



THE JUDICIARY



KNOW YOUR TRIBUNALS

Article 1(3) (c) of the Constitution recognizes the Judiciary and independent tribunals as State organs to which sovereign power is delegated by the people of Kenya. According to Article 159 (1) of the Constitution, judicial authority vests in and is to be exercised by courts and tribunals established by or under the Constitution. Article 169 (1) further defines subordinate courts under the Judiciary to include local tribunals as may be established by an Act of Parliament. Out of the over 50 tribunals in Kenya, 20 have been transferred to the Judiciary in compliance with the Constitution. Below are the 20 tribunals under the Judiciary and their respective jurisdictions.

Tribunals are now coordinated through the office of Registrar Tribunals established by the Judicial Service Commission.

BUSINESS PREMISES RENT TRIBUNAL

Establishment

Business Premises Rent Tribunal is established under Section 11 of the Landlord and Tenants (Shops, Hotels and Catering Establishments) Act, Cap 301 Laws of Kenya.

Jurisdiction

- To protect the Tenant from arbitrary eviction and exploitation.
- To ensure that the Landlord gets returns for his investment.
- Timely hearing and determination of tenancy disputes in controlled tenancies.
- To create a conducive environment for business to thrive.
- To handle termination of tenancies in business premises under controlled tenancies.
- To issue orders for levying distress in business premises under controlled tenancies.
- To undertake rent assessment/re-assessment in business premises under controlled tenancies.

Location & Contacts

- Nairobi –View Park Towers-8th floor (Contact- 0723451250)
- Mombasa- PC’s Office, Uhuru Na Kazi Building, 2nd floor (Contact-0710350325)
- Kisumu-Weights & Measures Offices, next to Central Police Station (Contact-0721911184)
- Nyeri –Ministry of Trade Office, Ruringu Stadium, next to Do’s office (Contact-0721623382)
- Nakuru –PC’s Office-Block A, 2nd floor, Rm. No.6 (Contact-0723648457)
- Embu-PC’s Office (contact-0712273530)
- Eldoret –KVDA Plaza, 12th Floor, Rm No.1220 (0722925958)
- Kakamega-PC’s Office, Block B, 1st Floor, Rm No.48 (Contact-0724522660)
- Kisii –Ministry of Labour Offices (Contact - 0722715399)

COMPETENT AUTHORITY

Establishment

Established under Section 48 of the Copyright Act No. 12 of 2001, Laws of Kenya

Jurisdiction

The Competent Authority has jurisdiction to hear appeals from decisions of the Kenya Copyright Board in relation to :

- unreasonable refusal to grant a certificate of registration in respect of a collecting society; or
- imposing unreasonable terms or conditions on the granting of such a certificate; or
- a collecting society is unreasonably refusing to grant a licence in respect of a copyright work;
- a collecting society is imposing unreasonable terms or conditions on the granting of such a licence;
- clients include artists, musicians, writers etc.

Location & contacts

Sheria House, Office of the Attorney General and Department of Justice.

COMMUNICATION AND MULTIMEDIA APPEALS TRIBUNAL

Establishment

Established under Section 102 of the Kenya Information and Communications Act No. 2 of 1998.

Jurisdiction

Its jurisdiction includes determination of :

- complaints against any publication or conduct of a journalist or media enterprise;
- appeals against the decisions of the industry regulators, the Communications Authority of Kenya and the Media Council of Kenya,
- Complaints by any citizen who is aggrieved by an action or decision of licensees who are telecommunications service providers under the Kenya Information and Communication Act.

Location & contact

Located at Transcom House 9th Floor, Tel: 0732782513

COMPETITION TRIBUNAL

Establishment

The Competition Tribunal is established under Section 71(1) of the Competition Act, Cap 504 Laws of Kenya.

