (Amendment) (No.2) Bill 2024 was presented before the National Assembly for the First Reading on 20th March 2024 and referred to the Departmental Committee on Defense, Intelligence and Foreign Relations.

The bill seeks to amend the Treaty Making and Ratification Act, 2012, to incorporate a special enactment procedure for economic treaties, strengthen the National Assembly's participation in the treaty-making process, and enhance efficiency in the treaty-making process.

In accordance with Article 118 of the Constitution and standing order 127(3), members are hereby invited to submit their comments on the Treaty Making And Ratification (Amendment) (No.2) Bill 2024, which can be accessed through this Link.

Members are requested to submit their comments to the parliamentary Affairs and legislation email at <u>parliamentaryaffairs@lsk.or.ke</u> and copy Ms. Sarah Agong at <u>sarah.agong@lsk.or.ke</u> not later than Monday, 29th April 2024 at 5:00 p.m.



Taking place from 15-20 September at the Centro Citibanamex, Mexico City, the <u>2024 IBA Annual Conference</u> is the premier conference for legal professionals worldwide to meet, share knowledge, network, build contacts and develop business.

With an abundance of business and networking opportunities on offer, and taking place in such a bustling economic and financial centre, Mexico City will be an exceptional host for the largest, most prestigious event for international lawyers.

What will IBA 2024 offer you?

- Gain up-to-date knowledge of the major developments in your area of law
- 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
- Access to 5,000+ attendees representing over 2,700 law firms, corporations, governments and regulators from more than 130 jurisdictions
- Build invaluable international connections with leading practitioners worldwide
- Build your personal profile and enhance your law firm's reputation, visibility and brand in the international legal world
- Acquire a greater knowledge of the role of law in society through rule of law and human rights
- Be part of the debate on the future of the law



End-of-Life Transitional Care: A balanced consideration of medical, emotional, and ethical aspects in an inter-disciplinary practice

DATE

2nd May 2024

OMEN IN AD

TIME

3:00pm - 5:00pm EAT



DR. JOY MBAABU Mediator & ADR Expert



CAREEN WHITE Nurse & End-of-Life Healthcare Professional



TABITHA RAORE Advocate & WADR Member

wadrewomeninadr.com

CONTACTS

About the webinar

ROSE MBANYA

Family Law Expert

End-of-life transitional care and practice is a sensitive yet complex area that involves inter-disciplinary perspectives from legal, medical, wellness and conflict resolution practitioners. WADR invites you to explore this growing area and consider the role that ought to be played by lawyers, psychologists, social workers, healthcare professionals, wellness practitioners and ADR practitioners working collaboratively with the common purpose of creating an enabling and effective legal and societal framework for all those concerned.



INVITATION TO JOIN THE AEA INTERNATIONAL LAWYERS NETWORK - CONGRESS IN BUDAPEST

The ASSOCIATION OF EUROPEAN ATTORNEYS/ AEA INTERNATIONAL LAWYERS NETWORK was created in January 2004. This year 2024 we celebrate our 20th Anniversary.

It has an European origin but has expanded all over the world. The headquarters are located in BERLIN.

The main goal of the AEA is the referrals between members. The idea is to get work from other countries and to give a better service to the clients.

There are collateral benefits also because you can establish a link to the AEA web site, insert the logo in your Email signature and include the logo and web site of AEA in your letter heading. Also you will appear listed with your picture in our web. The web is open to all Internet users.

Therefore the advantages are:

- To get referrals from law offices all over the world.
- To have the possibility to give a better service to the clients by offering services worldwide.
- To improve your image as a law firm and get more visibility.

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The AEA has offices in the majority of the independent countries of the world. We are the largest network of lawyers in the world in what relates to the number of offices and number of countries covered. The AEA has 1.027 offices in 150 countries with a total of around 12.000 Lawyers.

Our trademark ASSOCIATION OF EUROPEAN ATTORNEYS is registered in the European trademark office since 2004.

