

ORANGE DEMOCRATIC MOVEMENT



APPEALS TRIBUNAL (PRACTICE AND PROCEDURE) RULES, 2022

**AS ADOPTED AND APPROVED AT THE ANNUAL
DELEGATES CONVENTION HELD AT NAIROBI ON
26TH FEBRUARY 2022**

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APPEALS TRIBUNAL (PRACTICE AND PROCEDURE) RULES, 2021

IN ACCORDANCE with Article 46(3)(b) of the Party Constitution the National Delegates Convention make these Appeals Tribunal (Practice and Procedure) Rules, 2022 to establish and define the functions and operations of the Party's internal dispute resolution mechanism for appeals arising out of party primary elections, nominations of candidates, elections of Party officials and for connected purposes.

PART I — PRELIMINARY

Short Title

These Rules may be cited as the Orange Democratic Movement Party Appeals Tribunal (Practice and Procedure) Rules, 2022 (hereinafter **"the Rules"**).

1. Interpretation

In these Rules, unless the context requires otherwise —

"appellant" means a person who has filed an appeal under these Rules.

"Chairperson" means the Tribunal's Chairperson appointed pursuant to rule 5;

"Constitution" refers to the Orange Democratic Movement Party Constitution;

"hearing" means a sitting of the Tribunal constituted to—

- (a) receive evidence;
- (b) hear submissions from a parties;
- (c) deliver a decision; or
- (d) doing anything lawfully required to enable the Tribunal to reach a decision;

"member" means the person a member of the Tribunal appointed pursuant to rule 5 and shall the context requires include the Chairperson and Secretary;

"National Executive Committee" is the ODM National Executive Committee established pursuant to Article 51 of the Constitution;

"Panel" means a panel duly constituted by the Chairperson to hear an appeal in accordance with these Rules;

"party" in relation to an appeal, includes the appellant, the respondent and any person joined to the proceedings;

"pleading" includes the statement of appeal of the appellant, the statement of response by the respondent, affidavit, witness affidavit, application to join and any other motion or reply thereto;

"recognized representative" means a person authorized to represent a party in accordance with these Rules;

"Registry" means the place where all pleadings and supporting documents and all orders and decisions of the Tribunal are kept in accordance with these Rules;

"Respondent" refers to the any party to the proceedings other than the appellant or interested party;

"Secretary" means the secretary to the Tribunal; and

"Tribunal" means the Orange Democratic Movement Party Appeals Tribunal established under rule 5(1).

2. Application of the Rules

- (1) These Rules apply to all proceedings brought before the Tribunal.
- (2) Nothing contained in these Rules may limit or otherwise affect the inherent power of the Tribunal to make such orders as may be necessary for the ends of justice or to prevent abuse of the process of the Tribunal.

3. Overriding Objective

- (1) The overriding objective of these Rules is to facilitate the just, expeditious, proportionate and affordable resolution of appeals arising from party primary elections, nomination candidates and election of Party officials.
- (2) The Tribunal shall, in the exercise of its powers under these Rules or the interpretation of any of the provisions hereof seek to give effect to the overriding objective specified in sub-rule (1).
- (3) A party to proceedings under these Rules or an advocate for such a party is under a duty to assist the Tribunal to further the overriding objective of these Rules and, to that effect, to participate in the processes of the Tribunal and to comply with the directions and orders of the Tribunal.

PART II-THE TRIBUNAL

4. Establishment of the Tribunal

- (1) There is hereby established a Tribunal to be known as the Orange Democratic Movement Party Appeals Tribunal.
- (2) The Tribunal shall be appointed by the National Executive Committee and constituted as follows:
 - (a) a Chairperson who shall be a person qualified to be appointed a judge of the High Court; and
 - (b) not more than sixty other persons who shall be members and at least fifteen of whom shall be Advocates of the High Court of Kenya.
- (3) The Chairperson and members shall serve on part-time basis.
- (4) The Chairperson and members shall hold office for such period as determined by the National Executive Committee.
- (5) A person shall not qualify for appointment under these rules unless the person has met the requirements of Chapter Six of the Constitution of Kenya and the Party Constitution.
- (6) The Tribunal shall sit in Panels each comprising at least three (3) members of the Tribunal.
- (7) The Chairperson may appoint such number of Panels as may be necessary for the expeditious disposal of disputes. The Panels shall sit at such places as the Chairperson shall determine.
- (8) The quorum of the Tribunal shall be three members at least one of whom shall be an Advocate of the High Court of Kenya.
- (9) The remuneration of the Tribunal and its staff shall be as spelled out in their respective appointment letters.