Jurisdiction

The Tribunal has Jurisdiction to hear and determine the following :

- Matters referred to it for review of the Competition Authority’s decision on mergers and acquisition under the Act;
- Appeals from the decisions of the Authority;
- Any other matter arising under the Act; and,
- Any other matter referred to it by a competent court of law

The Tribunal determines appeals from the decision of the Competition Authority regarding:

- Restrictive Trade Practices
- Restrictive Trade Practices applicable to Trade Associations
- Abuse of Dominant Position
- Exemption of Certain Restrictive Trade Practices
- Mergers and Acquisition
- Control of Unwarranted Concentration of Economic Power
- Consumer Welfare cases which includes Unconscionable conduct in business transactions, product safety standards & unsafe goods and product information standards;

Our clients

- Corporates and Consumers

Location & contacts

Kenya Re-Plaza, 10th Floor-Upper Hill.

CO-OPERATIVE TRIBUNAL

Establishment

The Co-operative Tribunal is established under section 77 of the Co-operative Societies Act, Chapter 490 of the laws of Kenya.

Jurisdiction

The Tribunal has exclusive and unlimited geographical and pecuniary jurisdiction to determine co-operative disputes among members, past members and persons claiming through members, past members and deceased members; or between members, past members or deceased members, and the society, its Committee or any officer of the society; or between the society and any other co-operative society.

Types of cases

- a claim by a co-operative society for any debt or demand due to it from a member or past member, or from the nominee or personal representative of a deceased member, whether such debt or demand is admitted or not; or
- a claim by a member, past member or the nominee or personal representative of a deceased member for any debt or demand due from a co-operative society, whether such debt or demand is admitted or not;
- a claim by a Sacco society against a refusal to grant or a revocation of licence or any other due, from the Authority

Location & contacts

11th Floor and 12th Floor, Re-insurance plaza, Taifa Road.

The Tribunal has regional registries at Law Courts in Mombasa, Kakamega, Eldoret, Nyeri, Meru, Embu and Kisumu.

| REGIONAL REGISTRY | PHYSICAL ADDRESS |
|-------------------|---|
| MOMBASA | TRAFFIC REGISTRY, MOMBASA LAW COURT |
| KAKAMEGA | CIVIL APPEALS REGISTRY, KAKAMEGA LAW COURTS |
| ELDORET | ELDORET LAW COURT |
| NYERI | PROBATE REGISTRY, NYERI LAW COURTS |
| MERU | EXECUTIVE OFFICERS OFFICE, MERU LAW COURTS |
| EMBU | EMBU LAW COURT |
| KISUMU | OLD CHAMBERS RM, KISUMU LAW COURT |

EDUCATION APPEALS TRIBUNAL

Establishment

The Education Appeals Tribunal is established under Section 93 of the Basic Education Act, 2013.

Jurisdiction

The Mandate of the Tribunal is to hear and determine appeals from any person aggrieved by a decision of the County Education Board regarding:

- Discrimination in relation to colour, gender, age, tribe, disability and religion among others,
- Denial of examinations/examination certificates,
- Over charging of school fees,
- Denial of admission to school,
- Hindrances to learning(unfair exclusion of learners),
- Deregistration of schools ,
- Corporal punishment,
- Gender based violence (bullying)
- Encroaching, grabbing and settling in school land,
- Examination malpractices

Our clients

- Students
- Teacher Service Commission
- Teachers/Instructors
- Education Partners
- Ministry of Education Staff
- County Governments
- Parents
- Trade Unions
- Boards of Management
- Provincial Administration
- Sponsors
- SAGAS
- Private schools

Location & Contacts

Crescent Building, 3rd floor, Muindi Bingu Street, email: educationappealtribunal@gmail.com

ENERGY TRIBUNAL

Establishment

The Energy Tribunal is established under Section 108 (1) of the Energy Act 2006, Laws of Kenya.

Jurisdiction

The Tribunal hears and determines appeals from the decisions of the Energy Regulatory Commission (ERC) as stipulated under Section 107 of the Act.

- Independent Power Producers,
- Oil Marketing Companies and the General Public,

Contacts & location

Energy Tribunal,
Nyayo House, 24thFloor.