The AEA has held sixteen international congresses. We celebrated the first international conference in Madrid in September 2005. The second Congress was held in Paris in October 2007. The third Congress was held in Madrid in May 2008. The fourth Congress was held in May 2009 in Berlin. The fifth congress was held in Rome in May 2010. The sixth took place in Istanbul in June 2011. The seventh was held in St. Petersburg in May 2012. The eighth congress took place in México in May 2013.



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The ninth congress took place in Amsterdam in October 2013. The tenth congress took place in Athens in May 2014. The eleventh congress took place in Lisbon in May 2015. The twelfth congress took place in Cyprus in May 2016. The thirtieth Congress took place in Prague in June 2017. The fourteenth Congress took place in Palermo in May 2018. The fifteenth took place in Nice in May 2019. The sixteenth Congress took place in Barcelona the 26th and 27th May 2022.

The next Congress will take place in Vienna the 25th and 26th May 2023.Our next congress will take place the 30th and 31st May 2024 in Budapest. All firms attending our congresses have a two minute presentation of their services. In our congresses the main goal is that everybody can speak and get to know the other attendees.

Our fee is only 250 Euros per year.

For more information, please click here, <u>https://www.aeuropea.com/budapest-</u> 2024-congress/_



LSK SACCO ANNUAL GENERAL MEETING



The LSK Sacco held its Annual General Meeting on 13th April 2024.

Below are a few highlights for members to take note of, <u>CLICK HERE</u>





SPECIALIZED SEMINAR ON NAVIGATING CONTEMPORARY ISSUES IN FAMILY LAW PRACTICE





COUNCIL DECISIONS TAKEN ON 22ND APRIL 2024

The Council Decisions on applications taken on **22nd April 2024** for admission to th Roll of Advocates, Practicing Certificates, Notary Public and Commissioner for Oaths and Admission petitions November Special Gazette can be accessed on the link:

https://drive.google.com/file/d/1gjR3OQPwVMLQm-

IxKjyu3WClIDOzYaWR/view?usp=sharing

VACANCY NOTICE-LITIGATION ADVOCATE

We are a medium-sized Law firm in Nairobi. We are looking for a Litigation Advocate with one year post- admission experience.

The ideal candidate should have the following:-

1. An Advocate of the High Courts of Kenya, with a current practicing certificate.

2. Knowledge of Court rules and procedures, administrative hearings, land and companies registry procedures.

3. Have an in-depth understanding of Conveyancing laws and practice will be an added advantage.

4. Must be hands-on in the interpretation and application of legal texts, statutes, rules and regulations.

VACANT

5. A person of unquestionable integrity and high sense of professionalism.

- 6. Should be proactive, self-motivated and aggressive.
- 7. Have excellent interpersonal skills.
- 8. Ability to work in a team.
- 9. Able to demonstrate excellent organizational skills and be results oriented.
- 10. Ability to handle pressure and work with minimum or no supervision.
- 11. Must be computer literate.
- 12. Time-conscious and able to meet deadlines
- 13. Must be presentable

Applications should be emailed to <u>recruitinfo2@gmail.com</u> to be received not later than the 10th May 2024. If you believe you are the right candidate for this role, please submit your application with a detailed CV together with a passport photo and testimonials, stating your current position, remuneration and benefits, email and telephone contacts as well as expected remuneration package to reach us on or before 10th May 2024. Successful candidates will be offered competitive terms and salary commensurate with their competence, qualifications and experience.