5. Jurisdiction of the Tribunal

- (1) The Tribunal shall have the jurisdiction to hear and determine appeals by aspirants arising from elections of party officials, party primary elections, and nomination of the Party's candidates for the positions of County Governor, Senator, County Woman Representative to the National Assembly, Member of the National Assembly and Member of County Assembly.
- (2) The Tribunal does not have the jurisdiction to hear and determine any dispute relating to the election and/or nomination of the Party's candidate for the office of President of the Republic of Kenya.

6. Power and Duties of the Tribunal

- (1) The Tribunal shall hear and determine an appeal before it expeditiously, but in any case shall determine such appeal within a period of not more than five days from the date it is lodged.
- (2) The proceedings of the Tribunal shall be governed by the Constitution, Party Primaries and Nomination Rules and these Rules.
- (3) A decision of the Tribunal shall be valid only if signed by the chairperson of the Panel that heard an appeal and at least one other member of the said Panel.
- (4) The Chairperson shall coordinate the work of the Tribunal which shall include—
 - (a) appointing Panels to hear appeals;
 - (b) designating a member to chair a Panel;
 - (c) assigning the business of the Tribunal to the members and Panels; and
 - (d) presiding over the sittings of the Tribunal where he or she is a member; and
- (5) In the absence of the Chairperson, the National Executive Committee shall designate a suitably qualified member to act as chairperson.
- (6) Notwithstanding anything contained in these Rules the Tribunal shall have power to make such orders and/or issue such directions as may be necessary to facilitate the just, expeditious and fair determination of appeals before it.

7. Duty of the Tribunal

For the purpose of furthering the overriding objective specified in rule 4, the Tribunal shall handle all appeals presented before it for the purpose of attaining the following aims—

- (a) the just determination of the proceedings;
- (b) the efficient disposal of the proceedings;
- (c) the efficient use of the available party and administrative resources;
- (d) the timely disposal of the proceedings, and all other proceedings in the Tribunal, at a cost affordable by the respective parties; and
- (e) the use of appropriate technology.

8. Role of Secretary

- (1) The Secretary is the registrar of the Tribunal.
- (2) In relation to proceedings before the Tribunal, the Secretary shall be responsible to the Tribunal for—
 - (a) establishment and maintenance of a registry;

- (b) acceptance, transmission, service and custody of documents in accordance with these Rules;
 - (c) certifying that an order, direction or decision is an order, direction or decision of the Tribunal, the Chairperson or a member of the Tribunal, as the case may be;
 - (d) keep records of the proceedings and minutes of the meetings of the Tribunal and such other records as the Tribunal may direct;
 - (e) assessment of the costs awarded by the Tribunal; and
 - (f) undertaking any duties assigned by the Tribunal.
- (3) The Secretary may with the authorization of the Tribunal consider and dispose of procedural and/or administrative matters in accordance with these Rules.
- (4) It is hereby provided that all documents to be served upon the Tribunal shall be served upon the Secretary.

9. Register

The Tribunal shall cause to be prepared a register with regard to any disputes or appeals before the Tribunal containing the following particulars—

- (a) names of the parties;
- (b) electoral area;
- (c) nature of the appeal;
- (d) date of claim or appeal;
- (e) relief sought; and
- (f) final determination or order and the date thereon.

PART III – APPEALS TO THE TRIBUNAL

10. Recognized Representatives

- (1) In any proceedings before the Tribunal, a party may appear in person or be represented by—
- (a) an advocate of their choice; or
 - (b) in the case of a corporate body or a firm, an officer of the corporate body or firm duly authorized in writing by such body or firm.
- (2) Despite sub rule (1), a party may, with the leave of the Tribunal, appoint any other person knowledgeable in the subject matter of the proceedings before the Tribunal to represent them in such proceedings.
- (3) Appointment of an advocate or recognized representative must be in the prescribed Form AT1 in the Second Schedule.

