Aluochier Independent Succession Tribunals Administrative Rules, 2026

AISTAR 2026

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PREAMBLE

Constitutional Foundation and Public Justice Purpose

WHEREAS sovereign power belongs to the people of Kenya and is delegated under Article 1(3)(c) of the Constitution to courts and independent tribunals to be exercised in accordance with the Constitution;

AND WHEREAS the Constitution in Article 1(3)(c) establishes two constitutionally distinct streams of delegated sovereign authority in dispute resolution: the Judiciary stream under Article 1(3)(c)(i), encompassing the courts established under Chapter Ten, the subordinate courts under Article 169, and local tribunals established under Article 169(1)(d) by Acts of Parliament — including all statutory sector-specific tribunals created by written law — all of which form part of the Judiciary stream and are not independent tribunals within the meaning of Article 1(3)(c)(ii); and the independent tribunals stream under Article 1(3)(c)(ii), encompassing independent tribunals that derive their legitimacy from constitutional recognition, party agreement, or customary authority, and that operate outside the court hierarchy established by Chapter Ten and Article 169, including arbitral tribunals, adjudicative tribunals constituted under institutional frameworks such as AISTAR, traditional dispute resolution mechanisms recognised under Article 159(2)(c), and community-based land dispute resolution mechanisms recognised under Article 60(1)(g);

AND WHEREAS under Articles 165(6) and (7) of the Constitution, the High Court exercises supervisory jurisdiction over all persons, bodies, and authorities exercising judicial or quasi-judicial functions, including independent tribunals constituted under these Rules; and independent tribunals accordingly occupy, within the constitutional hierarchy, a supervisory rank equivalent to that of subordinate courts — being subject to the supervisory jurisdiction of the High Court and other superior courts, while remaining constitutionally distinct from, and not administratively subordinate to, the subordinate courts themselves;

AND WHEREAS independent tribunals under Article 1(3)(c)(ii) are ad hoc in constitutional character, each constituted for a specific matter, exhausting its mandate upon the issuance of a final Determination or Award in respect of that matter, and dissolving thereafter; and the permanent institution that constitutes, administers, and supports such ad hoc tribunals — Aluochier Dispute Resolution — is itself not an independent tribunal but the permanent administrative institution operating as the framework within which independent succession tribunals are brought into existence, governed, and supported under these Rules; and these Rules, as a specialist instrument of Aluochier Dispute Resolution, operate within the general institutional framework established by AITAR 2026;

AND WHEREAS Article 50(1) guarantees every person the right to have any dispute resolved by the application of law in a fair and public hearing before a court or another independent and impartial tribunal or body;

AND WHEREAS that entitlement is inherent in each individual, but not granted, by the Constitution — and is therefore not dependent upon statutory exclusivity, save where the Constitution expressly provides otherwise;

AND WHEREAS Article 47 guarantees lawful, reasonable and procedurally fair administrative action, and Article 159 affirms that judicial authority is derived from the people and shall be exercised in conformity with the Constitution;

AND WHEREAS access to justice under Article 48 and protection of property under Article 40 require effective, proportionate and constitutionally disciplined mechanisms for the settlement of estates and resolution of succession disputes;

AND WHEREAS a significant number of estates in Kenya remain dormant, unadministered, or subject to intermeddling, causing loss and hardship to beneficiaries, dependants and creditors;

AND WHEREAS written law existing prior to the effective date of the Constitution must be construed with such adaptations as are necessary to bring it into conformity with the Constitution pursuant to Section 7 of the Sixth Schedule;

AND WHEREAS section 2(1) of the Law of Succession Act constitutes that Act as the law of Kenya having universal application to all cases of intestate or testamentary succession, and these Rules apply that Act's substantive succession law in all proceedings, consistent with that universality; and section 45(1) of the Act prohibits intermeddling with the free property of a deceased person except as expressly authorised by the Act itself, by a grant of representation, or by any other written law — the Constitution of Kenya and the Fair Administrative Action Act being such other written law for the purposes of these Rules, such that a personal representative appointed by a certified Determination issued under these Rules is expressly authorised by other written law within the meaning of section 45(1) to administer the estate without requiring a court-issued grant of representation;

AND WHEREAS the Tribunal is directly accountable to the Constitution, including Articles 3(1), 10, 20(1), 159(3), and 232, and shall conduct all proceedings in a manner consistent with those provisions;

NOW THEREFORE these Rules establish a structured framework for the constitution of Independent Tribunals to adjudicate and settle succession matters in accordance with the Constitution, written law, and principles of fairness, proportionality and accountability;

PROVIDED THAT nothing in these Rules:

(a) creates a court within the meaning of Chapter Ten of the Constitution;

(b) purports to amend written law;

(c) excludes the supervisory jurisdiction of the High Court under Article 165(6);

(d) confers criminal jurisdiction; or

(e) asserts institutional immunity beyond that recognised by the Constitution and written law.

Institutional Architecture Notice

AISTAR 2026 is a specialist instrument of Aluochier Dispute Resolution governing succession proceedings and estate settlement. It operates within the general institutional framework established by the Aluochier Independent Tribunals Administrative Rules (AITAR 2026), which is the general institutional framework of the Institution.

All acronyms in these Rules referring to general institutional infrastructure — including ACDS (AITAR Case Documentation System), AQAF (AITAR Quality Assurance Fund), the Digital Gazette (AITAR Digital Gazette), the Permanent Registry, the SRT, and the Certificate of Finality — refer to the same unified infrastructure as defined by AITAR 2026. These acronyms do not establish separate or parallel systems. Where these Rules use such acronyms, they refer to the AITAR institutional infrastructure serving all proceedings administered by the Institution under all its rule sets.

AISTAR 2026 takes precedence over AITAR 2026 in respect of all domain-specific succession and estate settlement matters. On procedural and institutional matters not specifically addressed by these Rules, AITAR 2026 applies as the general institutional framework. Future specialist instruments published by the Institution for other domains will similarly draw on the AITAR general institutional framework.

Apex Governance Office — Chief Adjudicator and President of Independent Tribunals

Aluochier Dispute Resolution is governed by a Board, headed by the Chief Adjudicator and President of Independent Tribunals as President of the Board. The Chief Adjudicator and President of Independent Tribunals is the apex governance and jurisprudential officer of the permanent administrative institution — responsible for the institution's constitutional integrity, rules development, institutional governance, and public representation — and is not the holder of a permanent constitutional office under Article 1(3)(c)(ii), which vests in each ad hoc Tribunal constituted for a specific matter.

Within AISTAR specifically, the operational hierarchy is: Chief Adjudicator and President of Independent Tribunals (President of the Board) — Chief Executive (operational head and Secretary to the Board) — Registrar (AISTAR case administration). The Registrar performs case administration functions specific to AISTAR proceedings, including receiving petitions, maintaining estate case files, issuing certifications, and managing registry implementation correspondence, and is accountable to the Chief Executive in operational matters.

During the establishment phase of the institution, the offices of Chief Adjudicator and President of Independent Tribunals, Chief Executive, and Registrar may be held concurrently by the same person, with separation of offices to occur as the institution grows to the scale at which separation becomes operationally appropriate.

The independent tribunals stream under Article 1(3)(c)(ii) — within which Aluochier Dispute Resolution operates as administrator of ad hoc independent succession tribunals — is constitutionally distinct from the Judiciary stream under Article 1(3)(c)(i), is subject to the supervisory jurisdiction of the High Court under Articles 165(6) and (7), and occupies a supervisory rank equivalent to subordinate courts within the constitutional hierarchy. The Institution does not claim, and these Rules do not assert, that the Chief Adjudicator and President of Independent Tribunals holds a constitutional office personally equivalent to that of the Chief Justice, or that AISTAR or Aluochier Dispute Resolution exhausts or represents the entire independent tribunals stream under Article 1(3)(c)(ii).

AISTAR 2026 – Institutional Architecture Summary

A structural overview for judges, registrars, and institutional users

The Social Problem

Millions of Kenyan estates are dormant or blocked because formal probate is slow, expensive, and inaccessible for most families. Beneficiaries, dependants, and creditors cannot access inherited property because no lawful personal representative has been constituted. Land registries, banks, motor vehicle registries, and other institutions require a court-issued grant before they will act. The result is frozen estates, family poverty, and constitutional property rights that cannot be exercised. AISTAR 2026 is a constitutional-administrative response to that structural failure.

The Two Highways

AISTAR provides two constitutionally co-equal pathways. The Adjudication Highway (Part IV) allows any person with qualifying standing to invoke tribunal jurisdiction without a prior arbitration agreement, grounded in Articles 1(3)(c), 47, and 50(1) of the Constitution and the Fair Administrative Action Act. The Arbitration Highway (Part V) provides a consensual pathway for parties with a written arbitration agreement, governed by the Arbitration Act. Both pathways produce binding instruments subject to the supervisory jurisdiction of the High Court under Article 165(6). Compliance flows from the legal validity of the Determination as constitutionally authorised administrative action — not from institutional compulsion.

Quality Assurance: AQAF and SRT

Twenty percent of the Tribunal's professional fee is retained in the AITAR Quality Assurance Fund (AQAF) pending the outcome of the review period, aligning financial incentives with the quality of the Determination. Upon the expiry of the forty-two day review period without challenge, the retained amount is released in full. The Supervisory Review Tribunal (SRT), constituted from Senior Review Panel members not involved in the original proceedings, exercises purely supervisory jurisdiction — it reviews procedural regularity and legal soundness but does not conduct a merits rehearing, does not substitute its own findings, and does not exercise appellate jurisdiction. Its powers are to affirm, to remit with directions to the original Tribunal, or in serious cases to set aside and remit to a newly constituted Tribunal.

Certification and Registry Implementation

A Determination that has survived the review period or been affirmed on review becomes final administrative action and a Certificate of Finality is issued. The Determination is issued as a Registry-Ready instrument containing constitutive language sufficient for direct implementation by land registries, financial institutions, and other public registries, subject to each registry's governing statute. Schedule F establishes the Sovereign Hash Protocol — a digital verification architecture that gives registries, courts, and third parties a publicly accessible, immutable method of verifying the authenticity and finality of any AISTAR Determination.

Asset-Class Implementation Strategy

AISTAR's implementation reach varies by asset class in accordance with each governing statute. For land, section 65 of the Land Registration Act and section 54 of the Land Act provide the primary statutory pathways for recognition of AISTAR Determinations. For company shares, section 501 of the Companies Act provides an equivalent opening. For motor vehicles, NTSA's open-textured statutory framework is the engagement point. For asset classes governed by nomination structures or sector-specific trustee discretion — including retirement benefits and NSSF — AISTAR does not assert primacy over the asset; it provides a certified instrument of beneficiary status that constitutes admissible evidence in any proceedings concerning that asset. AISTAR is not a universal master key. It is a constitutionally grounded estate instrument whose implementation effect depends on the statutory environment of each asset class.

PART I — CONSTITUTIONAL ARCHITECTURE

This Part establishes the constitutional foundation, interpretive principles, and jurisdictional orientation of these Rules.

Rule 1 — Short Title and Commencement

1. These Rules may be cited as the Aluochier Independent Succession Tribunals Administrative Rules, 2026, or more briefly as AISTAR 2026.

2. These Rules shall come into operation on the date of publication in the AITAR Digital Gazette, or on 25th March, 2026, whichever is earlier.

Rule 2 — Interpretation

1. In these Rules, unless the context otherwise requires:

"ACDS" means the AITAR Case Documentation System, being the secure case management and digital record-keeping system maintained by the Institution for filing, tracking, and archiving proceedings under these Rules.

"AQAF" means the AITAR Quality Assurance Fund, being the ring-fenced account maintained by the Institution into which the Quality Assurance Retention is held pending release in accordance with these Rules.

"AITAR" means the Aluochier Independent Tribunals Administrative Rules, or Aluochier Independent Succession Tribunals Administrative Resolution, constituting the regulatory and procedural framework for the administration of non-specialist dispute resolution proceedings.

"AISTAR" means the Aluochier Independent Succession Tribunals Administrative Rules, or Aluochier Independent Succession Tribunals Administrative Resolution, constituting the regulatory and procedural framework for the settlement of estates.

"Adjudication" means the exercise of delegated judicial and administrative power by a Tribunal under Part IV of these Rules to determine succession matters and effect estate settlement.

"Administrative Action" has the meaning assigned under section 2 of the Fair Administrative Action Act and includes any Determination or Order issued under these Rules.

"Arbitration" means consensual dispute resolution conducted under Part V of these Rules pursuant to a valid arbitration agreement and governed by the Arbitration Act.

"Award" means a final decision rendered in arbitration proceedings.

"Board" means the Board of Directors of Aluochier Dispute Resolution, headed by the Chief Adjudicator and President of Independent Tribunals as President, with the Chief Executive serving as Secretary to the Board, responsible for the institutional governance, constitutional integrity, rules development, and strategic direction of the Institution.

"Certificate of Finality" means the instrument issued by the Registry confirming that a Determination or Award has become final administrative action in accordance with these Rules.

"Certificate of Settlement" means the instrument issued by the Registry upon completion of a Structured Settlement Track application, confirming that a valid settlement of the estate has been reached by all primary parties, verified for compliance with the Law of Succession Act, and that institutional transmissions may proceed immediately upon its issue.

"Chief Adjudicator and President of Independent Tribunals" means the apex governance officer of the Institution, serving as President of the Board, responsible for the Institution's constitutional integrity, jurisprudential development, institutional governance, and public representation. The Chief Adjudicator and President holds a governance office of the permanent administrative institution and is not the holder of a permanent constitutional office under Article 1(3)(c)(ii) of the Constitution, which vests in each ad hoc Tribunal constituted for a specific matter. During the establishment phase of the Institution, this office may be held concurrently with the offices of Chief Executive and Registrar by the same person.

"Chief Executive" means the Chief Executive Officer of Aluochier Dispute Resolution, responsible for the operational and administrative management of the Institution, serving as Secretary to the Board. In the AISTAR domain, the Chief Executive oversees the Registrar and is the operational interface between the Institution's governance and its case administration functions.

"CMM" means the Case Management Meeting convened under Rule 22.

"Compliance Demand" means the formal written demand issued by the Institution to a resisting Institutional Interested Party under Rule 36(2)(a), referencing the Sovereign Hash, the Registry Case Identifier, the institution's Interested Party status, and the constitutional basis of the compliance obligation, requiring compliance or written justification within fourteen (14) days.

"Consent Determination" means a Determination adopted by the Tribunal on the basis of a settlement agreement reached by the parties, having the same legal force as a Determination issued after a full hearing.

"Constitutive Effect" means the legal power of a Determination to create, transfer, or extinguish property rights directly upon its issuance and certification, without requiring further confirmation by a court of law. Such constitutive effect arises within the framework of section 45(1) of the Law of Succession Act, which authorises estate administration by any person expressly authorised by any other written law, the Constitution of Kenya and the Fair Administrative Action Act constituting such other written law for the purposes of these Rules. Constitutive Effect is subject always to the governing statutes of any relevant public registry or financial institution and to the supervisory jurisdiction of the High Court under Article 165(6).

"Determination" means a final and binding written decision rendered in adjudication proceedings under Part IV of these Rules, constituting the authoritative basis for estate administration and transmission upon certification in accordance with these Rules. The legal authority of a certified Determination to constitute personal representation and authorise the administration of the free property of a deceased person arises under section 45(1)(b) of the Law of Succession Act – which authorises estate administration by any person expressly authorised by any other written law – the Constitution of Kenya and the Fair Administrative Action Act constituting such other written law for the purposes of these Rules. A Determination is subject

always to the supervisory jurisdiction of the High Court under Article 165(6) of the Constitution and to the governing statutes of any relevant public registry or financial institution.

"Digital Gazette" means the official electronic publication platform maintained by the Institution for publication of notices, procedural announcements, and selected adjudicative instruments under these Rules. Publication in the Digital Gazette constitutes institutional notice and does not substitute for statutory gazettement required by written law.

"Dormant Estate" means an estate in respect of which no lawful personal representation has been constituted through a Determination, Award, or equivalent adjudicative instrument under written law, and in respect of which no succession proceedings are pending before a court or tribunal of competent jurisdiction.

"Empowering provision" has the meaning assigned under section 2 of the Fair Administrative Action Act and includes, for the specific and limited purpose of identifying the legal basis under which the Tribunal takes administrative action, these Rules as the instrument or other document in terms of which that administrative action is taken. This characterisation does not make these Rules the source of the constitutional authority of a Tribunal, which derives from Articles 1(3)(c), 47, and 50(1) of the Constitution. It identifies the procedural framework within which that constitutionally authorised authority is exercised, for the purposes of review under the Act.

"Estate" means the free property of a deceased person within the meaning of the Law of Succession Act.

"Verifier" means a Roster member appointed under Rule 59 to conduct the settlement verification review in Structured Settlement Track proceedings, whose role is to verify compliance of the proposed settlement with the Law of Succession Act and to protect the interests of minors, persons under disability, and dependants — and who does not exercise adjudicative authority or determine contested rights.

"General Panel" means the roster of adjudicators and arbitrators eligible for appointment under these Rules.

"Institution" means Aluochier Dispute Resolution (ADR) acting as the administrative secretariat for the Tribunals constituted under these Rules.

"Institutional Interested Party" means any bank, financial institution, land registry, company registrar, insurance company, cooperative society, mobile money platform, or other body holding estate assets or required to effect a transmission of estate rights, joined as an interested party under Rule 21.

"Lawful Written Authority" means the authorisation conferred upon a personal representative appointed by a certified Determination under these Rules to administer the free property of a deceased person, being an authorisation arising under the Constitution of Kenya and the Fair Administrative Action Act as other written law within the meaning of section 45(1) of the Law of Succession Act — and not arising from, nor dependent upon, a grant of representation issued by a court under that Act.

"Quality Assurance Retention" means the portion of the Tribunal Professional Fee temporarily retained in the AQAF in accordance with Schedule D, pending release upon the conditions prescribed therein.