Only shortlisted candidates will be contacted

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8TH INTERNATIONAL ARBITRATION CONFERENCE





WEEKLY BITES

PALU 14TH ANNUAL CONFERENCE- MARRAKESH, MOROCCO



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

PALU 4th ANNUAL CONFERENCE

#savethedate

CLE POINTS WILL BE AWARDED

MARRAKESH MOROCCO

> WEDNESDAY- SATURDAY 22-25 MAY, 2024

Join us at the **PALU** 2024 Annual Conference. Stay tuned for more details! For the latest updates, please visit our events portal at https://events.lawyersofafrica.org

events.lawyersofafrica.org
\$\$\mathbf{L}\$ +255 (68) 507-8794

events@lawyersofafrica.org



WEEKLY BITES

APPLICATION FOR LETTERS OF NO OBJECTION TO ESTABLISH A LAW FIRM AS GUIDED BY THE ADVOCATES ACT CAP 16

1. INDIVIDUAL ADVOCATE APPLICATIONS TO ESTABLISH A SOLE PROPRIETORSHIP

REQUIREMENTS:

- 1. 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.
- 2. 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)
- 3. The name of the partner(s) to the outfit you are about to register.
- 4. The current PC (s) /receipt of payment

2. REQUIREMENT FOR REGISTERING LIMITED LIABILITY PARTNERSHIPS (LLPs)

REQUIREMENTS

1. Preferred Name for registration. Note that the word 'advocates' must appear in the name.

2. Duly filled statement of particulars as per the LLP Act.

3. Proof of the reservation certificate (BN) as obtained from the business registrar.

4. The name of the partners to the outfit you are about to register.

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

Advocates can send the requests by mail or email to compliance@lsk.or.ke for further processing.



5 DAY PROFESSIONAL MEDIATION TRAINING COURSE

DAY PROFESSIONAL MEDIATION TRAINING COURSE VENUE: SUNSET HOTEL, SHANZU, MOMBASA DATES: 6th - 10th May 2024 COST: KSHS. 55,000/- Plus 16% VAT PP

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 receive3 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 / mangererej2015@gmail.com Website:www.mtieastafrica.org / www.mtieastafrica.or.ke







International Academy of Mediators

LAW SOCIETY OF KENYA

The premier mediation training institute in Africa



ZANZIBAR WOMEN IN SPORTS EMPOWERMENT CONFERENCE



VINNARE LEGAL CHAMBERS Email: info@vinnarelegalchambers.co.tz • jzebedayo@gmail.com Tel: +255714 220 524 / +255738 542846



ZANZIBAR WOMEN IN SPORTS EMPOWERMENT CONFERENCE DATE: 12TH - 15TH JUNE, 2024 • VENUE: ZANZIBAR BEACH RESORTS







REGISTER TODAY

students \$50 corporates \$100 group bookings

For Sponsorship and Partnerships contact: belinda@mission89.com • Tel +254 721 583 714 For Booking & Registration info@vinnarelegalchambers.co.tz • Tel: +255 714 220 524

PARTNERS









THE KENYA SCHOOL OF LAW

CERTIFIED SECRETARIES (CS) COURSE COURSE CODE: CS01/2024

MAY 2024 INTAKE VIRTUAL CLASSES

COURSE OVERVIEW

1.1 Introduction

The Kenya School of Law in exercise of its mandate invites applications from qualified persons to pursue the Certified Secretaries (CS) Course. The school receives intakes in January, May and September to align with KASNEB examination periods of April, August and December respectively.

1.2 Why CS Course?

The CS qualification is a key requirement for qualification as company secretary, governance practitioner, governance compliance auditor and policy and governance consultant among other roles.

Upon successful completion the learner will be able to:

- Practice and promote principles of good governance within public and private sector entities;
- Implement and comply with legal, regulatory and ethical requirements in practice;
- Ensure proper conduct and management of meetings;
- Undertake consultancy and advisory services in corporate secretarial and related practices;
- Manage boardroom dynamics;
- Undertake governance and compliance audits.

2.0 FEE STRUCTURE AND DURATION

LEVEL	COURSE DURATIO N	COST PER UNIT (Kes)	
Foundation	3 months	7,500	
Intermediate	3 months	8,000	
Advanced	3 months	9,000	

NOTE that the fee per unit does not include registration fee, examination fee, exemption fee or any other charges payable to KASNEB.