11. Language

- (1) The language of the Tribunal is English and Kiswahili.
- (2) If a party or a witness does not understand English or Kiswahili, the Tribunal shall provide an interpreter at no cost to the party or witness.

12. Appeals

- (1) All appeals to the Tribunal shall be done only through electronic means details whereof shall be communicated to all parties through the Party's website.
- (2) Appeals to the Tribunal shall be filed by presenting a statement of appeal signed by the appellant and/or recognized representative in the Form AT 2.
- (3) An aspirant who is aggrieved by the decision of an election official in respect of party primary election and/or nomination of candidates, may appeal to the Tribunal within thirty six hours of notice of the decision.
- (4) Where any decision or order by an election official is appealed against, the execution of decision or order shall be stayed until the Tribunal has fully heard and determined the appeal.

13. Statement of Appeal

- (1) The statement of appeal shall contain the following particulars—
 - (a) names and addresses of the parties;
 - (b) names and addresses of their recognized representatives (if any);
 - (c) copies of any written record of the decision being appealed against (if any);
 - (d) the grounds on which the appellant relies;
 - (e) witness affidavits and any other form evidence;
 - (f) the relief sought; and
 - (g) a schedule listing all the documents annexed to the statement of appeal;
- (2) Upon receipt of a statement of appeal, the Secretary shall—
 - (a) print it out and stamp it with the date and time of receipt;
 - (b) serve all aspirants with the appeal documents through electronic means;
 - (c) inform all affected aspirants of their right to respond to the appeal within twenty four hours of service;
 - (d) enter the particulars of the appeal in a register kept by the Tribunal for the purpose; and
 - (e) advise the affected parties of the address to which notices and communications to the Tribunal shall be sent.

- (3) Upon receipt of the response by the affected parties, the Tribunal shall notify all parties to the appeal of the time, date and place for the hearing of the appeal.

14. Inherent Powers of the Tribunal

- (1) The Tribunal may dismiss all or part of an appeal without holding a hearing if it decides that any of the following apply—
- (a) that the appeal is outside the jurisdiction of the Tribunal; or
 - (b) that the appeal was not filed within the time stipulated in the Rules or Order of Tribunal; or
 - (c) the appeal is frivolous, scandalous, vexatious, trivial or an abuse of the due process of the Tribunal; or
 - (d) the appeal was made in bad faith or for an improper purpose; or
 - (e) the appeal does not disclose a reasonable cause of action.
- (2) Where an appeal is dismissed under this rule, the Tribunal shall notify the parties in writing giving reasons for the decision.
- (3) The Tribunal shall have the power to call for the record comprising any document in respect of which a decision appealed against was made.
- (4) In exercise of its power under this rule the Tribunal may act either on its own motion or on an application.

15. Consequences of non-appearance

If a party or their recognized representatives do not appear before the Tribunal at the appointed time without reasonable cause, the Tribunal may proceed to determine the appeal the party's absence notwithstanding.

16. Service

- (1) A document required to be sent to or served on any person under these Rules may be—
- (a) delivered at the person's physical address personally or by courier service;
 - (b) sent to the person by other electronic means including email, WhatsApp and other media platforms; or
 - (c) served through such other means as may be authorized by the Tribunal.
- (2) The address for service for the purposes of proceedings before the Tribunal must be in the case of any document addressed to—
- (a) the Secretary of the Tribunal;

- (b) the appellant or to their recognized representative, the address stated in the statement of appeal or such other address as may be provided to the Tribunal;
- (c) the respondent, or their recognized representative the address stated in the statement of response, or such other address as may be provided to the Tribunal; and
- (d) an interested party, the address stated in the application for joinder of party or such other address as may be provided to the Tribunal.

