

LEGAL NOTICE No. 227

THE ADVOCATES ACT
(Cap. 16)

IN EXERCISE of the powers conferred by section 48 of the Act the Chief Justice, on the recommendation of the Council of the Law Society of Kenya, hereby makes the following Order:—

THE ADVOCATES (REMUNERATION) (AMENDMENT)
ORDER 1967

1. (1) This Order may be cited as the Advocates (Remuneration) (Amendment) Order 1967.

(2) Rule 2 of these Rules shall be deemed to have come into operation on the 1st day of February 1962.

2. The Advocates (Remuneration) Order is amended by adding after rule 13 the following rule—

13A. For the purpose of any proceeding before him, the taxing officer shall have power and authority to summon and examine witnesses, to administer oaths, to direct the production of books, papers and documents and to direct and adopt all such other proceedings as may be necessary for the determination of any matter in dispute before him.

Cap. 15
(Sub. Leg.).

3. The Advocates (Remuneration) Order is amended by adding after rule 68 the following two rules—

68A. Notwithstanding anything to the contrary in this Order, when the Registrar of the High Court enters judgment under Order 48 rule 2 of the Civil Procedure (Revised) Rules 1948, he may on application in writing and without the filing or taxation of any bill of costs or of notice to any party sign a certificate of the costs of the suit calculated in the following manner—

- (a) Where no appearance has been entered in the suit, and where the defendant was served at the first attempt, a sum of Sh. 125 together with the scale fee either under Schedule 6 (1) (a) or under Schedule 6 (1) (f) as appropriate and the court fees charged. For each additional attempt at service a further sum of Sh. 27 shall be allowed.
- (b) Where an appearance has been entered but no defence filed, a further sum of Sh. 20 shall be allowed.
- (c) Where the defendant was served out of the jurisdiction, a further Sh. 185 shall be allowed.

68B. Where in any case to which rule 68A could apply, no increase on the scale fee is obtained on a bill of costs lodged for taxation under rule 70, no further costs shall be allowed than would have been allowed under rule 68A.

Made this 13th day of October 1967.

A. J. AINLEY,
Chief Justice.