"Registrar" means the officer of the Institution responsible for the case administration functions specific to AISTAR proceedings, including receiving and registering petitions, opening and maintaining estate case files in the ACDS, issuing Registry Case Identifiers, preparing and issuing Certificates of Finality and Registry-Ready instruments, managing registry implementation correspondence, and maintaining the AISTAR Permanent Registry. The Registrar is accountable to the Chief Executive in operational matters and to the Chief Adjudicator and President of Independent Tribunals in matters of constitutional integrity and jurisprudential standards. During the establishment phase of the Institution, the office of Registrar may be held concurrently with the offices of Chief Executive and Chief Adjudicator and President of Independent Tribunals by the same person.

"Registry-Ready" means an adjudicative instrument formatted in compliance with prescribed institutional standards and containing sufficient particulars to enable consideration for registration or implementation by a public registry or financial institution, subject to that institution's governing statute.

"Roster" means the official AISTAR database of qualified adjudicators, arbitrators, and experts, categorised by Tier under Schedule C, who have been vetted by the Institution and have sworn the Oath of Integrity to be eligible for appointment to a Tribunal.

"Roster Member" means a person who has been admitted to the Roster under Rule 12 and is eligible for appointment, but who possesses no adjudicative authority until appointed to a Tribunal.

"Senior Review Pool" means the subset of Roster Members (Tier B) eligible to be appointed as a Supervisory Review Tribunal (SRT) for a specific review application.

"Sensitive Personal Data" means biometric data, financial account numbers, health information, and data concerning minors.

"Settlement Agreement" means the written agreement reached by all primary parties to a Structured Settlement Track application, setting out the agreed distribution of the estate, discharge of debts and liabilities, appointment of a personal representative where required, and specific institutional transmission instructions, verified to comply with the Law of Succession Act.

"Settlement Application" means the joint application filed by all primary parties invoking the Structured Settlement Track under Rule 59.

"Settlement Verification Certificate" means the instrument issued by the Verifier confirming that the Settlement Agreement has been reviewed for compliance with the Law of Succession Act, that all primary parties participated voluntarily, and that the interests of minors, dependants, and vulnerable persons have been considered and are adequately protected.

"Slip Rule" means the power of the Tribunal under Rule 48 to correct clerical, arithmetical, or typographical errors in a Determination or Award.

"Small Estate" means an estate whose gross value, as disclosed in preliminary inventory, does not exceed KES Three (3) million or such adjusted figure as may be published annually by the Institution in light of inflation indices and prevailing property valuations.

"Sovereign Hash" means the unique digital alphanumeric identifier generated by the AISTAR Registry to verify the authenticity and finality of a Determination or Certificate.

"SRT" means the Supervisory Review Tribunal constituted from members of the AISTAR Roster under Rule 49 to conduct internal review of a Determination.

"Structured Settlement Track" or **"SST"** means the pathway established under PART VIII of these Rules for the recording and verification of consensual estate settlements, achieving finality through a Certificate of Settlement rather than through a Determination or Award.

"Succession Highway" means the constitutionally grounded adjudicative and administrative pathway established under these Rules through which succession disputes and estate settlement may be conducted before an appointed Independent Tribunal in accordance with Articles 47 and 50(1) of the Constitution, subject to written law and supervisory jurisdiction.

"Tribunal" means a person or panel of persons appointed from the Roster under these Rules to determine a specific succession matter and effect estate settlement, being an independent tribunal within the meaning of Article 1(3)(c) of the Constitution, whose authority derives directly from the Constitution through the combined operation of Articles 1(3)(c), 47, and 50(1), and which acts as a State organ within the meaning of Article 260 of the Constitution for the duration and scope of its appointment only.

"Written law" has the meaning assigned under the Interpretation and General Provisions Act.

2. In these Rules, unless the context otherwise requires:

   (a) a reference to the Constitution means the Constitution of Kenya, 2010;

   (b) a reference to the Law of Succession Act means the Law of Succession Act, Cap 160;

   (c) a reference to the Fair Administrative Action Act means the Fair Administrative Action Act;

   (d) a reference to the Arbitration Act means the Arbitration Act, 1995.

3. These Rules shall be interpreted:

   (a) consistently with the Constitution as the supreme law;

   (b) in a manner that promotes the inherent right of forum selection under Article 50(1) and access to justice under Article 48;

   (c) in a manner that gives effect to the entitlement under Article 50(1) to have disputes resolved before a court or another independent and impartial tribunal;

   (d) in harmony with written law as construed to conform with the Constitution pursuant to Section 7 of the Sixth Schedule;

   (e) in a manner that recognises the authority of a duly constituted Tribunal to issue Determinations capable of producing constitutive legal effect upon certification in accordance with these Rules;

   (f) in a manner that preserves the supervisory jurisdiction of the High Court under Article 165(6); and

(g) consistently with the national values and principles under Article 10, the principles of public service under Article 232, and the constitutional obligations of accountability, transparency, and the rule of law under Articles 3(1) and 159(3).

4. The authority exercised under these Rules derives from the sovereign authority of the people delegated under Article 1(3)(c)(ii) of the Constitution, operating within the framework of that provision as one of the channels of delegated sovereign authority recognised by the Constitution alongside, and distinct from, the Judiciary stream under Article 1(3)(c)(i).

5. In the event of any inconsistency between these Rules and the Constitution, the Constitution shall prevail.

Rule 3 — Purpose

1. These Rules establish a structured constitutional and administrative framework for the settlement of estates and resolution of succession disputes through adjudication or arbitration.

2. The purpose of these Rules is to:

   (a) facilitate fair, expeditious, proportionate and efficient settlement of estates;

   (b) provide a transparent and roster-based system for the appointment of independent Tribunal members;

   (c) promote access to justice in succession matters, including for persons from marginalised communities and those unable to bear upfront costs;

   (d) protect estate assets from waste, intermeddling, or unlawful transmission;

   (e) activate and resolve Dormant Estates in the interests of beneficiaries, dependants, and creditors;

   (f) provide a constitutionally disciplined forum for dispute resolution consistent with Articles 47, 48, 50 and 159 of the Constitution; and

   (g) ensure that appointments are made with due regard to the constitutional values of gender equity, regional balance, and inclusion of marginalised groups as required by Article 232.

3. These Rules operate within the constitutional framework established by Articles 1(3)(c), 47, 48, 50 and 159, and shall be applied consistently with the Fair Administrative Action Act, the Law of Succession Act as construed to conform to the Constitution, and the Arbitration Act.

4. Nothing in these Rules derogates from the general principles of common law and the rules of natural justice, which shall apply to all proceedings under these Rules, consistent with section 12 of the Fair Administrative Action Act.

Rule 4 — Constitutional Status of an Appointed Tribunal

1. Aluochier Dispute Resolution, as the administering Institution under these Rules, performs administrative and secretariat functions only. The Institution does not exercise adjudicative authority, and its acts of selection and appointment do not confer constitutional authority upon a Tribunal. The constitutional authority of a Tribunal derives from the Constitution itself, not from the Institution.

2. What makes an AISTAR Tribunal an "independent tribunal" within the meaning of Article 1(3)(c)(ii) of the Constitution is not its creation by the Institution, but its independence, impartiality, constitutional function, and the framework established by Article 50(1), which expressly recognises the right of every person to have disputes resolved before another independent and impartial tribunal or body where it is appropriate to do so.

3. Upon issuance of an Appointment Instrument in respect of a specific matter, the appointed person or panel constitutes an independent and impartial Tribunal for the determination of that matter. The Appointment Instrument is a procedural instrument that brings a constitutionally authorised Tribunal into being for that specific matter; it is not the source of the constitutional authority the Tribunal then exercises.

4. For the duration of its appointment and solely in relation to the matter assigned, the Tribunal exercises adjudicative authority within the constitutional framework established by:

   (a) Article 1(3)(c) of the Constitution, which delegates sovereign power to independent tribunals;

   (b) Article 47 of the Constitution, which guarantees the right to fair administrative action;

   (c) Article 50(1) of the Constitution, which guarantees the right to have disputes determined by an independent and impartial tribunal; and

   (d) Article 159 of the Constitution, which vests judicial authority in the people and declares that it shall be exercised in accordance with the Constitution.

5. The exercise of authority by an AISTAR Tribunal is authorised under this Constitution within the meaning of Article 2(2) through the combined operation of Articles 1(3)(c), 47, and 50(1). The Tribunal operates within those constitutional parameters and its authority extends no further than the mandate conferred by the Constitution and these Rules for the specific matter assigned.

6. ***Supervisory Jurisdiction and Constitutional Rank.***

   (a) A Tribunal constituted under these Rules is subject to the supervisory jurisdiction of the High Court under Articles 165(6) and (7) of the Constitution. That supervisory jurisdiction is non-excludable and shall not be limited or displaced by these Rules or by the parties' agreement.

   (b) In terms of supervisory rank within the constitutional hierarchy, independent tribunals constituted under these Rules occupy a position equivalent to that of subordinate courts established under Article 169 — both being subject to the supervisory jurisdiction of the High Court and other superior courts, while remaining constitutionally distinct from, and not administratively subordinate to, the subordinate courts themselves. The two streams of Article 1(3)(c) — the Judiciary stream under Article 1(3)(c)(i) and the independent

tribunals stream under Article 1(3)(c)(ii) — are constitutionally recognised parallel channels of sovereign delegation, not a hierarchy in which one is superior to the other. However, both streams are subject to the supervisory jurisdiction of the High Court under Article 165(6).

(c) Nothing in these Rules asserts that Aluochier Dispute Resolution or AISTAR exhausts or represents the entire independent tribunals stream under Article 1(3)(c)(ii), which includes traditional dispute resolution mechanisms under Article 159(2)(c) and community-based land dispute resolution mechanisms under Article 60(1)(g), among other frameworks.

7. Nothing in these Rules shall be construed as conferring permanent institutional State organ status upon the Institution or any person beyond the scope and duration of a specific Tribunal appointment.

8. A Determination or Award issued by a duly constituted Tribunal constitutes:

(a) an administrative action within the meaning of Article 47 of the Constitution and the Fair Administrative Action Act; and

(b) a decision of an independent tribunal within the meaning of Article 50(1) of the Constitution.

9. In exercising its mandate, the Tribunal shall:

(a) act independently and impartially;

(b) conduct proceedings in accordance with the requirements of fair administrative action;

(c) provide written reasons for its determinations; and

(d) remain directly accountable to the Constitution, including Articles 3(1), 10, 20(1), 159(3), and 232.

10. The Adjudication Highway established under Part IV of these Rules does not confer coercive jurisdiction upon the Tribunal or the Institution. Compliance with a Determination flows from the legal validity as a constitutionally authorised administrative act — not from institutional compulsion. Where a party declines to comply with a Determination, the affected party's remedy is to seek enforcement through the appropriate legal pathway, including an application to the High Court or to the relevant public registry under its governing statute.

Rule 5 — Scope of Succession and Estate Settlement Jurisdiction

1. Subject to the Constitution and applicable written law, a Tribunal constituted under these Rules may determine matters relating to the settlement of the estate of a deceased person.

2. Such matters may include:

(a) appointment of personal representatives;

(b) identification of estate assets and liabilities, including digital assets, offshore accounts, and secret trusts;

(c) determination of beneficiaries and dependants;

(d) interpretation of testamentary instruments, including questions of validity;

(e) resolution of disputes concerning estate property;

(f) directions for the lawful transmission of estate assets; and

(g) activation and structured settlement of Dormant Estates.

3. A Determination issued under these Rules constitutes:

(a) an administrative action within the meaning of Article 47 of the Constitution; and

(b) a decision of an independent tribunal within the meaning of Article 50(1).

4. A Determination may produce constitutive legal effect upon certification in accordance with these Rules. Such constitutive effect arises within the framework of section 45(1) of the Law of Succession Act, and is subject to the supervisory jurisdiction of the High Court under Article 165(6) and to the governing statutes of any relevant public registry or financial institution.

5. In accordance with Article 2 of the Constitution and section 7 of the Sixth Schedule, written law relating to succession shall be interpreted with such adaptations as are necessary to bring it into conformity with the Constitution.

6. Upon expiry of applicable review periods, a Determination issued under these Rules shall constitute final administrative action for the purposes of Article 47 and shall bind the parties and persons claiming through them, subject to constitutional supervision under Article 165(6).

7. A certified Determination may be relied upon by public registries, financial institutions and other relevant bodies as lawful authority for the transmission or implementation of estate rights, subject always to the governing statutes of those institutions. Where a public registry, financial institution, or other relevant body has received pre-decision notice as an Institutional Interested Party under Rule 21, reliance upon the certified Determination for estate transmission purposes constitutes compliance with a binding administrative proceeding under Articles 47 and 50(1) of the Constitution, and not merely a discretionary act.

8. An AISTAR Tribunal is not a Kadhis' court within the meaning of Article 24(4) of the Constitution. The qualification of equality provisions provided by Article 24(4) applies exclusively before the Kadhis' courts and does not apply to proceedings before an AISTAR Tribunal. In all proceedings before a Tribunal constituted under these Rules, the full equality provisions of Chapter Four of the Constitution apply, and the Law of Succession Act as the governing substantive succession law applies to all parties regardless of religious profession.

Rule 6 — Parallel Proceedings and Abuse of Process

1. A Tribunal shall not determine a matter where it is established that the same dispute is pending before a court or tribunal of competent jurisdiction.

2. Every Petitioner shall disclose on oath:

(a) any existing succession proceedings;

(b) any subsisting grant or equivalent instrument; and

(c) any pending litigation concerning the estate.

3. Where parallel proceedings exist, the Tribunal may:

(a) decline jurisdiction;

(b) stay proceedings; or

(c) limit its determination to issues not previously adjudicated.

4. Issues finally determined by a competent court or tribunal shall not be re-adjudicated (administrative res judicata), consistent with constitutional finality principles and section 7 of the Civil Procedure Act.

5. Nothing in this Rule limits the authority of courts to determine questions of jurisdiction, res judicata, or sub judice.

6. The Tribunal shall not proceed with a determination where it is established that a valid Grant of Representation has already been issued by a court of competent jurisdiction and remains in force, unless the Tribunal is satisfied that the issues raised fall outside the scope of the existing grant.

7. The Institution may undertake reasonable administrative inquiry to ascertain whether succession proceedings have been instituted before a court in respect of the estate.

8. Failure by a party to disclose material information concerning existing proceedings or grants may constitute grounds for review, setting aside, or remittal of a Determination.

Rule 7 — Forum Choice and Invocation

1. Article 50(1) of the Constitution guarantees every person the right to have a dispute resolved before a court or another independent and impartial tribunal.

2. Nothing in these Rules compels any person to submit a dispute to adjudication or arbitration under AISTAR where that person elects to approach another forum permitted by law.

3. Jurisdiction under these Rules may arise through:

(a) consensual reference of a dispute to arbitration; or

(b) invocation of adjudicative jurisdiction in accordance with these Rules.

4. These Rules do not create jurisdiction but provide the procedural framework through which the constitutional entitlement under Article 50(1) may be realised.

5. Nothing in these Rules shall be construed as limiting the right of any person to approach the High Court or another court of competent jurisdiction, nor as excluding judicial review or constitutional supervision in accordance with the Constitution and written law.

Rule 8 — Constitutional Positioning and Jurisprudential Authority

1. Sovereign power belongs to the people and is delegated under Article 1(3)(c) of the Constitution to the Judiciary and independent tribunals, to be exercised in accordance with the Constitution.

2. Article 2(2) of the Constitution provides that no person may claim or exercise State authority except as authorised under this Constitution. An AISTAR Tribunal exercises State authority in adjudicating estate disputes and producing Determinations with constitutive legal effect. That exercise is authorised under this Constitution through the combined and concurrent operation of:

   (a) Article 1(3)(c), which delegates sovereign power to independent tribunals as a category of constitutional actor;

   (b) Article 50(1), which constitutionally recognises and validates the existence of independent and impartial tribunals as fora for the determination of disputes; and

   (c) Article 47, which creates the constitutional right to fair administrative action, the exercise and protection of which the Tribunal is constituted to facilitate.

3. Constitutional Positioning: Correct Statement

   (a) Independent tribunals and courts derive adjudicative authority from the same constitutional source – the sovereign power of the people delegated under Article 1(3)(c). What distinguishes an AISTAR Tribunal from a court is not the source of its authority but the nature and scope of its mandate: limited to the matter for which it is appointed, subject to these Rules, and subject to the constitutional framework at every point.

   (b) Both the Judiciary stream under Article 1(3)(c)(i) and the independent tribunals stream under Article 1(3)(c)(ii) are subject to the supervisory jurisdiction of the High Court under Articles 165(6) and (7) of the Constitution. In terms of supervisory rank within the constitutional hierarchy, independent tribunals constituted under these Rules are equivalent in rank to subordinate courts – both being subject to High Court supervision – and not to the superior courts.

   (c) The independent tribunals stream under Article 1(3)(c)(ii) – within which AISTAR Tribunals operate – is constitutionally distinct from the Judiciary stream under Article 1(3)(c)(i) and is a recognised channel of the people's sovereign mandate in dispute resolution. That stream includes, alongside institutionally administered tribunals such as AISTAR Tribunals, traditional dispute resolution mechanisms under Article 159(2)(c) and community-based land dispute resolution mechanisms under Article 60(1)(g). The Institution does not claim that AISTAR or Aluochier Dispute Resolution exhausts or represents the entire independent tribunals stream, nor that the Chief Adjudicator and President of Independent Tribunals holds a constitutional office personally equivalent to that of the Chief Justice.

4. These Rules constitute the "instrument or other document" that is the empowering provision for the purposes of the Fair Administrative Action Act, within the meaning of section 2 of that Act. This characterisation operates for the specific and limited purpose of identifying the legal basis under which the Tribunal takes administrative action, so that such action may be assessed and reviewed for constitutional compliance. The FAAA empowering provision

characterisation does not itself confer constitutional authority; it describes the procedural framework within which constitutionally authorised authority is exercised. The constitutional authority of the Tribunal rests on Articles 1(3)(c), 47, and 50(1), not on AISTAR 2026 as a self-authorising instrument.

5. In interpreting the Constitution and written law, a Tribunal shall treat decisions of the Supreme Court and other superior courts as authoritative guidance on constitutional and statutory interpretation and shall accord them substantial persuasive weight.

6. The Tribunal remains directly accountable to the Constitution, including Articles 3(1), 10, 20(1), 159(3), and 232.

7. Nothing in these Rules shall be construed as creating a court within the meaning of Chapter Ten of the Constitution, or as excluding or limiting the supervisory jurisdiction of the High Court under Article 165(6).