17. Statement of response

- (1) A respondent shall file a statement of response within twenty four hours of receipt of service by the Tribunal.
- (2) A statement of response shall contain at a minimum particulars prescribed under these Rules outlined in the Form AT 3.
- (3) Where no statement of response is received from the respondent, the Tribunal may proceed to hear the appeal or issue such directions as it may deem appropriate in the circumstances.
- (4) The statement of response shall be signed and dated by the respondent, or the respondent's recognized representative and shall contain—
 - (a) names and addresses of the parties;
 - (b) names and addresses of their recognized representatives (if any);
 - (c) statement of response;
 - (d) a schedule of all the documents annexed to the statement of response.

PART IV — JOINDER AND CONSOLIDATION

18. Joinder of parties

Where it appears to the Tribunal, on the application of a party or on its own motion, that it is necessary that a person be made a party to the proceedings, the Tribunal may order such person to be enjoined as a party and may give directions including directions on the filing and service of documents.

19. Consolidation

Where two or more proceedings are pending in respect of the same subject of appeal, or which involve the same or similar issues, the Tribunal may, on the request of a party or of its own motion, order that the proceedings or any particular issue or matter raised in the proceedings be consolidated and heard together,

PART V — HEARING

20. Scheduling

- (1) The time and place of a hearing in a proceeding shall be determined by the Chairperson in consultation with the Secretary and duly communicated to the parties to the appeal.
- (2) The Secretary shall give the parties at least six hours' notice of a hearing.

21. Hearing to be in public

The proceedings of the Tribunal shall be open to the public except where the Tribunal, for sufficient cause, otherwise directs, taking into account—

- (a) information the disclosure of which would in the Tribunal's opinion be contrary to the public interest; or
- (b) information relating to the private affairs of an individual the disclosure of which would, or might, in the Tribunal's opinion, significantly harm their interests.

22. Procedure at hearing

- (1) At the beginning of the hearing, the person chairing the panel shall explain the order of proceeding which the Tribunal proposes to adopt.
- (2) Subject to sub-rule 1, the Tribunal shall conduct its hearings in such manner as it considers most suitable to the clarification of the issues before it and generally to the just handling of the proceedings.
- (3) Subject to sub-rule 8, the parties shall be heard in such order as the Tribunal shall determine, and shall be entitled to give evidence, to call witnesses, to question any witnesses and to address the Tribunal on the evidence and the subject matter of the appeal.
- (4) Evidence before the Tribunal may be given orally or, if the Tribunal so orders, by affidavit.
- (5) The Tribunal may at any stage of the proceedings require the personal attendance of any deponent.
- (6) The Tribunal may make orders to secure the attendance of any person before the Tribunal, discovery or production of any document concerning a matter before the Tribunal as it deems necessary.
- (7) The Tribunal shall require any witness giving evidence to swear an oath or affirm and for that purpose it may administer an oath or affirmation.

- (8) Unless the Tribunal otherwise directs, no witness shall be heard unless the relevant affidavit has been submitted in advance of the hearing and/or in accordance with any directions of the Tribunal.

23. Contempt of Tribunal

A person who—

- (a) fails to attend the Tribunal after having been required to do so;
- (b) refuses to take an oath or affirmation before the Tribunal;
- (c) fails to produce any article or document when lawfully required to do so by the Tribunal;
- (d) knowingly gives false evidence or information which the person knows to be misleading before the Tribunal;
- (e) at any sitting of the Tribunal willfully brings the Tribunal into disrepute or willfully interrupts the proceedings;
- (f) fails or neglects to comply with a decision, order, direction or notice confirmed by the Tribunal;

may be held to be in contempt of the Tribunal and it may make any just and necessary orders to uphold its integrity, including, but not limited to excluding the person from the hearing, referring a party to disciplinary process and/or imposing of fines.

PART V – DECISIONS, REVIEW AND CONSENT

24. Decisions

- (1) A decision on any matter before the Tribunal shall be by a majority of votes of the members present and in case of an equality of votes, the Chairperson of the panel shall have a casting vote.
- (2) The decision of the Tribunal shall be published on a date and time fixed for that purpose unless otherwise directed by the Tribunal and the decision must—
 - (a) be reduced to writing;
 - (b) contain a summarized statement of the reasons for the decision; and
 - (c) be signed and dated by the Chairperson and at least one other member.
- (3) The decision of the Tribunal shall be final.