Kenyatta Avenue Tel: 020 3310112, Ext: 254

HIV & AIDS TRIBUNAL

Establishment

The HIV and AIDS Tribunal was established in 2009 under section 25 of the HIV and AIDS Prevention and Control Act, 2006.

Mandate

The Tribunal is mandated to hear and determine complaints arising out of any breach of the provisions of the HIV & AIDS Prevention and Control Act such as:

- discrimination on account of one's HIV status including discrimination in employment, workplace, schools and educational institutions;
- restriction on in country travels including entry and exit, abode and lodging based on HIV status
- isolation and quarantine based on HIV status
- Denial, related inhibition or exclusion from elective position based on HIV status
- Denial of access to credit.
- mandatory testing
- Denial of accident, medical and life insurance.

Contacts & Location

NHIF BUILDING , 15th Floor, Upper Hill, Ragati Road, P.O. Box 37953 - 00100, Nairobi

INDUSTRIAL PROPERTY TRIBUNAL

Establishment

The Industrial Property Tribunal (IPT) is a specialized court for resolution of disputes in different areas of intellectual property which include: patents, industrial designs, utility models, technovations and semi-conductor technologies. The Tribunal is established under the Industrial Property Act, 2001 and comprises a Chairman and four members who hear and determine disputes before it. Administrative functions are carried out by the Tribunal Secretary.

Jurisdiction

The Tribunal has both original and appellate jurisdiction and hears and determines applications on validity and infringement of patents, industrial designs and utility models. With regard to exploitation of these rights, the tribunal has powers to determine disputes on questions of rights transferred or to be transferred through contractual licensing or compulsory licensing agreements or through government intervention.

The Tribunal 's appellate jurisdiction involves hearing appeals from the decisions taken by different agencies responsible for the administration of industrial property rights such as KIPIT, the Minister responsible for matters relating to industry as well as the relevant Arbitration Board under the Act.

The Tribunal's mandate also involves advising government ministries and departments on exploitation of intellectual property in specified circumstances under the Act.

Our Clients

- *Kenyan citizens & corporate entities* who have rights under a patent, industrial design, utility model and technovations
- *Foreigners & corporate entities* who have rights under a patent, industrial design or utility model
- *Public* who are the beneficiaries of rights conferred by patents, industrial designs or utility models

Location & Contacts

The Tribunal is located in Nairobi at Weights & Measures Building, Popo road, off Mombasa road, South C.

LEGAL EDUCATION APPEALS TRIBUNAL

Establishment

The Tribunal is established under Section 29(1) the Legal Education Act No. 27 of 2012. [Rev. 2015]

Jurisdiction

The Tribunal hears appeals made to it by any party or a reference made to it by the Council of Legal Education on any matter relating to the Legal Education Act. Specific matters include appeals from a decision of the Council to:

- refuse to grant a licence;
- impose conditions on a licence; or
- suspend or revoke a licence,

Our Clients

- Law Schools
- Law student
- Council for Legal Education
- General Public

Contacts & location

Reinsurance Plaza, 12th Floor, Nairobi

MICRO AND SMALL ENTERPRISES TRIBUNAL (MSET)

Establishment

The Micro and Small Enterprises Tribunal (MSET) is established under Section 54 of the Micro and Small Enterprises Act No. 55 of 2012 of the Laws of Kenya.

Jurisdiction

Section 55 vests the Tribunal with jurisdiction to :

- i) determine:
 - disputes involving micro and small enterprises
 - commercial disputes involving micro and small enterprises;
 - failure to comply with the terms and condition of allocation of worksites;
 - election and management of associations;
 - failure to comply with the constitution or rules of a micro and small enterprise association or umbrella organisation;
 - unprocedural and illegal allocation, subdivision, subletting of a micro and small enterprise

worksite;

- mismanagement and misappropriation of funds;
- any other dispute acceptable by the Tribunal.
- appeals from decisions made by the Micro and Small Enterprises Authority
- appeals arising from decisions by the Registrar and/or the CEO of the Authority;
- applications;
- ii) Certifying documents;
- iii) Giving directions on points of law, or matters of unusual importance or complexity referred to it by the Micro and Small Enterprises Authority.