8. The constitutional-administrative pathway established under these Rules operates within the statutory framework of the Law of Succession Act as follows:

   (a) Section 2(1) of the Law of Succession Act constitutes that Act as the law of Kenya having universal application to all cases of intestate and testamentary succession. These Rules operate within that universality. Every Determination issued under these Rules applies the Act's substantive succession law as the governing substantive framework.

   (b) Section 45(1) of the Act prohibits intermeddling with the free property of a deceased person except where expressly authorised by the Act itself, by a grant of representation, or by any other written law. The Constitution of Kenya is supreme written law, and the Fair Administrative Action Act is the statute that operationalises Article 47 of the Constitution. Together they constitute other written law within the meaning of section 45(1). A personal representative appointed by a certified Determination under these Rules is therefore expressly authorised by other written law within the meaning of that section to administer the estate. No court-issued grant of representation is required as a constitutional or statutory matter, and no person who acts in accordance with a certified Determination is intermeddling within the meaning of section 45(1). The second gateway in section 45(1) is satisfied by the Constitution and the Fair Administrative Action Act. The procedural mechanism through which Institutional Interested Parties are brought within the constitutional proceeding and bound by its outcome is established under Rule 21 of these Rules.

   (c) Section 7(1) of the Sixth Schedule to the Constitution requires that all laws in force before the Constitution's effective date — including the Law of Succession Act — be construed with the alterations, adaptations, qualifications, and exceptions necessary to bring them into conformity with the Constitution. The conformable construction of section 45(1) required by section 7(1) of the Sixth Schedule is therefore the construction this Rule reflects: the second gateway in section 45(1) accommodates the constitutional-administrative pathway.

   (d) Nothing in this sub-rule purports to amend the Law of Succession Act or to restrict the court-based probate pathway established under that Act. The probate pathway and the constitutional-administrative pathway under these Rules are parallel and co-equal. Parties and estates may use either. Neither displaces the other.

PART II — INSTITUTIONAL STRUCTURE

This Part establishes the governance and administrative framework through which the Institution is governed and through which Tribunals are constituted and supported under these Rules.

Rule 9 — Governance of the Institutional

1. There is established the office of Chief Adjudicator and President of Independent Tribunals as the apex governance and jurisprudential office of Aluochier Dispute Resolution, applicable across all institutional instruments including AISTAR 2026.

2. The Chief Adjudicator and President of Independent Tribunals serves as President of the Board of Aluochier Dispute Resolution. In the AISTAR domain, the Chief Adjudicator and President is responsible for:

   (a) the constitutional integrity and jurisprudential direction of AISTAR;

   (b) the development, amendment, and publication of AISTAR and all successor succession instruments;

   (c) oversight of the Chief Executive and, through the Chief Executive, of the Registrar; and

   (d) institutional public representation of Aluochier Dispute Resolution in its capacity as administrator of independent succession tribunals under Article 1(3)(c)(ii).

3. The Chief Executive is the operational head of Aluochier Dispute Resolution and serves as Secretary to the Board. In the AISTAR domain, the Chief Executive oversees the Registrar and is the primary operational interface between the Board's governance and AISTAR case administration.

4. The Registrar is the officer responsible for AISTAR case administration, including receiving petitions, maintaining estate case files in the ACDS, issuing Registry Case Identifiers, preparing Certificates of Finality and Registry-Ready instruments, and managing registry implementation correspondence. The Registrar is accountable to the Chief Executive in operational matters.

5. The Chief Adjudicator and President of Independent Tribunals is the apex governance officer of the permanent administrative institution. This office is not a permanent constitutional office under Article 1(3)(c)(ii) of the Constitution, which vests in each ad hoc Tribunal constituted for a specific matter. The constitutional authority exercised in each succession matter is the authority of the ad hoc Tribunal constituted for that matter, not the authority of the Chief Adjudicator and President of the Institution.

6. During the establishment phase of the Institution, the offices of Chief Adjudicator and President of Independent Tribunals, Chief Executive, and Registrar may be held concurrently by the same person.

7. The independent tribunals stream under Article 1(3)(c)(ii) – within which the Institution operates as the administrator of ad hoc independent succession tribunals – is constitutionally distinct from the Judiciary stream under Article 1(3)(c)(i). Both streams are recognised channels of the people's sovereign mandate. Independent tribunals constituted under these Rules are subject to the supervisory jurisdiction of the High Court under Articles 165(6) and (7) and occupy a supervisory rank equivalent to subordinate courts. The Institution does not

claim that the Chief Adjudicator and President of Independent Tribunals holds a constitutional office personally equivalent to that of the Chief Justice, or that AISTAR or Aluochier Dispute Resolution exhausts or represents the entire independent tribunals stream.

Rule 10 — Institutional Administration

1. The administration of proceedings under these Rules shall be undertaken by Aluochier Dispute Resolution (ADR) acting as the institutional secretariat (the Institution).

2. The role of the Institution is purely administrative and facilitative. The Institution is the mechanism through which persons are selected and appointed to constitute Tribunals; it is not itself the source of the constitutional authority that a Tribunal exercises once constituted. That authority derives from the Constitution directly, as set out in Rule 8.

3. The functions of the Institution shall include:

   (a) maintaining the AISTAR Roster of eligible adjudicators and arbitrators;

   (b) receiving and registering petitions and requests for arbitration;

   (c) verifying the standing of Petitioners within three (3) days of filing in accordance with Rule 18(1);

   (d) maintaining the AITAR Case Documentation System (ACDS);

   (e) issuing procedural communications and notices;

   (f) publishing institutional notices in the AITAR Digital Gazette;

   (g) selecting and facilitating the appointment of Tribunal members as a procedural mechanism in accordance with these Rules, without thereby conferring any constitutional authority not already vested in the Tribunal by the Constitution;

   (h) maintaining the AITAR Quality Assurance Fund (AQAF); and

   (i) maintaining records of proceedings and the Digital Registry.

4. In performing these functions, the Institution shall act administratively and neutrally, and shall not participate in the adjudication of disputes.

5. The Institution shall not interfere with the independence of any Tribunal constituted under these Rules. Once a Tribunal is constituted, it exercises its functions under the Constitution and these Rules independently of the Institution.

6. All appointments shall be made with due regard to the constitutional values of gender equity, regional balance, and inclusion of marginalised groups, as required by Article 232 of the Constitution.

7. All communications between a party and the Institution shall be directed to the Registrar, who acts as the case administration interface for AISTAR proceedings and as Secretary's delegate in operational matters under the Chief Executive.

Rule 11 — Establishment of the AISTAR Roster

1. The Institution shall maintain an official AISTAR Roster of persons eligible for appointment as adjudicators, arbitrators, or experts and assessors.

2. The Roster shall be organised into tiers as follows:

   (a) Tier A — Accredited members eligible for appointment to matters involving estates up to KES 20 million, as sole adjudicators, panel members, or arbitrators;

   (b) Tier B — Senior members eligible for appointment to high-value matters above KES 20 million and eligible for appointment to the Supervisory Review Tribunal (SRT); and

   (c) Tier C — Specialists and assessors eligible for appointment as technical experts to assist a Tribunal.

3. Admission to the Roster confers eligibility for appointment but does not confer adjudicative authority unless and until the person is appointed to a Tribunal for a specific matter.

4. The Institution shall maintain and periodically update the Roster and shall establish procedures for the evaluation, advancement, or removal of members between tiers based on experience, training, and demonstrated competence.

Rule 12 — Admission to the Roster

1. A person may be admitted to the AISTAR Roster if that person:

   (a) demonstrates competence in succession law, administrative law, or dispute resolution;

   (b) successfully completes the AISTAR Tribunal Admission Assessment prescribed by the Institution; and

   (c) undertakes to comply with the ethical and procedural obligations established by these Rules.

2. The AISTAR Tribunal Admission Assessment shall certify that the candidate possesses sufficient mastery of:

   (a) the Constitution of Kenya, 2010, particularly provisions relating to fair hearing and administrative justice;

   (b) the Law of Succession Act;

   (c) the Fair Administrative Action Act and associated Rules;

   (d) the Arbitration Act; and

   (e) the institutional framework established by AISTAR.

3. For Tier A admission, a candidate shall hold at minimum a recognised qualification in law, dispute resolution, or a related field, or demonstrate equivalent practical competence acceptable to the Institution.

4. For Tier B admission, a candidate shall additionally demonstrate substantial adjudicative or arbitration experience and advanced knowledge of constitutional and administrative law.

5. The Institution may establish additional training or evaluation requirements necessary to ensure professional competence of Roster members.

6. Admission to the Roster shall be recorded in the institutional register and shall be undertaken with due regard to the constitutional values of integrity, independence, and competence.

Rule 13 — Oath of Integrity

1. Every person admitted to the Roster shall, before being eligible for appointment to a Tribunal, take and subscribe to an Oath of Integrity administered by the Institution.

2. The Oath shall affirm that the member will:

   (a) uphold and defend the Constitution of Kenya;

   (b) act independently and impartially;

   (c) avoid conflicts of interest;

   (d) perform adjudicative duties faithfully and diligently; and

   (e) respect the principles of fairness, transparency, and integrity in all proceedings.

3. The signed Oath shall be retained in the official records of the Institution.

Rule 14 — Appointment of Tribunal Members

1. A Tribunal shall be constituted through the issuance of an Appointment Instrument by the Institution.

2. The Appointment Instrument shall specify the name of the appointed adjudicator or arbitrator, the matter to which the appointment relates, and the date on which the appointment takes effect.

3. Appointment in adjudication matters shall ordinarily be made through a random, sequential rotation system from the eligible tier of the General Panel to ensure impartiality and prevent interference. Any deviation from the rotation shall be justified in a written Appointment Memorandum accessible to the parties and shall be approved by the Chief Adjudicator and President of Independent Tribunals or, where the offices are held concurrently, by the Chief Executive in that combined capacity.

4. Appointment in arbitration matters shall respect party autonomy. The parties may jointly nominate an arbitrator from the General Panel. Where parties fail to agree on an arbitrator within fourteen (14) days of the Request for Arbitration, the Institution shall appoint through the rotation system.

5. A Tribunal shall consist of:

   (a) a sole adjudicator or arbitrator as the default; or

   (b) a panel of three members where one or more of the following applies:

i. the gross estate value exceeds KES 20 million;

ii. the matter involves a contested testamentary instrument;

iii. there are four or more competing beneficiary claims;

iv. a party requests a panel and the Institution considers it warranted having regard to the complexity of the dispute; or

v. the Institution determines on its own initiative that the complexity of the matter justifies a panel.

6. Where a panel of three is constituted, the Institution shall designate a presiding member.

7. Before assuming appointment, a Tribunal member shall disclose any circumstances that may give rise to justifiable doubts as to independence or impartiality and shall execute the Conflict of Interest and Independence Disclosure Form prescribed in Schedule B.

8. No person who participated in the determination of a matter shall be eligible for appointment to the SRT in respect of the same matter.

9. A Tribunal member shall not be personally liable for acts or omissions undertaken in good faith in the exercise or purported exercise of adjudicative functions under these Rules. This protection does not extend to conduct involving fraud, bad faith, corruption, or knowing violation of the Constitution.

10. The Institution shall publish a notice of appointment in the AITAR Digital Gazette through the Registrar as institutional notice of the member's authority for the purposes of the assigned matter.

Rule 15 — Professional Accountability and Quality Assurance

1. To uphold constitutional standards of lawful administrative action under Article 47 and reasoned adjudication under Article 47(2), the Institution shall maintain a structured professional quality assurance mechanism applicable to appointed Tribunal members.

2. Upon issuance of a Determination or Award, eighty percent (80%) of the professional adjudicative fee shall be released to the Tribunal member. The remaining twenty percent (20%) shall be retained in the AQAF as the Quality Assurance Retention pending the conditions set out in Schedule D.

3. The Quality Assurance Retention constitutes deferred professional remuneration and shall not be treated as a penalty or disciplinary fine.

4. Before any retained portion is adjusted or withheld following a review finding, the Tribunal member shall be notified in writing and given a reasonable opportunity to respond. Any adjustment shall be recorded for institutional accountability purposes.

5. Repeated findings of material procedural defect within a defined period may trigger structured professional review, mentoring or retraining requirements, or temporary suspension from the Roster following fair administrative process.

6. The institutional administrative levy charged for registry and facilitation services is distinct from the Tribunal member's professional fee and is not subject to retention under this Rule.

7. The pre-decision notice and representations obligations under sections 4(3)(a) and (b) of the Fair Administrative Action Act constitute an integral component of the quality assurance architecture established by this Rule. Those obligations require the Tribunal, before issuing any Determination or Award that is likely to adversely affect the rights or fundamental freedoms of a party, to give that party adequate prior written notice of the nature and purpose of the proposed action and a reasonable opportunity to make representations. This pre-decision process:

   (a) is a self-correction mechanism — it requires the Tribunal to articulate its proposed action before making it, creating the opportunity to identify and correct legal, factual, or procedural errors before they are embedded in a final decision;

   (b) is a party-correction mechanism — it gives the affected party the opportunity to place before the Tribunal, while it can still change course, any material that the Tribunal may not have considered;

   (c) creates a documentary record of compliance that disciplines the quality of the final decision and makes subsequent SRT review and judicial supervision more efficient; and

   (d) constitutes a procedural protection that is materially higher than that available in ordinary court proceedings or arbitration conducted outside these Rules, in which no equivalent pre-decision notice obligation is imposed on the decision-maker.

   The proceedings before a Tribunal under these Rules therefore afford parties constitutional rights under Article 47, as operationalised through sections 4(3)(a) and (b) of the Fair Administrative Action Act, that are not available in ordinary litigation or arbitration.

8. A Determination or Award challenged for non-compliance with sections 4(3)(a) and (b) of the Fair Administrative Action Act cannot invoke section 4(6) of that Act as a defence on the basis that the procedure under these Rules, or under the Arbitration Act, generally conforms to the principles set out in Article 47 of the Constitution. Section 4(6) permits a different procedure only where it positively conforms to all of Article 47's requirements — it does not permit dispensation with a mandatory pre-decision notice obligation merely because the alternative procedure is silent on that obligation. Non-compliance with sections 4(3)(a) and (b) in proceedings under these Rules constitutes a ground for review under Rule 50(a) and section 7(2)(c) of the Fair Administrative Action Act, and a section 4(6) plea does not displace that ground.

Rule 16 — Transitional Digital and Documentary Framework

1. Until such time as fully integrated electronic systems are operational and certified by the Institution as stable and reliable, all proceedings, filings, determinations, certifications, and verification processes under these Rules may be conducted in electronic form, physical form, or a combination of both. Both formats shall have equal procedural validity.

2. No proceeding shall be invalidated solely by reason of reliance on a non-electronic format.

3. No party shall be denied access to proceedings on the sole ground that they lack access to electronic systems. The Institution shall ensure reasonable accommodation for persons who require physical filing or communication methods.

4. The Institution may, upon public notice, designate a date on which specified electronic systems are deemed fully operational and electronic filing becomes the default mode, while physical filing remains permissible where justified by access needs, technical failure, or exceptional circumstances.

PART III — COMMENCEMENT AND ESTATE PROTECTION

This Part governs the initiation of proceedings under these Rules, verification of standing, and the issuance of temporary measures to preserve estate property pending adjudication.

Rule 17 — Initiation of Proceedings (Petition)

1. Adjudication proceedings under these Rules shall be initiated by filing a Petition for Adjudicative Settlement with the Registrar through the AITAR Case Documentation System.

2. The Petition shall contain, so far as known:

   (a) the identity, last known address, and date of death of the deceased person;

   (b) identification of known beneficiaries, dependants, and creditors, including their digital addresses where available;

   (c) a preliminary inventory of estate assets and liabilities, including digital assets and offshore accounts;

   (d) disclosure of any prior or pending proceedings relating to the estate, sworn on oath;

   (e) the specific orders or distribution determination sought; and

   (f) the administrative levy prescribed by the Institution.

3. The Petition shall be accompanied by a sworn declaration verifying the information provided.

4. Upon filing, the Registrar shall assign a unique Registry Case Identifier, which shall serve as the immutable digital identity of the estate for all public registries and financial institutions.

5. Upon receipt of the Petition, the Registrar shall open an official case file within the ACDS.

Rule 18 — Verification of Standing and Appointment of Tribunal

1. The Registrar shall, within three (3) days of filing, verify that the Petitioner has the requisite standing to trigger the settlement of the estate, and shall report the outcome to the Chief Executive.

2. For the purposes of these Rules, requisite standing includes:

   (a) any heir, beneficiary, dependant, or creditor of the deceased;

   (b) any person named as an executor in a Will or previously appointed as an administrator;

   (c) any trust corporation as defined in section 3 of the Law of Succession Act, which shall be taken to have a valid interest for the purposes of these Rules where it demonstrates one or more of the following constitutional grounds:

      i. its constitutional obligation under Article 3(1) of the Constitution to respect, uphold, and defend the Constitution by facilitating lawful administration of an estate in

which beneficiaries, dependants, or creditors hold constitutionally protected property rights under Article 40;

ii. its constitutional right under Article 40(1) of the Constitution to acquire property, including professional remuneration arising from the lawful exercise of its statutory function as an authorised administrator or executor under section 3 of the Law of Succession Act; or

iii. its standing under Articles 22 and 258 of the Constitution to institute proceedings for the enforcement of the constitutional property and succession rights of beneficiaries, dependants, or creditors of the estate, whether acting in its own interest or in furtherance of the constitutional rights of those persons; or

(d) the Public Trustee exercising authority under the Public Trustee Act and the Law of Succession Act.

3. The categories of standing set out in Rule 18(2) address only the right to initiate proceedings before the Tribunal — they do not determine entitlement to appointment as personal representative or administrator of the estate. Standing and appointment are distinct legal questions. A person or corporation with standing to petition may or may not be suitable for appointment as personal representative, and the converse is also true. The Tribunal shall not treat the existence of standing as implying suitability for appointment. The assessment of suitability for appointment is a separate and individually conducted exercise governed by Rule 27(7) and (8).