25. Review

- (1) Any person who is aggrieved by a decision or order of the Tribunal, but from which no appeal has been preferred may apply for a review of the

decision or order to the Tribunal, and the Tribunal may make such orders thereon as it deems fit.

- (2) Where a Tribunal finds that an order was obtained through non-disclosure of material facts, or through fraudulent means the Tribunal on its own motion or through application by an affected party may vary or set aside the orders.
- (3) An application for review under this rule shall be filed within twenty four hours of the decision or order.
- (4) Service of an application of review and responses thereto shall be upon such terms as the Tribunal shall determine.
- (5) The hearing of the application may proceed by way of written submissions without the need of appearance of the parties or their representatives.
- (6) A decision on an application for review shall be rendered within twelve hours of receipt of responses thereto.

26. Consent orders

- (1) Where the parties agree on the terms on which to settle proceedings, either wholly or in part, the parties may request the Tribunal to record a consent order.
- (2) A request for a consent order may be made orally at a hearing or by sending or delivering to the Secretary —
 - (a) draft consent order; and
 - (b) a statement signed by all the parties to the proceedings or their recognized representatives requesting that an order be recorded in accordance with the draft consent order.
- (3) The Tribunal must, after ensuring that the consent is within the law, adopt the consent order as a decision of the Tribunal.

PART VI - MISCELLANEOUS

27. Computation of time

- (1) Where a period expressed in hours or days is to be calculated from the moment at which an event occurs or an action takes place, the hour or day during which that event occurs or that action takes place must be counted as falling within the period in question.

- (2) Notwithstanding any other provisions of the law, the proceedings under this Rules shall be conducted at any time or day of the week.
- (3) The Tribunal may, on application, for good reason shown, extend the time appointed by these Rules for doing any act or taking any proceedings, and may do so upon such terms and conditions, if any, as appear to it just and expedient.

28. Prescribed forms

- (1) The forms prescribed in the Second Schedule shall, with necessary modifications, be used for the purposes of filing appeals, applications, responses or any other documents.
- (2) Despite sub rule (1), an instrument or document which deviates from the prescribed form shall not be void by reason of a deviation that does not affect the substance of the instrument or document, unless it is calculated to mislead.

29. Recording of proceedings

The proceedings before the Tribunal may be recorded in such form or manner as the Tribunal may determine.

30. Protection from personal liability

- (1) The Chairperson, Member or Secretary of the Tribunal, is not liable for anything done in good faith in the performance of their functions.
- (2) Nothing in these Rules must limit or otherwise affect the inherent power of the Tribunal to make such orders as may be necessary for the ends of justice or to prevent abuse of the process of the Tribunal.

31. Oath of Office

A person, who is appointed chairperson, member or Secretary of the Tribunal, shall take and subscribe to the oath of allegiance to the office, in the format prescribed at Schedule VIII to the Constitution, before assuming the duties of that office.

32. Disclosure of interest

Where a member of the Tribunal, has any interest, that could conflict with the proper performance of the member's functions, the member must disclose the interest to the parties to the proceedings and must not participate during any deliberations on the matter by the Tribunal.

33. Quorum of the Tribunal

Except where otherwise specifically provided for in these rules, for purposes of proceedings before the Tribunal, quorum must be the Chairperson and two members.

34. Official seal

The Tribunal shall have an official seal to be kept under the custody of the Secretary.

35. Amendments

These Rules may be amended from time to time by the National Executive Committee upon recommendation of the Legal Committee.

36. Fees

- (1) There shall be paid to the Tribunal such filing and other fees, including fees for service by the Tribunal of any notice or process, as prescribed in the First Schedule.
- (2) The Tribunal may, if it considers it to be in the interest of justice, and for reasons to be recorded, waive or postpone all or any of the fees payable to the Tribunal.