Our clients

All micro and small enterprises that meet the following criteria (which will be modified from time to time as directed by the responsible Cabinet Secretary):

- Enterprises with annual turnover of less than Kshs.5 million.
- Enterprises with employees up-to a maximum of 50.
- Manufacturing sector enterprises whose investment in machinery and equipment or registered capital does not exceed Kshs.50 million.
- Service and agricultural enterprises whose investment in machinery and equipment or registered capital does not exceed Kshs.20 million.

Location & Contacts

Micro & Small Enterprises Tribunal, Re-Insurance Plaza, 12th Floor, **Tel:** +254 792-429713

Email: mset@court.go.ke

Website: www.judiciary.go.ke

NATIONAL CIVIL AVIATION ADMINISTRATIVE REVIEW TRIBUNAL (NCAART)

Establishment

The National Civil Aviation Administrative Review Tribunal (NCCART) is established under Section 66 of the Civil Aviation Act 2013.

Jurisdiction

The NCCART is mandated under Section 69 of the Act to hear complaints and determine appeals from any aggrieved person on the decisions related to:

- Grant, variation, suspension, revocation, denial or imposition of limitation a licence, a certificate or approval the Act or regulations;
- Any fees to be paid under the Act or regulation;
- Any order, imposition or direction under the Act or regulation.
- Consumer protection: rights violation, deceptive practice, ticket refund, baggage liability, flight delay; and
- Enforcement actions including denial or delayed of services

Our clients

The consumers of the Civil Aviation Services including:

- Travel agents;
- Civil Aviation Training Institutions
- The Civil Aviation Authority
- The Director General
- Aircraft Maintenance Organizations
- Air Operator Certificate Holders;
- Aeronautical Personnel; Pilots, Aircraft Maintenance Engineers, Flight Engineers, Cabin crew, flight (operations) dispatchers, Air Traffic Controllers, Cargo handlers and other civil aviation personnel;
- Professional bodies and unions; and
- Leasing and aircraft financiers.

Location & Contacts

National Civil Aviation Administrative Review Tribunal, Transcom house, 3rd floor, Ngong road

Tel: (020) 2729200; +254 733474839/ +254 720453821, National Environment Tribunal (Net)

Email: aviationtribunal@gmail.com

NATIONAL ENVIRONMENT TRIBUNAL (NET)

Establishment

The National Environment Tribunal (NET) is established under section 125 and Part XII of the Environmental Management and Coordination Act (EMCA) No. 8 of 1999. Its principal function is to receive, hear and determine appeals arising from decisions of the National Environment Management Authority (NEMA) on issuance, denial or revocation of environmental impact assessment (EIA) licenses, among other decisions. Such licences are, in effect, statutory permission to undertake developments of specified nature.

Jurisdiction

The Tribunal has the mandate to determine:

Hearing of appeals on environmental matters

- EMCA, in section 129(1), permits parties who wish to undertake developments but are

denied EIA licences by NEMA to appeal against such denial to the Tribunal. Licence applicants may also appeal against NEMA's imposition of licence conditions and/or fees.

Giving NEMA directions on complex matters

- Section 132 of EMCA empower the Tribunal, upon reference, to give directions to NEMA on matters involving points of law and matters of unusual importance or complexity.

Power to appoint Environmental Assessors

- The Tribunal may appoint any persons with special skills or knowledge on environmental issues to advise the members on complex environmental matters during proceedings for proper determination of the matter.

Hearing and determination of appeals on Forestry matters

- Resolving disputes arising out of forest conversation, management, utilization or conservation under the Forest Conservation and Management Act, No. 34 of 2016.

Hearing and determination of appeals on wildlife matters

- The Tribunal determines appeals arising from award of compensation by either the county wildlife conversation and compensation committee; withdrawal of wildlife user rights; and any other un-resolved matter under the Wildlife Conservation and Management Act, 2013.