4. Upon successful verification and payment or waiver of the levy, the Institution shall proceed to appoint a Tribunal within fourteen (14) days in accordance with Rule 14, the Registrar shall publish notice of the Petition in the AITAR Digital Gazette, and the Registrar shall enter the matter into the ACDS.

5. Upon issuance of the Appointment Instrument, the appointed person or panel shall constitute the Tribunal and shall assume control of the proceedings.

Rule 19 — Estate Preservation Orders

1. Upon filing of a Petition and appointment of a Tribunal, the estate shall be treated as subject to pending adjudication, and parties and third persons with notice of the proceedings are expected to act in good faith consistent with section 45 of the Law of Succession Act.

2. A Tribunal may issue Administrative Preservation Orders where credible evidence indicates risk of:

   (a) intermeddling with estate property contrary to section 45 of the Law of Succession Act;

   (b) waste, deterioration, concealment, or unlawful transfer of estate assets; or

   (c) destruction or concealment of material evidence relating to the estate.

3. Administrative Preservation Orders may include:

   (a) temporary restraint of disposal or transfer of identified estate assets;

(b) a directive to parties or third persons to prepare and deliver an inventory of estate property;

(c) preservation notices directed to land registries, financial institutions, or custodians of estate assets;

(d) orders requiring surrender of documents of title for safekeeping pending determination; and

(e) appointment of an interim administrator or curator for preservation purposes only.

4. Except in cases of urgency, an Administrative Preservation Order shall be issued after giving affected parties an opportunity to be heard. Where issued ex parte due to urgency, the Tribunal shall schedule an *inter partes* review within fourteen (14) days.

5. Administrative Preservation Orders shall be proportionate, temporary in nature, and shall not constitute assumption of estate administration.

6. An Administrative Preservation Order shall remain in force until varied, discharged, or incorporated into a final Determination. Any person affected may apply to the Tribunal for variation or discharge.

7. Where a party subject to an Administrative Preservation Order knowingly acts in breach thereof, the Tribunal may consider such conduct in determining distribution or compensatory liability, and may refer the matter to the High Court for appropriate relief where necessary.

8. An Administrative Preservation Order issued under Rule 19 shall operate as a statutory caveat/caution upon delivery to any land registry, bank, or mobile money platform. The recipient institution shall log the restriction in its register within twenty-four (24) hours of receipt via the ACDS verification protocol.

Rule 20 — Notification, Joinder, and Right to be Heard

1. In accordance with Article 47 of the Constitution and the Fair Administrative Action Act, every person whose rights or fundamental freedoms are likely to be affected by a Determination has the right to be notified of the proceedings and the right to be heard.

2. Within seven (7) days of the appointment of the Tribunal, the Petitioner shall serve a copy of the Petition, the Notice of Appointment, and the Registry Case Identifier on all known beneficiaries, dependants, and creditors. Service may be effected through physical delivery, registered mail, or verified electronic means.

3. The Institution shall publish a Notice of Adjudication in the AITAR Digital Gazette, which shall constitute constructive institutional notice. The notice shall invite any person claiming an interest in the estate to file a Notice of Participation within thirty (30) days from the date of publication.

4. Any person served or notified has the right to file a Response and Counter-Inventory within thirty (30) days of service. The Response shall state whether the party supports the Petition, objects to any part of the asset inventory, or proposes an alternative distribution plan.

5. The Tribunal may, at any stage of the proceedings, order the joinder of any person whose presence is necessary for the complete and effective settlement of the estate. A person who has not been notified but who has a legitimate claim may apply for intervener status at any time before the Final Determination is rendered.

6. Every party has the right to be represented by a person of their choosing in accordance with Article 50(1). The Notice of Proceedings (Form B4) shall expressly inform all parties that they have the right to be represented by an advocate or other representative of their choice in all proceedings before the Tribunal, consistent with section 4(3)(e) of the Fair Administrative Action Act. The Tribunal shall ensure that unrepresented parties are not disadvantaged by technicalities and shall conduct proceedings in a manner that facilitates their direct participation.

7. The Tribunal shall exercise its inquisitorial power to verify the Petitioner's claims against public records and to ensure the interests of non-participating heirs, minors, and persons with disabilities are preserved. Where a party has been duly served but fails to participate, the Tribunal may proceed to determine the matter on the basis of the evidence available.

8. Any Determination made in violation of the right to be heard under this Rule shall constitute a ground for the SRT to set aside the proceedings and order a re-hearing.

9. **Privacy Notice** – The Notice of Proceedings (Form B4) shall include or be accompanied by a Privacy Notice informing all parties, beneficiaries, dependants, and any person whose personal data will be processed of:

   (a) the identity and contact details of ADR and the Data Protection Officer;

   (b) the purposes of the processing of personal data;

   (c) the legal basis for the processing;

   (d) the categories of personal data collected;

   (e) the recipients or categories of recipients of the personal data;

   (f) the period for which the personal data will be stored;

   (g) the existence of the rights of data subjects under the Data Protection Act, 2019;

   (h) the right to lodge a complaint with the Office of the Data Protection Commissioner;

   (i) whether the provision of personal data is a statutory or contractual requirement, and the possible consequences of failure to provide such data.

Rule 21 — Joinder of Institutional Interested Parties

1. In every proceeding under these Rules, the Tribunal shall, at the earliest practicable stage and in any event before issuance of the Determination or Award, identify all institutions whose compliance will be required to give effect to the Determination or Award, including but not limited to land registries, financial institutions, banks, mobile money platforms, company registrars, insurance companies, and cooperative societies.

2. Every institution identified under sub-rule (1) shall be joined as an Institutional Interested Party and served with:

   (a) a Notice of Institutional Interested Party Status, in the form prescribed at Form B41;

   (b) a copy of the Petition and the Interim Inventory Order; and

   (c) the Registry Case Identifier.

3. Service under sub-rule (2) constitutes formal pre-decision notice under section 4(3)(a) of the Fair Administrative Action Act. Each Institutional Interested Party shall be given a reasonable opportunity, determined by the Tribunal having regard to the circumstances of the matter, to make representations on any matter within its institutional competence, including the form in which a Determination or transmission instrument should be presented to facilitate implementation under its governing statute.

4. An Institutional Interested Party that receives notice under this Rule and does not file representations within the period directed by the Tribunal shall be deemed to have waived objection to the form of the Determination and to have accepted, for institutional compliance purposes, that the certified Determination constitutes lawful authority for estate transmission in accordance with its governing statute and applicable written law.

5. Upon issuance and certification of the Determination or Award, every Institutional Interested Party that received pre-decision notice under this Rule is bound to give effect to the Determination or Award in accordance with its governing statute and applicable written law. Such compliance obligation arises from participation in — or noticed non-participation in — a constitutionally-grounded proceeding under Articles 1(3)(c), 47, and 50(1) of the Constitution, and not from a separate enforcement order.

6. The Registry Case Identifier and Sovereign Hash shall serve as the verification instrument for any Institutional Interested Party required to confirm the authenticity of a certified Determination before giving effect to it.

7. Nothing in this Rule shall be construed as requiring an Institutional Interested Party to act in contravention of its governing statute or any mandatory written law.

8. Where a minor's inheritance is to be held in a designated account with a financial institution under Rule 27C(2)(b), the financial institution shall be joined as an Institutional Interested Party under this Rule. The Determination or Certificate of Settlement shall include specific instructions to that institution regarding:

   (a) withdrawal restrictions;

   (b) reporting obligations (if any); and

   (c) the duration of the restrictions.

PART IV — THE ADJUDICATION HIGHWAY (PROCEDURE)

This Part governs the conduct of adjudicative proceedings before a Tribunal constituted under these Rules.

Sub-Part A — Case Management

Rule 22 — Preliminary Case Management Meeting

1. Within fourteen (14) days of the expiry of the notice period provided under Rule 20(3), the Tribunal shall convene a Preliminary Case Management Meeting (CMM), which may be held via video-link, telephone, or physical attendance as the Tribunal deems most efficient.

2. At the CMM, the Tribunal shall:

   (a) confirm jurisdiction and address any parallel proceedings;

   (b) establish the undisputed assets and liabilities of the estate and issue an Interim Inventory Order;

   (c) identify contested issues regarding dependency, asset ownership, or testamentary validity;

   (d) set timelines for the filing of valuations and supporting evidence;

   (e) determine whether the matter is suitable for Consent Determination or requires a full hearing;

   (f) identify any immediate needs of minor dependants and consider whether an Interim Distribution Order for maintenance is warranted; and

   (g) determine the mode and timetable for the conduct of the proceedings.

3. The Interim Inventory Order issued at the CMM shall serve as a temporary schedule of assets and shall provide the basis for any interim maintenance payments for dependants or urgent estate expenses. It shall also serve as the trigger for registration of the institutional fee lien in accordance with Schedule D.

4. The Tribunal shall issue a Procedural Directions Order following the CMM recording all decisions and timelines. The Procedural Directions Order shall include directions for the exchange of documents and evidence, specifying that:

   (a) all parties shall, within the period directed by the Tribunal, exchange copies of all documents and evidence they intend to rely upon in the proceedings, consistent with section 4(3)(g) of the Fair Administrative Action Act;

   (b) the Tribunal shall not rely on any document or piece of evidence that has not been disclosed to all parties, except where good cause is shown and an opportunity to respond is given; and

   (c) any party seeking to introduce additional documents after the exchange deadline shall apply to the Tribunal for leave, which shall be granted only where the Tribunal is satisfied that the material is relevant and its late introduction will not cause unfair prejudice.

5. Where a party fails to comply with the Procedural Directions Order or any other direction of the Tribunal, the Tribunal may:

   (a) strike out any pleading or document filed in breach of the direction;

   (b) proceed to determine the matter on the basis of the available evidence;

   (c) draw adverse inferences from the non-compliance; or

   (d) award costs against the party in default, consistent with Rule 27(1)(c) of the Fair Administrative Action Rules, 2024.

Rule 23 — Mandatory Asset Disclosure and Dynamic Inventory

1. All parties are under a continuing constitutional duty of candour to disclose the existence and location of all estate property, including digital assets, offshore accounts, mobile money accounts, and any other assets of the deceased.

2. Where the value of an asset is disputed, the Tribunal may appoint a member of the Specialist Panel or an independent valuer to provide a professional assessment, the costs of which shall be treated as a priority debt of the estate.

3. The certification of a final estate inventory does not preclude the introduction of newly discovered assets or liabilities. A party who discovers an asset or liability after the valuation period shall file a Supplemental Inventory. The Tribunal shall admit the new information if verified and relevant, and shall update the Registry Case Identifier accordingly.

4. Where the Tribunal finds that an asset was intentionally concealed by a party:

   (a) the concealing party may be ordered to pay a discovery cost-recovery fee to indemnify the estate;

   (b) the Tribunal may adjust the distribution of the newly discovered asset to compensate other heirs for the delay or fraud; and

   (c) the Tribunal may issue a Certificate of Non-Compliance for referral to relevant authorities.

Rule 24 — Preliminary Objections

1. A party may raise objections relating to the jurisdiction of the Tribunal, admissibility of the Petition, or procedural irregularities.

2. The Tribunal may determine such objections as a preliminary issue or together with the merits of the case.

3. Objections to the jurisdiction of the Tribunal should be raised at the earliest opportunity. The Tribunal may summarily dismiss preliminary objections that it considers manifestly without merit.

4. The Tribunal shall ensure that preliminary objections do not unnecessarily delay the resolution of the dispute.

Sub-Part B — Settlement and Consent Determinations

Rule 25 — Settlement and Consent Determinations

1. At any stage of the proceedings, the Tribunal shall encourage the parties to reach a voluntary settlement regarding the distribution of the estate. The Tribunal may, with the consent of the parties, adjourn proceedings for a period not exceeding twenty-one (21) days to facilitate private negotiations or mediation.

2. Where the parties reach an agreement, the terms shall be reduced to writing in a Consent Determination Record signed by all participating beneficiaries and dependants or their authorised representatives.

3. Before adopting a settlement, the Tribunal shall independently verify, through its inquisitorial power, that the agreement provides adequately for the interests of minor children, persons with disabilities, and dependants who may not have been part of the negotiations. The Tribunal may refuse to record a settlement that is manifestly unjust, unconscionable, or contrary to the mandatory provisions of the Law of Succession Act regarding dependants' rights.

4. A Consent Determination shall have the same legal force, finality, and constitutive effect as a Determination rendered after a full hearing.

5. Where parties agree on the distribution of some assets but remain in dispute over others, the Tribunal may record a Partial Consent Determination and proceed to adjudicate the remaining contested issues.

6. Where a proposed settlement or Consent Determination affects the succession rights of a minor:

   (a) the Tribunal shall not adopt the settlement without:

      a.i. receipt of a guardian *ad litem* report under Rule 27A(3)(b)(ii) (unless dispensed with under Rule 27A(4)(a)); and

      a.ii. an oral hearing, conducted in chambers if appropriate, at which the minor's representative may address the Tribunal;

   (b) the Tribunal shall record, in the Consent Determination, a best-interests analysis meeting the requirements of Rule 27B(3).

7. A Consent Determination is final and binding. No party who signed the settlement may apply for internal review except on the strict grounds of documented fraud, coercion, or fundamental mistake of fact. Any such challenge shall be filed within forty-two (42) days of the date of the order.

Sub-Part C — Hearings and Evidence

Rule 26 — Equality of Parties and Fair Hearing

1. The Tribunal shall treat all parties equally.

2. Each party has the right to attend proceedings in person or accompanied by a representative or expert of their choice, consistent with section 4(4)(a) of the Fair Administrative Action Act.

3. Each party shall be given a reasonable opportunity to present its case and to respond to evidence and submissions presented by another party.

4. Any party may, at any stage of the proceedings, request a reasonable adjournment where necessary to ensure a fair hearing, consistent with section 4(4)(d) of the Fair Administrative Action Act. The Tribunal shall not unreasonably refuse such a request. In exercising its discretion, the Tribunal shall have regard to the interests of all parties, the need for expeditious resolution, and the constitutional obligation to provide fair administrative action.

5. Proceedings shall be conducted in a manner consistent with Articles 47 and 50(1) of the Constitution.

Rule 27 — Inquisitorial Powers and Evidence

1. In accordance with Article 159(2) of the Constitution, the Tribunal shall not be bound by undue regard to technicalities of procedure or the strict rules of evidence. The Tribunal shall exercise inquisitorial powers to ensure a full and accurate discovery of the estate and the legitimate claims of all dependants.

2. The Tribunal may admit any evidence it considers relevant and credible, including:

   (a) hearsay evidence, provided that where a Determination relies primarily on hearsay, the Tribunal shall state its reasons for finding such evidence reliable and necessary;

   (b) customary law and practice, received through oral testimony from elders, traditional leaders, or expert assessors without the need for formal expert reports unless specifically ordered; and

   (c) electronic and digital evidence, including mobile money statements, email correspondence, social media communications, and digital photographs, as primary evidence of financial transactions or the deceased's intentions.

3. Where necessary for the fair and complete determination of a matter, the Tribunal may issue a written Production Direction requiring specified documents, records, or information from any person, financial institution, public registry, or other entity. Persistent refusal to cooperate without lawful justification may be taken into account by the Tribunal and may, where appropriate, be recorded for supervisory referral under Article 165(6).

4. The Tribunal may, on its own motion or at the request of a party, conduct a site visit to any land or property forming part of the estate to verify boundaries, occupation status, or the existence of physical assets. Findings shall be recorded in a field report uploaded to the ACDS.

5. The Tribunal may utilise automated analytical tools, including artificial intelligence systems, to assist in performing forensic audits of financial records, identifying patterns of dependency, or verifying the authenticity of digital submissions. All such analysis shall be subjected to independent human verification by the Tribunal member. Use of such tools shall comply with the AISTAR Data Protection and AI Governance Policy in Schedule J.

6. Proceedings shall be open to the public in accordance with Articles 10 and 50(1) of the Constitution. The Tribunal may exclude members of the public from all or part of a hearing, or restrict publication of all or part of the proceedings, only where such exclusion or restriction is necessary, in a free and democratic society, to protect witnesses or vulnerable persons, morality, public order, or national security, as provided in Article 50(8) of the Constitution. Any such exclusion or restriction shall be strictly limited to what is necessary for the applicable ground, and the Tribunal shall record written reasons identifying the specific ground and the necessity for the restriction.

7. Where the proceedings include or result in the appointment of a personal representative, administrator, or executor of the estate, the Tribunal shall conduct an individual assessment of the proposed appointee's suitability, independently of and in addition to the standing assessment under Rule 18. In conducting that assessment the Tribunal owes a duty of care to the estate and to all persons with a legal or constitutional interest in it, including beneficiaries, dependants, creditors, minor children, and persons under disability. That duty of care requires the Tribunal to satisfy itself, on the balance of the material before it, that the proposed appointee:

   (a) has the legal capacity and constitutional authority to act as personal representative under the applicable written law;

   (b) has no conflict of interest that is undisclosed or unresolved that would prejudice the interests of the estate or any of its beneficiaries, dependants, or creditors;

   (c) has demonstrated or credibly asserted the competence, resources, and institutional accountability necessary for the faithful administration of the estate, having regard to the nature, complexity, and value of the estate and the number and vulnerability of the persons with an interest in it — the Tribunal shall in this assessment distinguish between regulated trust corporations subject to sector-specific prudential oversight, unregulated trust corporations qualifying solely under the capital threshold in section 3 of the Law of Succession Act, and individual personal representatives, applying proportionate scrutiny to each category; and

   (d) has agreed in writing to be bound by the applicable rules of the Institution, the constitutional obligations of the appointment, and the supervisory jurisdiction of the High Court under Article 165(6) of the Constitution.

8. The duty of care under Rule 27(7) is not dischargeable by consent of the parties. It is owed to the estate as a whole and to all persons with an interest in it, including persons who are not represented in the proceedings and persons who have not yet asserted their interest. Where the Tribunal is not satisfied as to the suitability of the proposed appointee, it shall decline the appointment, invite alternative nominations, or appoint from the AISTAR Roster a suitable person to act in the administration of the estate pending a satisfactory appointment.

Rule 27A — Representation of Minor Beneficiaries

1. In any proceeding under these Rules where the succession rights of a minor child are in issue, the Tribunal shall, at the earliest practicable stage (and in any event before the Preliminary Case Management Meeting under Rule 22), determine whether the minor's interests are adequately represented.