FIRST SCHEDULE

FILING FEES

Item	Description	Amount (Kshs.)
1.	County Governor Statement of Appeal.	100,000.00
2.	Senator Statement of Appeal.	70,000.00
3.	County Woman Representative to the National Assembly Statement of Appeal.	70,000.00
4.	Member of National Assembly Statement of Appeal.	70,000.00
5.	Member of County Assembly Statement of Appeal.	30,000.00
6.	Appeal against the Election of Grassroots official.	5,000.00
7.	Appeal against the Election of national official.	30,000.00
8.	Appeal against Election of League official.	15,000.00
9.	Response to an Appeal.	5,000.00
10.	Cross Appeal.	20,000.00
11.	Notice of Preliminary Objection.	10,000.00
12.	All applications.	5,000.00
13.	Consent Order.	5,000.00
14.	Any other Document for which no provision for fees is made herein.	5,000.00

IMPORTANT NOTICE:

- a) **ALL PAYMENTS** are to be made through Mpesa on the **Party's PayBill 985900**. The **Account Name** is **APPEALS FEES**.
- b) **ALL FILINGS** are to be made through the **Tribunal's email** tribunal@odm.co.ke
- c) **ANY ENQUIRIES** on filing, hearing date, timing, venue and related matters can be made to the **TRIBUNAL'S CALL CENTRE NUMBER** (which is operational for 24 HOURS) **0115-821-036**

**SECOND SCHEDULE
PRESCRIBED FORMS**

FORM AT 1

REPUBLIC OF KENYA

IN THE APPEALS TRIBUNAL AT.....
TRIBUNAL APPEAL NO..... OF 20.....

BETWEEN

..... APPELLANT

AND

..... RESPONDENT

NOTICE OF APPOINTMENT OF ADVOCATE/RECOGNIZED REPRESENTATIVE

TAKE NOTICE THAT the appellant/respondent has appointed.....to
act for him/her in this matter.

Address for service.....
.....

Dated at this day of20,,,,,

.....
ADVOCATE/RECOGNIZED REPRESENTATIVE

DRAWN AND FILED BY:

.....
.....
.....

TO BE SERVED UPON:

.....
.....
.....

REPUBLIC OF KENYA
IN THE APPEALS TRIBUNAL AT.....

TRIBUNAL APPEAL NO..... OF 20.....

BETWEEN

..... APPELLANT

AND

..... RESPONDENT

STATEMENT OF APPEAL

(Being an appeal arising from.....)

1. Appellant's address for service

2. Name and address of appellant's recognized representative (where applicable)
.....

3. Respondent's address for service.....

4. Grounds of appeal and concise arguments in support thereof:
.....
.....
.....
.....
.....
.....
.....
.....

5. Relief sought:
.....
.....
.....

Dated at.....this.....day of.....20.....

.....
Appellant/Appellant's
Recognized Representative

DRAWN AND FILED BY:

.....
.....
.....

TO BE SERVED UPON:

.....
.....
.....

REPUBLIC OF KENYA
IN THE APPEALS TRIBUNAL AT.....

TRIBUNAL APPEAL NO..... OF 20.....

BETWEEN

..... APPELLANT

AND

..... RESPONDENT

STATEMENT OF RESPONSE

(Being an appeal arising from the election.....)

1. Respondent's address for service

2. Name and address of Respondent's recognized representative (where applicable)
.....

3. Grounds of opposition.....

4. Relief sought:
.....
.....
.....

Dated at.....this.....day of.....20.....

.....
Respondent/Respondent's
Recognized Representative

DRAWN AND FILED BY:

.....
.....
.....

TO BE SERVED UPON:

.....
.....
.....

REPUBLIC OF KENYA

IN THE APPEALS TRIBUNAL AT
 TRIBUNAL APPEAL NO..... OF 20.....
 BETWEEN

..... APPELLANT
 AND
 RESPONDENT

NOTICE OF MOTION

(under rule.....of the Appeals Tribunal(Practice and Procedure Rules, 2022)

TAKE NOTICE that this Honourable Tribunal shall be moved on the.....day
 of.....20.....in the forenoon or soon thereafter by as the
 Appellant/Respondent/Interested Party may be heard on an application for **ORDERS:**

1.
2.
3.

WHICH APPLICATION is supported by the affidavit of.....and
 based on the following **GROUND:**

- (a)
- (b)
- (c)
- (d)
- (e)

Dated at.....this.....day of.....20.....