Our clients

- Advocates
- Civil Society
- Real Estate Developers
- Construction Industry
- The General Public

Location & Contacts

Ministry of Environment, Department of Resource Surveys and Remote Sensing (DRSRS), Popo Road, South C (Belle Vue). **Tel:** (020) 6003729, Email: nettr@court.go.ke

POLITICAL PARTIES DISPUTES TRIBUNAL

Establishment

The Political Parties Disputes Tribunal (PPDT) is established under Section 39 of the Political Parties Act.

Jurisdiction

Under Section 40 of Political Parties Act 2011, PPDT is charged with the responsibility to hear and determine disputes between:

- members of a political party;
- a member of a political party and a political party;
- political parties;
- an independent candidate and a political party;
- coalition partners;
- appeals from the decisions of the Registrar of Political Parties under the Act and
- disputes arising out of party primaries.

Our clients

- Political Parties
- Members of the Political Parties
- Office of the Registrar Political Parties
- Independent Electoral and Boundaries Commission

Location & Contacts

Milimani Law Courts, ground Floor, Room 31, **Tel:** 0734 010731. **Email:** Tribunals@court.go.ke

PUBLIC PRIVATE PARTNERSHIP PETITION COMMITTEE

Establishment

The Tribunal is established under Section 67 of the Public Private Partnership Act, 2013 [Rev. 2015]

Jurisdiction

It considers all petitions and complaints submitted by a private party during the process of tendering and entering into a project agreement under the Act.

Our clients

- Public private partnership Committee
- General Public
- Private Contractors and all Government Agencies Entering into Project Agreement under the Act.

Location & contact

Crescent House, 3rd & 4th Floor, Muindi Mbingu/Moktar Daddah Street, Nairobi.

RENT RESTRICTION TRIBUNAL

Establishment

The Rent Restriction Tribunals are established under section 4 of the Rent Restriction Act Cap 296 of the Laws of Kenya.

Jurisdiction

- To determine disputes between landlords and tenants for dwelling houses which have standard rent not exceeding Kshs 2,500
- To make provisions for regulating the increase of rent, the right to possession, the exaction of premiums and fixing of standard rents in relation to controlled residential premises and for other purposes incidental thereto or connected with the relationship of landlord and tenant of a dwelling house.
- To resolve disputes between landlords and tenants of controlled residential tenancies in relation to service charge, repairs of house, recovery of rent arrears, refund of deposits, eviction, recovery of possession.
- Assessment and determination of standard rents of residential premises.
- Investigation of complaints where the provisions of the Rent Restriction Act have been flouted.

Our clients

- Landlords and tenants

Location & Contacts

| NAME OF STATION | PHYSICAL ADDRESS | POSTAL ADDRESS |
|-----------------|---|----------------|
| NAIROBI | CRESCENT HOUSE, MOKTAR DADDAH STREET Email: rrtctr@court.go.ke | 68160 - 00200 |
| MOMBASA | BIMA TOWERS ANNEX, MERU ROAD | 81599 - 80100 |
| LAMU | CHIEF'S OFFICE, OFF HARAMBEE STREET | 354 - 80500 |
| GARISSA | COUNTY DIRECTOR HOUSING GARISSA / DAADAB ROAD | 508 - 70100 |
| EMBU | FORMER PROVINCIAL HEADQUARTERS | 339 - 60100 |
| NYERI | FORMER PROVINCIAL HEADQUARTERS BLOCK 'B' | 742 - 10100 |
| KISUMU | CUSTOMS HOUSE, OTIENO OYOO STREET | 1705 - 40100 |
| KAKAMEGA | FORMER PROVINCIAL HEADQUARTERS BLOCK 'B' | 901 - 50100 |
| ELDORET | ARDHI HOUSE | 2846 - 30100 |
| NAKURU | ARDHI HOUSE, MOI ROAD | 913 - 20100 |

SPORTS DISPUTES TRIBUNAL

Establishment

The Sports Tribunal is established under Section 55 of the Sports Act No 25 of 2013.