2. A minor's interests are presumed not to be adequately represented where:

   (a) the minor's guardian is also a beneficiary with a conflicting interest;

   (b) the minor is not a party to the proceedings and no person has expressly been appointed to represent the minor; or

   (c) the proposed settlement or distribution would allocate to the minor less than the minor's statutory entitlement under sections 26–35 of the Law of Succession Act, unless the Tribunal finds, on evidence, that a different allocation is in the minor's best interests.

3. Where the Tribunal finds that a minor's interests are not adequately represented, the Tribunal shall:

   (a) appoint a guardian *ad litem* from the AISTAR Roster (Tier C — Specialists), who shall have the following qualifications:

      i. knowledge of the Children Act, 2022 and the Law of Succession Act;

      ii. no conflict of interest with any party; and

      iii. experience in child protection or family law;

   (b) direct that the guardian *ad litem* shall:

      i. investigate the minor's circumstances;

      ii. file an independent report with the Tribunal on the proposed distribution; and

      iii. appear at any hearing concerning the minor's entitlement; and

   (c) order that the costs of the guardian *ad litem* shall be a first charge on the estate, ranking with administration expenses under section 83(c) of the Law of Succession Act.

4. No Determination, Award, or Consent Determination that affects the succession rights of a minor shall be issued without:

   (a) an independent report from a guardian *ad litem* (unless the Tribunal finds, with written reasons, that the minor's interests are adequately represented by a party with no conflict); and

   (b) an express written finding by the Tribunal that the proposed distribution is in the minor's best interests under Article 53(2) of the Constitution.

Rule 27B — Enhanced Scrutiny for Settlements Affecting Minors

1. This Rule applies to any proposed settlement, Consent Determination, or Structured Settlement Track application under Part VIII that affects the succession rights of a minor.

2. Where this Rule applies, the Tribunal (or Verifier, in SST proceedings) shall not adopt the settlement without:

   (a) receipt of a guardian *ad litem* report under Rule 27A(3)(b)(ii) (unless dispensed with under Rule 27A(4)(a)); and

   (b) an oral hearing, conducted in chambers if appropriate, at which the minor's representative (including the guardian *ad litem*) may address the Tribunal or Verifier.

3. The Tribunal (or Verifier) shall record, in the Determination, Consent Determination, or Settlement Verification Certificate, a best-interests analysis including:

   (a) the minor's age and circumstances;

   (b) the nature and value of the minor's entitlement;

   (c) any proposed trust or custodial arrangement for the minor's inheritance; and

   (d) why the proposed arrangement is in the minor's best interests (including, where applicable, why it is superior to the default statutory distribution under the Law of Succession Act).

Rule 27C — Management of Minor's Inheritance

1. A Determination, Consent Determination, or Certificate of Settlement that vests property in a minor shall not direct that the property be transferred directly to the minor unless:

   (a) the property is of nominal value (not exceeding KES 100,000 or such adjusted figure as the Institution may publish from time to time in the AITAR Digital Gazette); or

   (b) the Tribunal finds, with written reasons, that direct vesting is in the minor's best interests.

2. In all other cases, the Tribunal shall direct that the minor's inheritance be:

   (a) held in trust by:

      i. a trust corporation qualifying under section 3 of the Law of Succession Act; or

      ii. two or more adult beneficiaries approved by the Tribunal, who shall execute a trust deed in the form prescribed by the Institution; or

   (b) paid into a designated minor's account with a financial institution, with withdrawal restrictions until the minor attains the age of eighteen (18) years or such other age as the Tribunal directs with reasons.

3. Where the Tribunal appoints a trust corporation under sub-rule (2)(a)(i), the trust corporation shall file an annual report with the AISTAR Registry for five years or until the minor attains eighteen (18) years, whichever is later, confirming that the minor's inheritance is intact and properly administered.

4. The Tribunal may, on application by the minor's guardian or the guardian *ad litem*, vary the trust arrangement where changed circumstances require.

Rule 28 — Witnesses and Cross-Examination

1. Every witness giving evidence before the Tribunal shall enjoy the same privileges and immunities as witnesses appearing before a court.

2. The Tribunal may direct that any party or witness be examined on oath or affirmation and may administer or cause to be administered the necessary oath or affirmation.

3. The Tribunal may receive witness evidence through written statements, oral testimony, or other appropriate forms of presentation.

4. Each party has the right to cross-examine any witness who gives evidence adverse to that party, consistent with section 4(3)(f) and section 4(4)(c) of the Fair Administrative Action Act. The Tribunal shall not rely on adverse witness evidence in its Determination without affording the affected party a reasonable opportunity to cross-examine that witness.

5. The Notice of Hearing (Form B15) shall inform all parties of their right to cross-examine adverse witnesses, the manner in which cross-examination may be conducted, and the procedure for requesting that witnesses attend for oral testimony.

6. The Tribunal may regulate the manner in which cross-examination is conducted to ensure it is fair, focused, and proportionate to the issues in dispute.

Rule 29 — Tribunal-Appointed Experts

1. The Tribunal may appoint one or more independent experts to report on technical issues arising in the proceedings.

2. The parties shall be given an opportunity to comment on any expert report. The Tribunal may require the expert to appear for questioning where appropriate.

3. Nothing in this Rule shall prevent a party from presenting expert evidence in support of its case.

Rule 30 — Failure of Party to Participate

1. Where a party fails to participate in the proceedings after proper notice has been given, the Tribunal may proceed with the determination of the matter, provided that the interests of minor children and persons with disabilities are protected by the Tribunal's inquisitorial oversight.

2. The failure of a party to participate shall not of itself constitute an admission of the claims made by another party.

Rule 31 — Expeditious Administrator Revocation Proceedings

1. Where a personal representative appointed by or acting in connection with a Determination or Award under these Rules fails or refuses to comply with that Determination or Award, or actively obstructs its implementation, any aggrieved beneficiary or the Institution may apply for revocation proceedings under this Rule.

2. An application under this Rule shall be filed with the Registry using Form B43 and shall set out:

   (a) the Determination or Award to which the personal representative was subject;

   (b) the specific acts or omissions constituting the failure, refusal, or obstruction; and

   (c) the relief sought.

3. Upon receipt of a valid application, the Registry shall constitute a Revocation Tribunal from the Roster within seven (7) days. The Revocation Tribunal shall be a sole Tier B member who was not involved in the original proceedings.

4. The personal representative shall be served with the application and given fourteen (14) days to file a written response. Every personal representative served under this Rule has the right to an oral hearing before the Revocation Tribunal. An oral hearing shall be convened unless the personal representative expressly waives that right in writing, in which case the Revocation Tribunal shall determine the application on the written record. Where an oral hearing is held, it shall be conducted in accordance with the fair hearing requirements of Articles 47 and 50(1) of the Constitution and section 4(4) of the Fair Administrative Action Act.

5. Revocation proceedings under this Rule shall be conducted and determined in accordance with the procedural framework and timelines applicable to primary proceedings under Part IV of these Rules, adapted as necessary to the focused subject matter of a revocation application. The Revocation Tribunal shall not re-examine the merits of the original Determination or Award — its jurisdiction is limited to determining whether the personal representative has failed, refused, or obstructed compliance without lawful justification, and what relief is appropriate. The expedition of these proceedings is achieved through the compressed constitution period under sub-rule (3), the focused scope of the Revocation Tribunal's jurisdiction, and the compressed SRT review period under sub-rule (8), and not through compression of the determination timeline in a manner that would prejudice the fair hearing rights of any party.

6. Where the Revocation Tribunal finds that the personal representative has failed, refused, or obstructed without lawful justification, it may:

   (a) issue a formal Compliance Direction requiring compliance within a specified period;

   (b) vary the scope of the personal representative's authority;

   (c) revoke the personal representative's authority in whole or in part; and

(d) appoint a substitute personal representative in accordance with the priority ranking established under section 66 of the Law of Succession Act, adapted as follows for revocation proceedings:

i. the Revocation Tribunal shall first invite nominations from the beneficiaries, giving priority to family members in the order prescribed by section 66, subject to the Tribunal being satisfied that the nominated person has sufficient capacity and willingness to act;

ii. where no family member of sufficient capacity is willing to act, or where the Revocation Tribunal determines that family appointment would not serve the interests of the estate and its beneficiaries, the Tribunal shall appoint a qualifying trust corporation within the meaning of section 3 of the Law of Succession Act, selected by agreement of the majority of beneficiaries or, failing agreement within fourteen (14) days, appointed by the Revocation Tribunal from among those willing to act; and

iii. where no qualifying trust corporation is willing or available to act, or where the nature or value of the estate makes trust corporation appointment impractical, the Tribunal shall appoint the Public Trustee; and in every case the Revocation Tribunal shall notify all Institutional Interested Parties of the identity of the substitute personal representative upon appointment.

7. A Revocation Order issued under sub-rule (6)(c) shall be served on all Institutional Interested Parties. Upon service of a Revocation Order, every Institutional Interested Party shall cease to give effect to instructions from the revoked personal representative and shall act in accordance with the Determination or Award and any Compliance Direction of the Revocation Tribunal.

8. The internal review mechanism under Part VI shall apply to Revocation Orders. A review application shall be filed within forty-two (42) days of receipt of the Revocation Order, consistent with Rule 51 and Rule 6(1) of the Fair Administrative Action Rules, 2024. In recognition of the need for prompt resolution in the interests of estate administration, the Supervisory Review Tribunal shall determine a review application arising from a Revocation Order within forty-two (42) days of filing, rather than the standard ninety-day period under Rule 53(1), provided that this compressed SRT period shall not be applied in a manner that prevents the SRT from conducting a fair and adequate review. Where the SRT determines that a fair review cannot be completed within forty-two (42) days, it shall notify the parties in writing with reasons and shall in any event determine the application within sixty (60) days.

9. Where personal representation is revoked under Rule 28A or Rule 31, the Revocation Order immediately extinguishes all authority. A Letter of Instruction issued by the substitute personal representative shall be sufficient authority for an auctioneer under Auctioneers Rule 5(1) to repossess estate assets, titles, and keys from the revoked representative.

Sub-Part D — Determination

Rule 32 — Closing of Proceedings

1. The Tribunal shall declare proceedings closed when satisfied that the parties have had adequate opportunity to present their cases.

2. After proceedings have been declared closed, the Tribunal may admit additional submissions or evidence only where it considers such material necessary for the fair determination of the dispute.

Rule 33 — Determination

1. The Tribunal shall issue a reasoned written Determination within forty-two (42) days of the close of proceedings. This period is prescribed in recognition of the complexity of succession proceedings and the inquisitorial nature of the Tribunal's mandate, and constitutes an empowering-provision departure from the default timeline in accordance with section 4(6) of the Fair Administrative Action Act. Where exceptional circumstances require an extension, the Tribunal shall notify the parties in writing with reasons, and the extension shall not ordinarily exceed a further twenty-one (21) days.

2. The Determination shall:

   (a) summarise the background of the deceased and the history of the proceedings;

   (b) set out the certified final inventory of the estate assets and liabilities;

   (c) identify the issues for determination and state the findings of fact;

   (d) provide clear constitutional reasoning satisfying the requirements of Article 47(2) and the Fair Administrative Action Act;

   (e) set out a specific, itemised distribution plan designating which assets are transmitted to which beneficiaries;

   (f) include a discharge order for the settlement of proven debts and the discharge of the personal representative upon completion of distribution;

   (g) address costs where appropriate; and

   (h) **include a specific order directing that:**

      h.i. the personal representative of the estate shall pay to Aluochier Dispute Resolution (ADR) the following amounts as priority charges under section 83(c) of the Law of Succession Act:

         1. the professional fee of the Tribunal member(s) as determined under Schedule D;

         2. the administrative and institutional fees of ADR as prescribed;

         3. Value Added Tax (VAT) on the total of the above fees;

         4. any approved disbursements;

h.ii. payment shall be made within thirty (30) days of the date of the Certificate of Finality or as otherwise directed by the Tribunal;

h.iii. ADR is authorised to receive such payment, to deduct withholding tax at the applicable rate, to deduct the Quality Assurance Retention (20% of the Tribunal member's fee), and to pay the net balance to the Tribunal member;

h.iv. ADR shall provide the personal representative with a copy of the payment receipt and the withholding tax certificate issued by ADR, for inclusion in the estate's records.

3. **Pre-decision notice of proposed adverse Determination**: Before issuing a Determination, the Tribunal shall, in respect of every party whose rights or fundamental freedoms are likely to be adversely affected by the proposed Determination, comply with the following requirements under section 4(3)(a) and (b) of the Fair Administrative Action Act, which are mandatory and apply regardless of whether the grounds of the proposed Determination were raised or ventilated in the preceding proceedings:

   (a) give that party adequate prior written notice of the nature and purpose of the proposed adverse Determination, consistent with section 4(3)(a) of the Act; and

   (b) give that party a reasonable opportunity to make representations to the Tribunal on the proposed adverse Determination before it is issued, consistent with section 4(3)(b) of the Act. The period for such representations shall not ordinarily exceed seven (7) days unless the Tribunal directs otherwise.

   This pre-decision procedural step is distinct from and additional to the *inter partes* process that precedes it. It constitutes a direct engagement between the affected party and the Tribunal on the Tribunal's own proposed action, and its omission shall constitute a ground for review under Rule 50(a) and section 7(2)(c) of the Fair Administrative Action Act.

4. The Determination shall be in a Registry-Ready form containing constitutive language identifying specific assets and the beneficiaries entitled thereto, to facilitate implementation by relevant registries in accordance with their governing statutes.

5. The Determination shall contain a notice informing all parties of:

   (a) their right to apply for Internal Review within forty-two (42) days;

   (b) the manner of filing a review application, being through the ACDS using Form B31;

   (c) the address of the Institution;

   (d) their right to apply for judicial review, subject to first exhausting internal remedies under Rule 54; and

   (e) their right to legal representation in any review proceedings, consistent with sections 4(3)(c), 4(3)(e), and 5(1)(d)(ii)–(iii) of the Fair Administrative Action Act.

6. The Determination shall be communicated to the parties through the ACDS and an abridged version shall be published in the AITAR Digital Gazette.

7. The full record of the Determination shall be maintained in the AISTAR Permanent Registry for a period of no less than fifty (50) years.

Rule 34 — Request for Reasons

1. Any party who considers the reasons given in the Determination insufficient to enable an application for internal review or judicial review may, within fourteen (14) days of receipt of the Determination, file a written Request for Reasons with the Registry.

2. Upon receipt of a valid Request for Reasons, the Tribunal shall furnish fuller written reasons to all parties within thirty (30) days of the request, consistent with section 6(3) of the Fair Administrative Action Act.

3. Failure by the Tribunal to furnish reasons within the thirty-day period shall, in any proceedings for internal review or judicial review and in the absence of proof to the contrary, be presumed to mean the Determination was taken without good reason, consistent with section 6(4) of the Act.

4. Where furnishing complete reasons would require disclosure of Sensitive Personal Data or information protected by applicable law, the Tribunal may furnish appropriately redacted reasons. The Tribunal shall inform the requesting party in writing of any such departure and the basis for it, consistent with section 6(5) of the Act.

5. A Request for Reasons under this Rule shall not extend the forty-two (42) day period for filing an Internal Review application, unless the Tribunal directs otherwise.

Rule 35 — Certification and Registry-Ready Instruments

1. A Determination issued under these Rules may be certified by the Registrar as a final adjudicative instrument. Certification shall normally occur after the expiry of the applicable internal review period or upon confirmation by the SRT.

2. Upon certification, the Determination may produce constitutive legal effect in relation to estate settlement, subject to applicable written law.

3. The Registrar shall issue the certified instrument to any public registry, financial institution, or other relevant authority upon request, in accordance with their governing statutes.

4. Certification does not affect the supervisory jurisdiction of the High Court under Article 165(6).

Rule 36 — Enforcement Hierarchy

1. The primary enforcement mechanism under these Rules is the Institutional Interested Party framework established under Rule 21. Every institution that received pre-decision notice under Rule 21 and is bound by a certified Determination or Award is required to give effect to it without further court proceedings.

2. Where an Institutional Interested Party fails or refuses to give effect to a certified Determination or Award within the period prescribed in the Determination or directed by the Registry, the following enforcement pathways are available:

(a) Tier 1 — Primary compliance: The Institution shall issue a formal Compliance Demand to the resisting institution, referencing the Sovereign Hash, the Registry Case Identifier, the institution's Interested Party status, and the constitutional basis of the compliance obligation. A Compliance Demand shall give the institution fourteen (14) days to comply or provide written justification for non-compliance.

(b) Tier 2 — FAA Act enforcement: Where Tier 1 compliance has been resisted or where the justification provided is insufficient, the aggrieved party may invoke enforcement under Rule 37 of the Fair Administrative Action Rules, 2024, which invokes the jurisdiction of the High Court under CPR Order 22. This pathway is available for both adjudications and arbitrations conducted under these Rules.

(c) Tier 3 — Arbitration Act enforcement: Where the proceeding is an arbitration and the FAA Act route is not the most appropriate vehicle in the circumstances, enforcement may be sought under section 36 of the Arbitration Act by application to the High Court. This pathway applies specifically to arbitral Awards under Part V.

3. Tiers 2 and 3 are alternative, not sequential, last resort pathways. Both invoke the jurisdiction of the High Court. The appropriate pathway shall be selected having regard to the nature of the proceeding — adjudication or arbitration — and the most suitable procedural vehicle in the circumstances of the resistance.

4. At the enforcement stage under Tiers 2 or 3, the merits of the underlying Determination or Award shall not be re-examined. The High Court's function is confirmatory — to give effect to a binding determination of a constitutionally-grounded tribunal.

5. Nothing in this Rule limits the supervisory jurisdiction of the High Court under Article 165(6) or the right of any person to seek judicial review of a Determination on constitutional grounds.

Rule 36A — Summary Estate Repossession Mandate

1. A personal representative confirmed or appointed under a certified Determination or Certificate of Finality derives lawful written authority within the meaning of Section 45(1) of the Law of Succession Act (Cap 160).