3.0 SYLLABUS

The Course is divided into three levels, namely, the Foundation Level, the Intermediate Level and the Advanced Levels. Lawyers and advocates are entitled to **EXEMPTIONS** as provided in the table below.

		LL.B GRADUATE S	ADVOCATES 0- 5 YEARS	ADVOCATE S ABOVE 5 - 10 YEARS	ADVOCATES 10 YEARS AND ABOVE			
	FOUNDATION LEVEL							
1	Management Principles & Practice;	Exempted	Exempted	Exempted	Exempted			
2	Communication Skills & Records Management	Exempted	Exempted	Exempted	Exempted			
3	Introduction to Law & Governance;	Exempted	Exempted	Exempted	Exempted			
4	 Principles of Accounting & Taxation; 	To sit	Exempted	Exempted	Exempted			
5	Human Resource Management;	To sit	Exempted	Exempted	Exempted			
6	Information Communication Technology.	Exempted	Exempted	Exempted	Exempted			
	INTERMEDIATE LEVEL							
1	Company Law;	Exempted	Exempted	Exempted	Exempted			
2	Public Sector Governance, Policy & Administration;	To sit	To sit	To sit	To sit			
3	Meetings: Compliance & Administration	To sit	To sit	To sit	To sit			
4	Financial Markets & Specialized Institutions;	To sit	To sit	To sit	Exempted			
5	Corporate Governance & Ethics;	To sit	To sit	To sit	To sit			
6	Research, Consultancy & Advisory	To sit	To sit	Exempted	Exempted			
		ADV	ANCED LEVEL					
1	Strategic Management;	To sit	To sit	Exempted	Exempted			
2	Finance for Decision- Making;	To sit	To sit	To sit	Exempted			
3	Governance & Compliance Audit	To sit	To sit	To sit	To sit			
4	Boardroom Dynamics.	To sit	To sit	To sit	To sit			
5	Research Project	To sit	To sit	Exempted	Exempted			

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3.0 MINIMUM ENTRY QUALIFICATIONS

A person seeking to be registered as a student for the CS Course must show evidence of being a holder of one of the following minimum qualifications:

(a) Kenya Certificate of Secondary Education (KCSE) examination with an aggregate average of at least grade C+ (C plus) or its equivalent.

(b) Kenya Advanced Certificate of Education (KACE) with at least TWO Principal passes provided that the applicant has credits in Mathematics and English at Kenya Certificate of Education (KCE) level or equivalent qualifications.

(c) KASNEB technician, diploma or professional examination certificate.

(d) A degree from a recognized university.

(e) International General Certificate of Secondary Education (IGCSE) examination grade C in 6 papers with C in both English and Mathematics.

(f) Such other certificates or diplomas as may be approved by KASNEB.

4.0 MODE OF DELIVERY

The course will be delivered virtually between 1700hrs and 2100hrs on week-days and on Saturdays as shall be indicated on the timetable

4.0 APPLICATION PROCESS

A registration, fee of shillings 2,000 is applicable and should be deposited to **Absa Bank PLC**, **Absa Plaza Branch**, **Nairobi**, **Account Number**: **202 2029 110** and the deposit slip bearing applicant's name, a copy of national identity card/passport and a passport-size colour photograph with white back-ground; sent to <u>cpd@ksl.ac.ke</u>. Registration for the course should be done by filling in this google form <u>https://docs.google.com/forms/d/e/1FAIpQLSeqnx80PcSaTGJ0wjrYJKu_qh6sYC_W3mqmwPxhuKGenb3nz_A/viewform?usp=sf_link</u>. Applicants will be issued with admission letters and applicable fee structure upon registration.

INQUIRIES: Please contact the Programme Coordinator, Ms. Naserian Sitelu <u>msitelu@ksl.ac.ke</u>, or Jacqueline<u>jacqueline@ksl.ac.ke</u>