.....
 Applicant/Recognized Representative

DRAWN AND FILED BY:

.....
.....
.....

TO BE SERVED UPON:

.....
.....
.....

REPUBLIC OF KENYA
IN THE APPEALS TRIBUNAL AT
TRIBUNAL CASE NO..... OF 20.....

BETWEEN

..... APPELLANT

AND

.....RESPONDENT

APPLICATION FOR JOINDER OF PARTIES

1. Name and address for /proposed interested party

.....
.....
.....

2. Matters in the appeal affecting proposed interested party

.....
.....
.....

3. Grounds for seeking to be enjoined

.....
.....
.....

4. Prayer in the appeal whose position proposed interested party supports:

.....
.....
.....

Dated at.....this.....Day of20.....

.....

Interested Party/
Recognized Representative

DRAWN AND FILED BY:

.....

.....

.....

TO BE SERVED UPON:

.....

.....

.....

REPUBLIC OF KENYA
IN THE APPEALS TRIBUNAL AT
TRIBUNAL CASE NO..... OF 20.....

BETWEEN

..... APPELLANT
AND
.....RESPONDENT

RESPONSE ON APPLICATION FOR JOINDER OF PARTIES

1. Name and address for /proposed interested party

.....
.....
.....
.....

2. Matters in the appeal affecting proposed interested party

.....
.....

3. Grounds for seeking to be enjoined

.....
.....

4. Prayer in the appeal whose position proposed interested party supports:

.....
.....

Dated at.....this.....Day of20.....

.....
Interested Party/
Recognized Representative

DRAWN AND FILED BY:

.....
.....
.....

TO BE SERVED UPON:

.....
.....
.....

REPUBLIC OF KENYA

IN THE APPEALS TRIBUNAL AT ,,,,,,,,,,,,,,,,,,,,,,
TRIBUNAL CASE NO..... OF 20.....
BETWEEN

..... APPELLANT
AND

..... RESPONDENT

APPLICATION FOR REVIEW

1. Name and address of party applying for review

.....
.....
.....

2. Decision sought to be reviewed:

.....
.....
.....

3. Grounds for review:

.....
.....
.....

Dated at this day of 20.....

.....
Applicant/
Applicant's Recognized Representative

DRAWN AND FILED BY:

.....
.....
.....

TO BE SERVED UPON:

.....
.....
.....

FORM AT 8

REPUBLIC OF KENYA

IN THE APPEALS TRIBUNAL AT,,,,,,,,,,,,,,,,,,,,,
TRIBUNAL CASE NO..... OF 20.....

BETWEEN

.....APPELLANT

AND

.....RESPONDENT

STATEMENT OF RESPONSE ON REVIEW

1. Name and address of party applying for review

.....
.....

2. Application of review being supported/opposed:

.....
.....

3. Grounds for opposing/supporting review:

.....
.....

Dated at thisday of..... 20.....

.....

Party/
Party's Recognized Representative

DRAWN AND FILED BY:

.....
.....
.....

TO BE SERVED UPON:

.....
.....
.....

REPUBLIC OF KENYA

IN THE APPEALS TRIBUNAL AT.....
TRIBUNAL APPEAL NO..... OF 20.....

BETWEEN

..... APPELLANT
AND

..... RESPONDENT

SUMMONS TO.....

TO
.....
.....

WHEREAS your attendance is required to.....
.....
on behalf of the.....in the above matter, you are hereby
required to appear before this Tribunal on the**day of** **20..... at**
..... **o'clock** in the forenoon, and from day to day until your presence is dispensed with
by the Tribunal.

**If you fail to comply with this summons, without lawful excuse, you will be
subjected to the provisions of rule.... of the Tribunal Rules as to contempt.**

Given under my hand and the seal of the Tribunal

This **day of** **20....**

Signed
CHAIRPERSON

NOTES:

- 1) If you are summoned to produce a document only and not to give evidence, you shall be deemed to have complied with the summons if you cause such document to be produced in this Tribunal on the day and hour aforesaid.
- 2) Your attendance costs shall be met by the Tribunal.