2. The certified Determination and Certificate of Finality carrying the Sovereign Hash shall constitute a prima facie mandate under Rule 5(1) of the Auctioneers Rules (1997) and Section 2(2)(e) of the Auctioneers Act (Cap 526) authorising a Class "B" Licensed Auctioneer to:

(a) Enter upon premises forming part of the estate and repossess estate assets, motor vehicles, machinery, documents of title, and records from any person lacking lawful authority;

(b) Hand over physical custody and control of such assets to the confirmed personal representative; and

(c) Request police protection and escort under Rule 9 of the Auctioneers Rules where resistance or breach of the peace is apprehended.

3. Execution levied pursuant to this Rule shall proceed extra-judicially without a court warrant, subject only to any conservatory stay order granted by the High Court under Article 165(6) of the Constitution.

Rule 36B — Direct Tribunal Execution, Statutory Freezes and Civil Contempt

1. Pursuant to Rule 2 and Rule 37 of the Fair Administrative Action Rules, 2024, the Succession Tribunal exercises direct civil execution authority under Order 22 of the Civil Procedure Rules to safeguard, repossess, and distribute estate assets without requiring separate High Court proceedings.
2. Compliance with Section 4(3) FAAA:
   (a) Before issuing direct attachment or garnishee orders, the Tribunal shall confirm that the affected person, intermeddle, or institution was served with a Section 4(3) Pre-Decision Notice under Rule 19A or a Notice to Show Cause in Form B44;
   (b) In urgent cases involving imminent waste, concealment, or dissipation of estate assets, the Tribunal may issue an ***ex parte*** interim preservation order freezing bank accounts or titles under Section 63 of the Civil Procedure Act, returnable for inter partes representations within seven (7) days under Section 4(3) FAAA.
3. Upon satisfaction of sub-rule (2), the Tribunal may directly issue:
   (a) An Administrative Execution Order in Form No. 6 (Appendix D, CPR) directed to any bank, SACCO, or mobile money platform to freeze and transfer estate funds;
   (b) Transmission directives compelling corporate registrars under Section 501 of the Companies Act to register confirmed beneficiaries; or
   (c) Repossession warrants authorising Class "B" Auctioneers to recover estate titles, logbooks, and movable property.
4. Native Succession Civil Contempt:
   (a) Intermeddling under Section 45 of the Law of Succession Act, intentional concealment of assets, or refusal by banking or land registry officials to implement an inventory or transmission order constitutes civil contempt of the Tribunal.
   (b) Pursuant to Section 84(2) of the Civil Procedure Act and Section 11(1) of the Fair Administrative Action Act, the Tribunal shall directly initiate civil contempt proceedings on Form B45.
   (c) In addition to repossession and committal warrants, the Tribunal may order the intermeddler, defaulting administrator, or recalcitrant officer personally to pay into the estate or to affected beneficiaries:
      i. Full compensatory damages on an indemnity basis to restore lost estate revenue, rents, or asset values;
      ii. Daily delay damages assessed on an indemnity basis for each day transmission or surrender of property is delayed; and

iii. All tracing, investigation, and legal representation costs on a full indemnity basis, surchargeable directly against the offending party's distributive share or executable against their personal assets under Order 22 CPR.

Rule 36C — Summary Ministerial Registration for Immovable and Corporate Property

1. Where a Determination requires transmission, cancellation, or rectification of title to land under the Land Registration Act (Cap 300) or registration of shares under Section 501 of the Companies Act, 2015, the confirmed representative or beneficiary may lodge the Certificate of Finality with the High Court under Rule 37 of the FAA Rules, 2024.

2. Pursuant to Sections 1A, 1B, 7, and 34 of the Civil Procedure Act, the court shall register the Determination as a ministerial act within seven (7) days of filing, issuing an Order 22 execution decree directing the Chief Land Registrar, Land Registrar, or Registrar of Companies to effect transmission ex-parte.

Rule 36D — Summary Enforcement of Structured Settlements

1. A Certificate of Settlement issued under Rule 65 (Structured Settlement Track) or a Consent Determination under Rule 25 shall be self-executing.

2. Default by any party in surrendering possession, executing transfer documents, or paying distributive shares shall immediately entitle the aggrieved party to:

   (a) Issue a Letter of Instruction in Sale Form 1 to a Class "B" Auctioneer under Rule 36A; or

   (b) Obtain direct garnishee or attachment orders from the Registry under Rule 36B.

Sub-Part E — Record of Proceedings

Rule 37 — Record of Proceedings

1. The Tribunal shall maintain a complete record of the proceedings through the ACDS, including the Petition and Responses, documentary evidence, witness testimony, procedural directions and orders, and the final Determination.

2. The record shall form part of the official institutional archive and shall constitute the official basis for any internal review and for the exercise of supervisory jurisdiction by the High Court.

3. Any party to the proceedings has, upon written request, the right to be supplied with the record of proceedings, all documents relied upon by the Tribunal, and the reasons for the Determination, to facilitate any application for internal review or judicial review, consistent with sections 6(1) and 6(2) of the Fair Administrative Action Act. The Institution shall respond to such a request within a reasonable time and in any event within thirty (30) days.

4. Upon receipt of notice that a judicial review application has been filed in respect of a Determination, the Institution shall promptly make available to all parties the complete record of proceedings in the format required by the Fair Administrative Action Rules, 2024, and shall ensure that the Institution can comply with its obligations under Rule 20(5) of those Rules as respondent-administrator.

PART V — THE ARBITRATION HIGHWAY (PROCEDURE)

This Part governs arbitration proceedings conducted under these Rules pursuant to a valid arbitration agreement. Proceedings under this Part shall be conducted in accordance with the Arbitration Act and the procedural framework established in these Rules.

Sub-Part A — Commencement of Arbitration

Rule 38 — Arbitration Agreement and Activation

1. A dispute concerning the settlement of an estate or the interpretation of a testamentary instrument may be resolved through Arbitration under this Part, provided there is a valid Arbitration Agreement between the parties.

2. An arbitration agreement may be:

   (a) testamentary: a clause in a Will expressing a preference for arbitration;

   (b) trust-related: an arbitration agreement within a Trust Deed, only to the extent that it governs assets being poured over into the estate or where the Trust Deed explicitly submits a specific dispute to the AISTAR framework;

   (c) a Submission Agreement: a written agreement by all interested parties to resolve a specific dispute via arbitration; or

   (d) an Institutional Election: a joint decision by parties in a pending Adjudication to transition to Arbitration, which shall stay any pending adjudication on the same dispute.

3. An arbitration agreement which forms part of a Will shall be treated as an agreement independent of the other terms of the Will. A decision by the Arbitrator that the Will is null and void shall not entail ipso jure the invalidity of the arbitration clause.

4. Arbitration proceedings shall be initiated by filing a Request for Arbitration through the ACDS. The date of filing shall be deemed the date of commencement for the purposes of any limitation period.

Rule 39 — Notification of Arbitration

1. Upon receipt of the Request for Arbitration, the Registry shall notify the Respondent and transmit a copy of the Request and accompanying documents.

2. The Respondent may submit a Response within the time directed by the Tribunal, which may include admissions or denials, jurisdictional objections, counterclaims, and supporting documents.

Sub-Part B — Constitution of the Arbitral Tribunal

Rule 40 — Appointment of Arbitrator or Tribunal

1. The arbitration shall be conducted by a sole arbitrator or a panel of three arbitrators, applying the same criteria for panel constitution as Rule 14(5).

2. Arbitrators shall ordinarily be appointed from the AISTAR Roster in accordance with Rule 14(4). Where parties have agreed upon an arbitrator outside the Roster, the Institution may confirm the appointment provided the person satisfies independence and competence requirements.

Rule 41 — Independence and Disclosure

1. Every arbitrator shall disclose any circumstances likely to give rise to justifiable doubts regarding impartiality or independence. The duty of disclosure shall continue throughout the arbitration proceedings.

2. Any party may challenge the appointment of an arbitrator in accordance with the Arbitration Act and these Rules.

Rule 42 — Jurisdiction and Preliminary Objections

1. The Tribunal may rule on objections concerning the existence, validity, or scope of the arbitration agreement, and its jurisdiction. Such objections should be raised at the earliest opportunity.

2. The competence-competence principle under this Rule does not extend to determinations that would conclusively bind minors, unborn or unascertained beneficiaries, persons under legal disability, or undisclosed dependants not properly notified. Where the rights of such persons are implicated, the Arbitrator shall ensure appropriate representation or guardian participation and conduct an express best-interests assessment.

Rule 43 — Protection of Vulnerable Interests

1. Arbitration under these Rules shall not operate to extinguish or compromise the rights of minors, unborn beneficiaries, or undisclosed dependants without proper notice, appropriate representation, and express consideration of their constitutional protection.

2. Any award purporting to bind such persons without compliance with this Rule remains subject to review or supervisory intervention.

Sub-Part C — Hearings and Evidence

Rule 44 — Equality, Procedure, and Evidence

1. The Tribunal shall treat the parties with equality and give each party a full opportunity to present its case.

2. The Tribunal shall not be bound by strict procedural or evidentiary rules and may admit any evidence that it considers relevant and material. The provisions of Rules 25, 26, and 27 apply mutatis mutandis to arbitration proceedings.

3. Proceedings shall be conducted in a manner consistent with the constitutional transparency obligations under Articles 10 and 50(1). The Tribunal may exclude members of the public from all or part of a hearing, or restrict publication of all or part of the proceedings, only where such exclusion or restriction is necessary, in a free and democratic society, to protect witnesses or vulnerable persons, morality, public order, or national security, as provided in Article 50(8) of the Constitution. Any such exclusion or restriction shall be strictly limited to what is necessary for the applicable ground, and the Tribunal shall record written reasons identifying the specific ground and the necessity for the restriction.

Rule 45 — Failure of Party to Participate

1. Where a party fails to participate after proper notice has been given, the Tribunal may proceed with the arbitration and render an award based on the evidence available.
2. The failure of a party to participate shall not of itself constitute an admission of the claims made by another party.

Sub-Part D — The Award

Rule 46 — Arbitral Award

1. The Tribunal shall issue a reasoned written Award within forty-two (42) days of the close of proceedings. The same extension provisions applicable to Determinations under Rule 33(1) apply.
2. The Award shall:
   (a) determine the issues submitted to arbitration;
   (b) state the reasons for the decision;
   (c) contain specific, Registry-Ready instructions for asset distribution;
   (d) address costs where appropriate; and
   (e) **include a specific order directing that:**
      e.i. the personal representative of the estate shall pay ADR the arbitrator's fee, ADR's administrative and institutional fees, VAT, and any approved disbursements as priority charges under section 83(c) of the Law of Succession Act;
      e.ii. payment shall be made within thirty (30) days of the date of the Certificate of Finality or as directed by the Arbitral Tribunal;
      e.iii. ADR is authorised to receive such payment, to deduct withholding tax and the Quality Assurance Retention, and to pay the net balance to the arbitrator;
      e.iv. ADR shall provide the personal representative with a copy of the payment receipt and the withholding tax certificate for the estate's records.
3. The Award shall be final and binding subject to the provisions of the Arbitration Act. The default ripening period is three (3) months as provided under section 35 of the Arbitration

Act. However, parties may jointly execute a Waiver of Statutory Limitation, upon which the ripening period shall be accelerated to forty-two (42) days, aligning the Award with the Fair Administrative Action standards.

4. The Award shall be signed by the arbitrator or, in the case of a panel, by the majority of the arbitrators. The original Award and record of the proceedings shall be deposited with the Institution's registry.

5. **Pre-award notice of proposed adverse Award**: Before issuing an Award, the Tribunal shall, in respect of every party whose rights or fundamental freedoms are likely to be adversely affected by the proposed Award, comply with the following requirements under section 4(3)(a) and (b) of the Fair Administrative Action Act, which are mandatory and apply regardless of whether the grounds of the proposed Award were raised or ventilated in the preceding proceedings:

   (a) give that party adequate prior written notice of the nature and purpose of the proposed adverse Award, consistent with section 4(3)(a) of the Act; and

   (b) give that party a reasonable opportunity to make representations to the Tribunal on the proposed adverse Award before it is issued, consistent with section 4(3)(b) of the Act. The period for such representations shall not ordinarily exceed seven (7) days unless the Tribunal directs otherwise.

   This pre-award procedural step is distinct from and additional to the *inter partes* process that precedes it. It constitutes a direct engagement between the affected party and the Tribunal on the Tribunal's own proposed action, and its omission shall constitute a ground for review under Rule 50(a) and section 7(2)(c) of the Fair Administrative Action Act.

6. An Award bearing the Official Seal and Registry Case Identifier, following lapse of the applicable ripening period without challenge, may be relied upon by public registries and financial institutions as lawful authority for estate transmission in accordance with applicable written law, without further confirmation by a court unless a stay of execution has been served. Where Institutional Interested Parties have been joined under Rule 21 — which applies mutatis mutandis to arbitration proceedings under this Part — the compliance obligations of those institutions arising under Rule 21(5) apply equally to a certified Award.

Sub-Part E — Record of Arbitration

Rule 47 — Record of Arbitration Proceedings

1. The Tribunal shall maintain a record of arbitration proceedings through the ACDS, including the Request for Arbitration and Response, documentary evidence, witness testimony, procedural directions, and the final Award.

2. The record shall form part of the institutional archive and shall constitute the official documentary basis for any application for enforcement, setting aside, or other proceedings arising under the Arbitration Act.

PART VI — CORRECTION, REVIEW AND SUPERVISION

This Part establishes the slip rule, internal review framework, and affirms the constitutional supervisory jurisdiction of the High Court.

Rule 48 — Correction and Clarification (The Slip Rule)

1. The Tribunal may, at any time, correct clerical, arithmetical, or typographical errors in a Determination or Award to ensure the document accurately reflects the Tribunal's intent. Such corrections do not constitute a re-opening of the merits of the case.

2. The Tribunal may, on its own motion within fourteen (14) days of issuing a Determination, issue a Correction Notice to fix an obvious slip or omission.

3. A party may, within seven (7) days of service of the Determination, file a Request for Clarification to point out a clerical error or seek an explanation of a specific ambiguity in the distribution plan. The other parties shall have three (3) days to comment. The Tribunal shall issue its decision within seven (7) days.

4. Clarification is limited to explaining the existing reasoning of the Tribunal. The Slip Rule cannot be used to introduce new evidence, change the outcome of the case, or re-litigate issues already decided.

5. The filing of a valid Request for Correction or Clarification shall suspend the window for filing an Internal Review and the forty-two (42) day period for the Certificate of Finality, pending the Tribunal's response.

6. Where the Tribunal fails to issue a response within fourteen (14) days of the request, the request shall be deemed rejected by operation of law on the fifteenth day, constituting a Final Administrative Decision for the purposes of Internal Review, and the review clock shall automatically restart from that date.

7. The Correction Notice shall be electronically appended to the original Determination, bearing the same Registry Case Identifier with an Amended suffix. No additional Tribunal fee shall be charged for corrections under this Rule.

Rule 49 — Internal Review Mechanism

1. A party aggrieved by a Determination issued under Part IV may apply for internal review by a Supervisory Review Tribunal (SRT) constituted from members of the AISTAR Roster who were not involved in the original proceedings.

2. The purpose of internal review is to ensure that the Determination complies with the Constitution and satisfies the requirements of lawful, reasonable, and procedurally fair administrative action.

3. The SRT exercises purely supervisory jurisdiction. It reviews the procedural regularity and legal soundness of the Determination — it does not conduct a full rehearing of the merits of the dispute and has no power to substitute its own decision on the merits for that of the primary Tribunal. The SRT does not exercise appellate jurisdiction. Where the original proceedings were so fundamentally defective as to require reconsideration of the merits, the SRT's power is to remit the matter to a newly constituted Tribunal with such directions as

are necessary — it is that newly constituted Tribunal, and not the SRT, that conducts any reconsideration of the merits.

Rule 50 — Grounds for Review

An application for review may be made on one or more of the following grounds:

(a) that the proceedings were conducted in a manner that was procedurally unfair;

(b) that the Tribunal acted without jurisdiction or exceeded its jurisdiction;

(c) that the Determination contains an error of law apparent on the face of the record;

(d) that the Tribunal member was biased or that there was a reasonable apprehension of bias, consistent with section 7(2)(a)(iv) of the Fair Administrative Action Act;

(e) that the Determination was taken with an ulterior motive calculated to prejudice the legal rights of a party, consistent with section 7(2)(e) of the Act;

(f) that the Determination was made in bad faith, consistent with section 7(2)(h) of the Act;

(g) that the Tribunal failed to consider relevant material or took into account irrelevant considerations;

(h) that the Determination is manifestly unreasonable or disproportionate;

(i) that newly discovered evidence exists that could not reasonably have been obtained earlier; or

(j) that the proceedings or the Determination violate the Constitution or any applicable written law.

Rule 51 — Procedure for Review Applications

1. A Review Application shall be filed within forty-two (42) days of receipt of the Determination. The application shall identify the Determination challenged, specify the grounds for review, and include supporting documentation.
2. A copy of the review application shall be served on all other parties to the proceedings, who shall be given twenty-one (21) days to respond.
3. The SRT shall determine the review:

   (a) on the written record; or

   (b) after conducting a limited hearing where necessary.

Rule 52 — Powers of the Supervisory Review Tribunal

1. The SRT shall consist of one Tier B Roster Member or, where complexity requires, a panel of three members. No person who participated in the original proceedings shall be eligible to sit on the SRT for that matter.

2. Upon determining a review application, the SRT may, having regard to the grounds established:

   (a) affirm the Determination in whole or in part, where the SRT is satisfied that the Determination complies with the Constitution and satisfies the requirements of Article 47(1);

   (b) remit the matter to the original Tribunal, with written directions as to the procedural or legal defect identified and the manner in which it is to be addressed, for reconsideration and reissue of a Determination by that Tribunal; or

   (c) where the original Tribunal's conduct was so compromised by bias, bad faith, fundamental procedural failure, or any other serious ground under Rule 50 that reconsideration by the same Tribunal would not be appropriate, set aside the Determination and remit the matter to a newly constituted Tribunal with written directions as to the defect identified.

3. The SRT shall not vary any portion of the Determination or substitute its own determination for that of the primary Tribunal. The SRT's powers are confined to supervisory review — it does not exercise appellate jurisdiction. All binding decisions on the merits of the dispute shall issue from the primary Tribunal, whether the original or a newly constituted one, following remittal.