Jurisdiction

The Sports Tribunal draws its mandate from the Sports Act 2013 and Anti-Doping Act no 5 of 2016.

1. In Sports related matters, the Tribunal determines:

- Appeals against decisions made by national sports organizations or umbrella national sports organizations, whose rules specifically allow for appeals to be made to the Tribunal in relation to that issue including:
 - Appeals against disciplinary decisions and
 - Appeals against not being selected for a Kenyan team or squad;
- Other sports-related disputes that all parties to the dispute agree to refer to the Tribunal and that the Tribunal agrees to hear; and
- Appeals from decisions of the Registrar under the Act.

The Tribunal may, in determining disputes apply alternative dispute resolution methods for sports disputes and provide expertise and assistance regarding alternative dispute resolution to the parties to a dispute.

2. In doping cases, the Tribunal hears and determines all cases on anti-doping rule violations on the part of athletes and athlete support personnel and matters of compliance of sports organisations as per the Anti-doping Act.

The Tribunal does not have jurisdiction over national crimes related to doping.

Our clients

- Athletes
- Clubs
- Federations
- Officials of clubs and federations

- Registrar of sports
- Anti-doping Agency of Kenya (ADAK)

Location & Contacts

National Social Security Fund (NSSF) Building, Bishops Road, Block A, Western Wing ; 24th Floor Nairobi.

The Secretary/ CEO, P.O. Box 37530 - 000100/ 30041 - 00100, Nairobi

Tel: 0202710610

Email: sporttribunal@court.go.ke sporttribunal@gmail.com Website: sporttribunal.go.ke

STANDARDS TRIBUNAL

Establishment

The Standards Tribunal is established under Section 16A of The Standards Act Chapter 496 Laws of Kenya.

Jurisdiction

The Tribunal is mandated to:

- Hear appeals from any person aggrieved by a decision of the Kenya Bureau of Standards (KEBS) or the National Standards Council including:
 - Orders on cancellation and suspension of permits under section 10A of the Standards Act.
 - Standards Levy orders made by the Minister under section 10B and 10 of the Standards Act.
 - Decisions and or directives of the Council pursuant to the power conferred to it by the Act.
 - Decisions and or orders for destruction of goods under the Standards Act.
- Act as a point of reference to the Managing Director of Kenya Bureau of Standards by giving general directions to the Director on matters involving a point of law or matters of unusual importance or complexity upon reference to it by the Director.
- Hear appeals from any accredited conformity assessment body that is dissatisfied and aggrieved by any decisions made by the Kenya Accreditation Service (KENAS)

Location & Contact

KIRDI Block 'D', door '10'

Popo Road, South 'C', Nairobi,

Tel: +254-20-2388216/2393466 Ext. 221/222 ; Mobile: 0722892286

STATE CORPORATIONS APPEALS TRIBUNAL

Establishment

The Tribunal is established under Section 22 of the State Corporations Act CAP 446.

Jurisdiction

Hears appeals from the decision of the Inspector General (Corporations) regarding a disallowance or surcharge.

Our clients

- Inspector General, State Corporations
- State Corporations
- Board members of State corporations
- Staff of State Corporations
- Kenya National Audit Office

Location & Contact

Reinsurance Plaza, 7th floor, Aga Khan Walk/Taifa road, Tel: +254 020 318373-6

TRANSPORT LICENSING APPEALS BOARD

Establishment

The Transport licensing Appeals Board (TLAB) is established under sections 38 and 39 of the National Transport and Safety Authority Act, 2012.

Jurisdiction

To hear and determine appeals from the licensing decisions of the National Transport and Safety Authority (NTSA) relating to:

- Issuance of a license
- Revoking a license
- Suspending a license.

Our clients

- Individuals who are aggrieved by the decision of NTSA
- Transport companies
- Matatu Saccos
- General public

Contacts and Location

Transport Licensing Appeals Board, Transcom House, second floor, room 227,

Tel: +254-0202729200, Ext: 40311 or 0799000584, Email: ceo.tlab@gmail.com tlabtr@court.go.ke