4. The SRT shall provide reasoned written findings. The SRT shall not substitute its own findings of fact or assessment of the merits of the succession dispute for that of the primary Tribunal. Its supervisory function is confined to procedural regularity and legal soundness — where the merits require reconsideration, the SRT's power is to remit to the original or a newly constituted Tribunal under sub-paragraph (c) of Rule 52(2), and it is that Tribunal, not the SRT, that conducts any reconsideration of the merits. The SRT does not constitute a succession court, an appellate court, or a parallel judicial hierarchy. It is a quality-assurance supervisory body operating within the institutional architecture of these Rules and subject to the supervisory jurisdiction of the High Court under Article 165(6) of the Constitution.

Rule 53 — Finality, Deemed Dismissal, and Certificate of Finality

1. The SRT shall determine a Review Application within ninety (90) days of the date of filing of the Review Application, as required by section 8 of the Fair Administrative Action Act. All proceedings before the SRT constitute reviews of administrative action under the Fair Administrative Action Act. The ninety-day period is mandatory and non-extensible, and the SRT has no power to extend it. Any purported extension would be inconsistent with section 8 of the Fair Administrative Action Act and void under section 31(b) of the Interpretation and General Provisions Act and Article 2(4) of the Constitution.

2. Where the SRT fails to determine a Review Application within the ninety-day period prescribed by section 8 of the Fair Administrative Action Act, running from the date of

filing of the Review Application, the Application shall be deemed dismissed by operation of law on the ninety-first day from that date, the original Determination shall stand as final administrative action, and the Registrar on behalf of the Institution, under the operational direction of the Chief Executive and within the governance oversight of the Chief Adjudicator and President of Independent Tribunals, shall issue a Certificate of Finality immediately. Upon issuing the Certificate of Finality, the Registrar shall notify the party in writing that:

i. the ninety-day period under section 8 of the Fair Administrative Action Act applies at every level of the proceedings hierarchy established by the Act — including the SRT, the High Court, and the Court of Appeal — each level with its own independent ninety-day period running from the date of filing of the relevant application or appeal at that level;

ii. the High Court exercises independent supervisory jurisdiction under Article 165(6) of the Constitution over the primary Tribunal action and is not bound by the SRT's determination;

iii. proceedings at each level that are not heard and finally determined within ninety days of filing will abate under Rule 42(1)(b) of the Fair Administrative Action Rules, 2024, and the court's directions upon abatement are limited to consequential matters and do not extend to reviving or extending proceedings beyond the expired statutory period; and

iv. the party should seek legal advice without delay regarding the filing of any judicial review application or Court of Appeal appeal.

3. **Fee consequences of deemed dismissal**: Where a Review Application is deemed dismissed under Rule 53(2) by reason of the SRT's failure to determine it within the ninety-day statutory period, the following fee consequences apply:

(a) the SRT fee prescribed in Schedule D item 11 is not payable and, where paid in advance, shall be refunded in full to the estate or the parties within fourteen (14) days of the deemed dismissal date. The SRT member has not delivered the service for which the fee is prescribed, and no entitlement to the fee arises from partial performance, including the issue of any Fair Administrative Action Act section 4(3)(a) or (b) pre-determination notices that did not result in a determination;

(b) the Institution shall retain its administrative costs for secretarial services actually rendered in connection with the Review Application, including registration, ACDS management, and issuance of the Certificate of Finality, as these services were duly performed. The Institution's administrative costs are a separate charge from the SRT member's fee and are unaffected by the deemed dismissal; and

(c) any party or other person who has incurred abortive costs as a direct result of the SRT member's failure to deliver — including advocate fees and costs incurred in preparing and filing the Review Application, responding to any Fair Administrative Action Act section 4(3)(a) or (b) pre-determination notices, and any other costs directly caused by the non-delivery — may seek recovery of those costs from the SRT member. The SRT member's professional indemnity insurance required under Schedule C shall be the primary source of satisfaction for any such claim.

4. Where no Review Application is filed within forty-two (42) days, the Determination shall ripen into final administrative action and no internal review shall thereafter lie.

5. Finality Accrual, Anti-Latency Safeguard, and Certificate of Finality:

   (a) Trigger and Timing of Issuance: Where no Review Application is filed within forty-two (42) days under Rule 49, or upon the determination or deemed dismissal of a Review Application under sub-rule (2), the Registrar on behalf of the Institution, under the operational direction of the Chief Executive and within the governance oversight of the Chief Adjudicator and President of Independent Tribunals, shall issue a Certificate of Finality carrying the Sovereign Hash:

      i. on, or as soon as reasonably practicable after, the forty-third (43rd) day from the date of the Determination where no Review Application has been filed; or

      ii. immediately, or as soon as reasonably practicable, upon the delivery of the Supervisory Review Determination or upon the occurrence of deemed dismissal on the ninety-first (91st) day.

   (b) Conclusive Accrual of Rights and Anti-Latency Safeguard: The expiry of the forty-second (42nd) day without a Review Application, or the determination or deemed dismissal of a Review Application by the SRT, conclusively establishes final administrative action within the meaning of Article 47 of the Constitution. The substantive right to execute against estate property, enforce distribution orders, or transmit titles accrues permanently upon such expiry or determination and shall not be defeated, extinguished, suspended, or prejudiced by the Certificate of Finality being drawn up, signed, or sealed after the forty-third (43rd) day or after the date of finality.

   (c) Mandatory Confirmations and Contents of Certificate: The Certificate of Finality carrying the Sovereign Hash shall confirm and certify:

      i. that internal review mechanisms have been exhausted or have lapsed;

      ii. that the Determination constitutes final administrative action within the meaning of Article 47 of the Constitution;

      iii. that the Determination constitutes lawful written authority within the meaning of Section 45(1)(b) of the Law of Succession Act (Cap 160) and may be relied upon as an unassailable basis for estate administration and property transmission in accordance with applicable written law;

      iv. the precise date on which the internal review mechanism was exhausted or lapsed (being the date from which limitation periods for judicial review run), for use in any subsequent judicial review application in accordance with Section 8 of the Fair Administrative Action Act and Rule 12(3)(c) of the Fair Administrative Action Rules, 2024; and

      v. that the certified Determination constitutes the operational trigger for the immediate compliance obligations of all Institutional Interested Parties joined under Rule 21(5), and that the Sovereign Hash referenced in the Certificate constitutes the verification instrument for institutional compliance and direct execution purposes.

Rule 54 — Finality and Constitutional Supervision

1. A Determination that has undergone internal review under this Part shall constitute final administrative action for purposes of Article 47 of the Constitution.

2. Nothing in these Rules shall be construed as limiting the supervisory jurisdiction of the High Court under Article 165(6) of the Constitution, or excluding judicial review under the Constitution and applicable written law. The SRT's determinations are not binding on the High Court. When the High Court reviews the primary AISTAR Tribunal's action following exhaustion of the SRT remedy, it exercises its own independent supervisory jurisdiction under Article 165(6) of the Constitution over that primary action — not a review of the SRT's determination. The High Court may reach a different conclusion from the SRT on the same supervisory questions, and its determination supersedes that of the SRT. The ninety-day period under section 8 of the Fair Administrative Action Act applies at every level of the proceedings hierarchy — the SRT, the High Court, and the Court of Appeal — each with its own independent ninety-day period running from the date of filing at that level, and that period is mandatory and non-extensible at all levels including before the Court of Appeal.

3. A person aggrieved by a Determination shall ordinarily exhaust the internal review mechanism established under this Part before seeking relief from the High Court, unless exceptional circumstances justify direct recourse to the Court, consistent with section 9(2) and section 9(4) of the Fair Administrative Action Act.

4. **Limitation period for judicial review**: Where a party has pursued internal review under these Rules, the six-week limitation period prescribed by Rule 6(1) of the Fair Administrative Action Rules, 2024, for an application to quash a Determination runs from the date of the SRT Determination or, where the review application is deemed dismissed under Rule 53(2), from the date of deemed dismissal — and not from the date of the original Determination. Parties are advised to seek legal advice on applicable limitation periods promptly upon receipt of any Determination.

5. The Certificate of Finality (Form B28) and the Closing Certificate (Form B40) shall each state the date on which the internal review mechanism was exhausted or lapsed, for use by any party in any subsequent judicial review application in accordance with Rule 12(3)(c) of the Fair Administrative Action Rules, 2024.

6. A party intending to seek judicial review of a Determination must comply with all applicable pre-filing requirements under the Fair Administrative Action Rules, 2024, including the notice of intention to sue under Rule 5 of those Rules, and all other requirements of the Fair Administrative Action Act and applicable written law.

7. The Commission on Administrative Justice constitutes an additional avenue through which a party may seek redress in relation to a Determination, consistent with section 5(2)(a) of the Fair Administrative Action Act and the Commission on Administrative Justice Act, 2011.

8. **Enforcement pathway — FAA Rule 37, section 11 FAA Act, and Order 22 Civil Procedure Rules**: Rule 37 of the Fair Administrative Action Rules, 2024 provides that the provisions of Order 22 of the Civil Procedure Rules shall apply, with the necessary modifications, to the execution of decrees and orders made under those Rules. FAA Rule 37 is therefore an execution-by-incorporation provision: it brings the full Order 22 execution machinery – including attachment and sale of property, appointment of a receiver, and related enforcement measures – into the FAA Act framework, so that a court order or decree

made under the FAA Act can be executed using the same mechanisms available for civil court decrees, adapted as necessary to the administrative law context. The practical enforcement chain for a certified AISTAR Determination therefore operates as follows. First, where a public registry, financial institution, or other person with a statutory duty of implementation fails or refuses to give effect to a certified AISTAR Determination, the affected party applies to the High Court under section 11 of the Fair Administrative Action Act for appropriate relief, which may include an order of mandamus compelling implementation, an order of certiorari quashing an unlawful refusal, or any other order the court considers necessary to secure compliance with the final administrative action. Second, once the High Court makes such an order, that order is itself enforceable as a decree by execution under Order 22 of the Civil Procedure Rules as incorporated by FAA Rule 37 – meaning the full Order 22 execution arsenal is available to enforce compliance with the court's order. FAA Rule 37 operates at this second stage: it is the mechanism that converts the court's FAA Act compliance order into an executable decree. Separately and cumulatively, where the Determination itself sounds in a monetary obligation or a property obligation directly enforceable as a court decree, the affected party may apply for execution under Order 22 of the Civil Procedure Rules directly, without the intermediate section 11 application. These pathways together – section 11 FAA Act application, FAA Rule 37 execution of the resulting court order, and direct Order 22 execution where applicable – constitute the complete legislative bridge from a Certificate of Finality to court-ordered implementation, addressing the full range of compliance failures that may arise in estate administration, from registry non-compliance, to financial institution refusal, to party non-compliance with distribution obligations.

PART VII — ESTATE PRESERVATION AND ACTIVATION

This Part provides a structured framework for the activation of Dormant Estates and the involvement of trust corporations in estate administration.

Rule 55 — Recognition of Dormant Estates

1. An estate shall be regarded as dormant where no lawful personal representation has been constituted through a Determination, Award, or equivalent adjudicative instrument under written law, and no succession proceedings are pending before a court or tribunal of competent jurisdiction.

2. Administrative inactivity may arise at any time following death.

3. Proceedings may be initiated before a Tribunal in respect of a Dormant Estate where necessary to identify beneficiaries, identify and secure estate assets, resolve disputes affecting estate property, or facilitate lawful distribution.

4. This Rule shall be interpreted consistently with Articles 27, 40, 47, 48, and 50(1) of the Constitution.

Rule 56 — Invocation by a Trust Corporation

1. A trust corporation qualifying under section 3 of the Law of Succession Act may invoke adjudicative jurisdiction under these Rules for the purpose of constitution of personal representation, preservation of estate assets, or structured settlement of the estate.

2. Nothing in these Rules confers automatic priority on a trust corporation over beneficiaries or persons with prior statutory entitlement, or creates automatic entitlement to appointment as personal representative. Where a Tribunal is seized of the matter, the question of appointment shall be determined in accordance with the Constitution, the Law of Succession Act, and the principles of fairness, proportionality, and estate protection.

Rule 57 — Equality of Institutional Capacity

1. For purposes of invoking lawful estate administration processes, a trust corporation and the Public Trustee stand in equal constitutional capacity, subject to written law.

2. Nothing in these Rules shall be construed as subordinating an Independent Tribunal to a court except as provided by the Constitution, elevating an Independent Tribunal above constitutional supervision, or creating institutional exclusivity in favour of any class of trust corporation.

Rule 58 — Non-Substitution of Other Forums

1. This Part does not prevent any person from approaching a court of competent jurisdiction, preclude invocation of statutory probate procedure, convert AISTAR into a probate registry, or compel estate activation.

2. Where parallel proceedings exist before a court or tribunal of competent jurisdiction, Rule 6 shall apply.

PART VIII — STRUCTURED SETTLEMENT TRACK

This Part establishes a distinct pathway for the recording and verification of consensual estate settlements where all primary parties are in agreement, achieving operative finality within a defined timeline without the need for a Determination or Award.

Rule 59 — Nature and Availability of the Structured Settlement Track

1. The Structured Settlement Track (SST) is a voluntary, consensus-based pathway available where all primary parties to an estate matter have reached, or substantially reached, a settlement of the estate and jointly invoke this Part to give that settlement legal effect.

2. The SST is a recording and verification service, not an adjudicative process. The Verifier appointed under this Part does not determine contested rights. The Verifier verifies that the Settlement Agreement complies with the Law of Succession Act, that all primary parties participated voluntarily, and that the interests of minors, dependants, and vulnerable persons are adequately protected.

3. The SST is available for:

   (a) intestate estates where all known beneficiaries and dependants are ascertained and consenting;

   (b) testate estates where the will is uncontested and all beneficiaries and executors are participating;

   (c) dormant estate activation where there are no competing claims; and

   (d) partial settlements where parties agree on some estate assets but not others, in which case the SST applies to the agreed portion and the appropriate dispute resolution pathway applies to the disputed portion.

4. The SST is not available for:

   (a) estates where a known beneficiary, dependant, or creditor is absent, uncontactable, or has declined to participate;

   (b) estates where a will is being challenged on validity grounds;

   (c) estates where the Verifier determines that the proposed settlement would violate the Law of Succession Act's provisions on dependants' rights, minimum entitlements, or the rights of minors; or

   (d) matters where any primary party withdraws consent before the Certificate of Settlement is issued.

5. The SST operates alongside and does not replace the Adjudication Highway under Part IV or the Arbitration Highway under Part V. A matter that begins on the SST may, in whole or in part, migrate to the Adjudication Highway at any time before the Certificate of Settlement is issued in accordance with Rule 67.

Rule 60 — Joint Invocation and Filing

1. The SST is invoked by the joint filing of a Settlement Application using Form B44, signed by all primary parties or their duly authorised representatives.

2. The Settlement Application shall include:

   (a) the identity, last known address, and date of death of the deceased;

   (b) the identity of all known beneficiaries, dependants, and creditors;

   (c) a declaration by each primary party confirming voluntary participation and the absence of duress, undue influence, or material misrepresentation;

   (d) a draft Settlement Agreement, which may be in outline form at the time of filing and shall be finalised following asset inventory verification under Rule 62; and

   (e) payment of the SST filing fee prescribed in Schedule D.

3. Upon receipt of a valid Settlement Application, the Registry shall:

   (a) assign a Registry Case Identifier;

   (b) publish a Notice of Settlement Proceedings in the AISTAR Digital Gazette and in one newspaper of national circulation on the same day as filing; and

   (c) open an SST case file in the ACDS.

4. The date of publication of the Notice of Settlement Proceedings constitutes Day 1 of the SST timeline.

Rule 61 — Public Notification

1. The Notice of Settlement Proceedings published under Rule 60(3)(b) shall:

   (a) identify the deceased person, the Registry Case Identifier, and the nature of the proceedings;

   (b) invite any person claiming an interest in the estate as an unknown beneficiary, dependant, or creditor to file a Notice of Participation within thirty (30) days of the date of publication; and

   (c) state the address of the Registry and the AISTAR Digital Gazette reference for the proceedings.

2. The thirty-day notification window constitutes the primary constructive notice event for the SST. Any person who does not file a Notice of Participation within this window is deemed to have been constructively notified of the proceedings.

3. Where a revised Settlement Agreement is filed following newly discovered assets or liabilities under Rule 62(4), a supplementary notice shall be published in the AISTAR Digital Gazette only, for a period of fourteen (14) days from the date of revised institutional service. No further newspaper publication is required for supplementary notices. The supplementary notice period runs concurrently with any remaining SST timeline activities.

Rule 62 — Asset Inventory Verification and Settlement Agreement Finalisation

1. Concurrently with the running of the public notification window under Rule 61, the primary parties shall, within twenty-one (21) days of Day 1, complete and submit to the Registry:

   (a) a verified asset inventory using Form B11, listing all estate assets and liabilities including digital assets, offshore accounts, land titles, financial accounts, insurance policies, and company interests;

   (b) the finalised Settlement Agreement incorporating the verified asset inventory and containing specific institutional transmission instructions for each asset requiring institutional action; and

   (c) confirmation that the Settlement Agreement adequately provides for the discharge of all known debts and liabilities.

2. The twenty-one day period under sub-rule (1) is a target, not a limit. The primary parties may take such additional time as is reasonably required to complete the asset inventory and finalise the Settlement Agreement. The institutional representations window under Rule 63 commences only upon confirmation by the parties that the Settlement Agreement is complete and ready for institutional service.

3. Where inventory verification reveals assets or liabilities not reflected in the draft Settlement Agreement filed under Rule 60(2)(d), the Institution shall issue a Case Management Note to all primary parties recording the discrepancy. The primary parties may then:

   (a) revise the Settlement Agreement to incorporate the newly discovered matter and confirm readiness for institutional service, at which point the SST timeline resumes;

   (b) proceed with a partial Settlement Agreement on the terms already agreed, treating the newly discovered matter as excluded from the SST and reserving it for resolution by such other mechanism as the parties may choose; or

   (c) withdraw the SST application and invoke the Adjudication Highway or Arbitration Highway for the full estate, in which case all preparatory work is preserved in the Registry record and is available to the Tribunal constituted for the subsequent proceedings.

4. No timeline is imposed on the primary parties' deliberations following the issue of a Case Management Note under sub-rule (3). The 60-day SST target timeline operates from the date the parties confirm readiness for institutional service, not from the date of discovery of the discrepancy.

Rule 63 — Institutional Representations

1. Upon confirmation by the primary parties that the Settlement Agreement is complete and ready for institutional service, the Registry shall serve each identified Institutional Interested Party with:

   (a) a Notice of Settlement Proceedings (Institutional) in the form prescribed at Form B45;

(b) the complete finalised Settlement Agreement inclusive of the verified asset inventory; and

(c) the specific institutional instructions relevant to that institution, stating precisely what action is required of it upon issue of the Certificate of Settlement.

2. Service under sub-rule (1) constitutes formal pre-decision notice under section 4(3)(a) of the Fair Administrative Action Act. Each Institutional Interested Party shall have fourteen (14) days from the date of service to file representations on any matter within its institutional competence, including the form in which settlement instruments should be presented to facilitate implementation under its governing statute.

3. An Institutional Interested Party that does not file representations within the fourteen-day window is deemed to have:

(a) waived objection to the form of the Settlement Agreement and institutional instructions; and

(b) accepted, for institutional compliance purposes, that the Certificate of Settlement will constitute lawful authority for the transmission of estate assets in accordance with its governing statute and applicable written law.

4. An Institutional Interested Party that files representations raising a compliance concern within the fourteen-day window shall have that concern addressed by the Registry within seven (7) days. Where the concern is resolved to the institution's satisfaction, the institution is treated as having accepted the revised instructions. Where the concern cannot be resolved within the SST framework, the affected asset or transmission is excluded from the SST and may be dealt with through the Adjudication Highway.

5. An Institutional Interested Party's compliance concern under sub-rule (4) does not constitute an objection to the settlement as between the primary parties and does not trigger conversion of the SST to the Adjudication Highway. Only an objection filed by a primary party, an unknown beneficiary, a dependant, or a creditor under Rule 61 triggers conversion under Rule 67.

6. The fourteen-day institutional representations window runs concurrently with any remaining public notification period and with the completion of the Settlement Agreement where sub-rule (1) service occurs before Day 30.

Rule 64 — Appointment and Role of the Verifier

1. Upon confirmation by the primary parties that the Settlement Agreement is complete and ready for institutional service, the Registry shall appoint a Verifier from the Roster within three (3) days.

2. The Verifier shall be a Tier A or Tier B member who has not previously acted in relation to the estate in any capacity.

3. The Verifier's role is to conduct a settlement verification review, not to adjudicate disputed rights. The Verifier shall:

(a) verify that the Settlement Agreement complies with the Law of Succession Act, including its provisions on the rights of beneficiaries, dependants, spouses, and children;

(b) verify that each primary party's participation was voluntary and that the Settlement Agreement does not reflect duress, undue influence, or material misrepresentation;

(c) assess whether the interests of minors, persons under disability, and dependants are adequately protected in the Settlement Agreement, and whether any independent representation or guardian participation is required;

(d) confirm that the asset inventory is complete to the extent ascertainable and that the institutional transmission instructions are precise and capable of implementation; and

(e) issue a Settlement Verification Certificate where satisfied that the conditions in paragraphs (a) to (d) are met, or a Referral Notice under Rule 66 where they are not.

4. The Verifier shall complete the settlement verification review and issue the Settlement Verification Certificate or Referral Notice within ten (10) days of appointment.

5. The Verifier shall not issue a Settlement Verification Certificate where:

(a) the Settlement Agreement would give effect to any provision that contravenes the Law of Succession Act;

(b) any primary party's participation was not voluntary;

(c) the interests of a minor or dependant are not adequately protected and cannot be addressed by a minor amendment to the Settlement Agreement;

(d) an objection filed by an unknown beneficiary, creditor, or other affected person under Rule 61 remains unresolved; or

(e) the asset inventory is materially incomplete in a manner that prevents verification of the settlement's compliance with the Law of Succession Act.

6. Where the Verifier identifies a technical deficiency in the Settlement Agreement that can be corrected by minor amendment without altering the substantive distribution, the Verifier may direct the primary parties to make the correction and resubmit within five (5) days, failing which a Referral Notice shall be issued.

Rule 65 — Certificate of Settlement

1. Upon receipt of the Settlement Verification Certificate from the Verifier, the Registry shall issue a Certificate of Settlement within five (5) days.

2. The Certificate of Settlement shall:

(a) identify the deceased, the Registry Case Identifier, and the Sovereign Hash;

(b) confirm that the Settlement Application was jointly filed by all primary parties;

(c) confirm that the public notification window was observed and no unresolved objection was filed;

(d) confirm that all Institutional Interested Parties were served and that the representations window has closed;

(e) confirm that the Verifier has issued a Settlement Verification Certificate;

(f) set out or incorporate by reference the Settlement Agreement as the operative distribution instrument;

(g) state that the Certificate of Settlement constitutes lawful authority for the administration and transmission of the estate in accordance with the Settlement Agreement and the Law of Succession Act;

(h) state that each Institutional Interested Party that received notice under Rule 63 is bound to give effect to the institutional transmission instructions in the Settlement Agreement immediately upon issue of this Certificate; and

(i) include a direction that the personal representative shall pay ADR the Verifier's fee, ADR's administrative fees, VAT, and any retention amounts as priority charges under section 83(c) of the Law of Succession Act, on the same terms as provided in Rule 33(2)(h).

3. The Certificate of Settlement is operative immediately upon issue. It does not carry a review period, the primary parties having reached the settlement consensually and the Verifier having verified its legal compliance. The internal review mechanism under Part VI does not apply to the Certificate of Settlement.

4. Notwithstanding sub-rule (3), any person who was not a primary party to the settlement and who claims an interest in the estate may apply to the High Court for judicial review of the Certificate of Settlement under the Fair Administrative Action Act. The Certificate of Settlement constitutes final administrative action for the purposes of Article 47 of the Constitution from the date of its issue.

5. The Certificate of Settlement shall be issued with the Official Seal and Sovereign Hash of the Institution. It shall be deposited in the AISTAR Permanent Registry and shall form part of the official record of the estate.

6. Upon issue of the Certificate of Settlement, each Institutional Interested Party shall immediately give effect to the institutional transmission instructions contained in the Settlement Agreement, in accordance with its governing statute and applicable written law. The enforcement hierarchy under Rule 36 applies to any Institutional Interested Party that fails or refuses to give effect to the Certificate of Settlement without lawful justification.

Rule 66 — Referral Notice and Conversion to Adjudication

1. Where the Verifier is unable to issue a Settlement Verification Certificate, the Verifier shall issue a Referral Notice to the Registry and all primary parties stating:

(a) the specific ground or grounds on which a Settlement Verification Certificate cannot be issued;

(b) whether the ground is capable of being remedied by the primary parties and if so how; and

(c) whether the matter should proceed to the Adjudication Highway or the Arbitration Highway in whole or in part.

2. Where the Referral Notice identifies a ground that is capable of remedy, the primary parties shall have a reasonable period, determined by the Institution having regard to the nature of the ground, to address the matter. If the ground is remedied to the Verifier's satisfaction, the Verifier shall issue the Settlement Verification Certificate and the SST continues.

3. Where the Referral Notice identifies a ground that is not capable of remedy within the SST framework, or where the primary parties do not address a remediable ground within the period directed, the SST is terminated and the matter is referred to the Adjudication Highway. Rule 67(3) applies.

Rule 67 — Withdrawal, Objection, and Migration to the Adjudication Highway

1. Any primary party may withdraw from the SST at any time before the Certificate of Settlement is issued by filing a Notice of Withdrawal using Form B47. Upon receipt of a Notice of Withdrawal, the SST is immediately suspended.

2. Where a Notice of Participation is filed by an unknown beneficiary, creditor, or other affected person during the public notification window under Rule 61, the SST is suspended pending consideration of the filing. The Registry shall notify all primary parties of the objection within three (3) days. The primary parties and the objecting person shall have fourteen (14) days to reach agreement on whether and how the Settlement Agreement should be amended to accommodate the objecting person's interest. Where agreement is reached and the Verifier is satisfied that the amended Settlement Agreement complies with the Law of Succession Act, the SST resumes. Where agreement is not reached within fourteen (14) days, the matter converts to the Adjudication Highway under sub-rule (3).

3. Where the SST is converted to the Adjudication Highway:

   (a) all primary parties are deemed to have filed a Petition for Adjudicative Settlement from the date of conversion;

   (b) all preparatory work completed under the SST — the asset inventory, the Settlement Agreement in its most recent form, the institutional notifications, and the Verifier's findings where a Settlement Verification Certificate was not issued — is preserved in the Registry record and is available to the Tribunal constituted for the adjudication;

   (c) the SST filing fee is credited against the Adjudication Highway filing fee; and

   (d) the Tribunal is constituted within fourteen (14) days of conversion in accordance with Rule 14.

4. Where a partial settlement has been agreed under Rule 59(3)(d) or Rule 62(3)(b), the SST proceeds for the agreed portion and the Adjudication Highway or such other pathway as the parties elect proceeds concurrently for the disputed or newly discovered portion. The two proceedings are recorded under the same Registry Case Identifier with appropriate sub-references.

Rule 68 — Structured Settlement Track Timeline

1. The target timeline for the SST from Day 1 to issue of the Certificate of Settlement is sixty (60) days, structured as follows:

   (a) Days 1 to 30: public notification window; concurrent asset inventory verification and Settlement Agreement finalisation; institutional interested parties served upon Settlement Agreement completion (target Day 21);

   (b) Days 21 to 35: institutional representations window of fourteen (14) days from date of service;

   (c) Days 30 to 35: public notification window closes; any objection or Notice of Participation assessed;

   (d) Days 35 to 45: Verifier appointed and settlement verification review conducted;

   (e) Days 45 to 60: Certificate of Settlement issued by Registry.

2. The sixty-day target is aspirational. It is the expected timeline for a well-prepared application where the asset inventory is complete at or shortly after filing, no objections are received, no institutional compliance concerns arise, and the Settlement Agreement requires no material revision.

3. The timeline pauses where:

   (a) the primary parties are renegotiating a revised Settlement Agreement following newly discovered assets or liabilities under Rule 62(3);

   (b) an objection has been filed under Rule 67(2) and the fourteen-day resolution period is running; or

   (c) the Verifier has directed a minor amendment under Rule 64(6).

4. The Institution shall maintain a running record of each SST case in the ACDS, updated at each stage of the timeline, so that all primary parties may monitor the status of the application.

Rule 69 — Fees for the Structured Settlement Track

1. The SST is subject to fees prescribed in Schedule D. SST fees shall reflect the reduced institutional resources required compared to adjudication proceedings, given the consensual and verification-based nature of the track.

2. The Quality Assurance Retention mechanism under Schedule D applies to the Verifier's professional fee, on the same basis as it applies to Tribunal members under the Adjudication Highway.

3. Where an SST application converts to the Adjudication Highway under Rule 67, the SST filing fee is credited in full against the Adjudication Highway filing fee. No double filing fee is charged.

4. Where a Referral Notice is issued by the Verifier under Rule 66 and the SST does not produce a Certificate of Settlement, the Verifier remains entitled to a fee equivalent to the

applicable uncontested estate fee under Schedule D Item 2. This fee reflects the Verifier's work in conducting the legal compliance verification review. The fee constitutes a charge on the estate from the date on which the Referral Notice is issued and is payable whether or not the Verifier subsequently accepts appointment as Tribunal member on conversion to the Adjudication Highway under Rule 69(3).

Where the Verifier accepts continued appointment as Tribunal member under Rule 69(3)(a), the inconclusive SST Verifier fee payable under this sub-rule is credited in full against the contested adjudication fee payable on conclusion of the adjudication. The net amount due to the Verifier on conclusion of the adjudication is the contested adjudication fee less the inconclusive SST Verifier fee already payable under this sub-rule. Where payment of the inconclusive SST Verifier fee has not yet been made from the estate at the time of conclusion of the adjudication, both amounts are assessed together and the net balance is the amount then falling due.

Where a different Tribunal member is appointed following conversion, the inconclusive SST Verifier fee under this sub-rule and the new Tribunal member's adjudication fee are separate charges on the estate. The total fees payable across the SST and the subsequent adjudication shall not exceed the sum of the contested adjudication fee applicable to the subject matter in dispute and the inconclusive SST Verifier fee payable under this sub-rule.

Rule 70 — Structured Settlement Track Record and Institutional Effect

1. The Registry shall maintain a complete SST case record in the ACDS, including the Settlement Application, asset inventory, Settlement Agreement in all iterations, institutional service records, representations received, the Verifier's Settlement Verification Certificate or Referral Notice, and the Certificate of Settlement.

2. The SST record forms part of the official institutional archive and shall constitute the documentary basis for any judicial review application or institutional compliance proceeding arising from the Certificate of Settlement.

3. The Certificate of Settlement and the Sovereign Hash assigned to it shall serve as the verification instrument for any Institutional Interested Party confirming the authenticity of the settlement before giving effect to institutional transmission instructions.

4. The Certificate of Settlement may be relied upon by public registries, financial institutions, and other relevant authorities as lawful authority for the transmission of estate assets in accordance with the Settlement Agreement and the Law of Succession Act, subject always to the governing statutes of those institutions.

PART IX — GENERAL AND MISCELLANEOUS PROVISIONS

This Part establishes the general administrative, operational, and institutional provisions governing proceedings under these Rules.

Rule 71 — Fees and Administrative Charges

1. Proceedings conducted under these Rules shall be subject to administrative fees and charges prescribed by the Institution and published in Schedule D.

2. The fees payable in connection with proceedings under these Rules are separate and distinct charges, each payable by the estate or the parties as the case may be, in accordance with Schedule D and applicable written law. In particular:

   (a) the Tribunal member's professional fee is the remuneration of the appointed Tribunal member and is payable as a charge on the estate or by the parties;

   (b) the twenty percent (20%) Institutional Fee prescribed in Schedule D item 3 is a separate charge payable by the estate or parties, calculated by reference to the Tribunal fee as a measure of the institutional work involved in administering the proceedings — it is not a deduction from the Tribunal member's fee entitlement;

   (c) the twenty percent (20%) Quality Assurance Retention prescribed in Schedule D item 4 is a portion of the Tribunal member's own professional fee that is held in the AQAF as a deferred payment pending the quality assurance outcome — it belongs to the Tribunal member throughout and is released on the conditions prescribed in Schedule D;

   (d) the SRT fees, specialist fees, and any other qualifying fees are similarly separate charges on the estate or parties; and

   (e) all such fees and charges constitute administration expenses of the estate within the meaning of section 83(c) of the Law of Succession Act and rank in priority before creditor claims and beneficiary distributions accordingly.

3. The Institution shall offer professional development and training courses to AISTAR Roster members as separately priced services. The pricing of each course shall be published in the AITAR Digital Gazette before the course is offered. Participation shall be voluntary unless the Institution requires completion of a specified course as a condition of tier advancement or of appointment to a particular category of matter, in which case the requirement shall be published in advance with not less than ninety (90) days notice. Roster members who successfully complete institutional training courses shall be entitled to the following recognition:

   (a) advancement in AISTAR Roster tier in accordance with the criteria in Schedule C, where completion satisfies a tier advancement requirement;

   (b) priority consideration for appointment to matters in the subject area of the completed course, where multiple Roster members of equivalent tier are available; and

   (c) recognition as a course-certified member in the AITAR Digital Gazette and in the institutional appointment record, which shall be accessible to parties selecting or approving a Tribunal member for appointment.

4. The Tribunal may allocate costs between the parties in its Determination or Award where appropriate, having regard to the conduct of the parties, proportionality, complexity of the dispute, and success in the proceedings.

5. **Taxation of costs**: In contested matters, the Tribunal may award costs to a successful party. Such costs shall be taxed by the Institution's Secretariat based on the AISTAR Scale of Costs and shall be enforceable as part of the Final Determination.

Rule 72 — Digital Gazette and Institutional Publication

1. The Institution shall maintain an official electronic publication platform known as the AITAR Digital Gazette for publication of institutional notices, procedural announcements, amendments, and selected adjudicative instruments.

2. Publication in the Digital Gazette constitutes institutional notice for purposes of these Rules but does not substitute for statutory gazettement where such gazettement is required by written law.

Rule 73 — Open Proceedings and Protective Measures

1. Proceedings under these Rules shall be open to the public in accordance with Articles 10 and 50(1) of the Constitution.

2. Hearings shall be conducted publicly unless the Tribunal determines that limited restrictions are necessary under Article 50(8) to protect the dignity, privacy, or safety of a witness or vulnerable person, prevent disclosure of Sensitive Personal Data, or prevent serious prejudice to the administration of justice. Any such restriction shall be strictly limited and recorded with written reasons.

3. Determinations of the Tribunal shall be publicly available, subject only to redaction of Sensitive Personal Data.

Rule 74 — Protection from Liability

The Board, the Chief Adjudicator and President of Independent Tribunals, Board members, staff of the Institution, SRT members, the Chief Executive, the Registrar, Tribunal members, and Tribunal-appointed experts shall not be liable to any party for any act or omission done in good faith and with due authority in connection with any proceeding under these Rules. Nothing in this Rule shall affect liability arising from fraud, bad faith, or deliberate misconduct. The immunity conferred by this Rule protects the content, reasoning, and adjudicative judgment of Determinations, Awards, and supervisory review decisions actually made in good faith — it does not protect the failure to make a determination or to deliver a supervisory review decision at all. In particular, this Rule does not confer immunity on an SRT member in respect of:

(a) the failure to deliver a Review determination within the mandatory ninety-day period under section 8 of the Fair Administrative Action Act, which constitutes non-performance of a statutory obligation rather than a protected adjudicative act; or

(b) abortive costs caused to any party or other person by that non-performance, including costs incurred in preparing and filing a Review Application, responding to any pre-determination notices issued under section 4(3)(a) or (b) of the Fair Administrative Action Act, and any other costs directly caused by the failure to deliver within the statutory period.

Claims arising from such non-performance are subject to the SRT member's mandatory professional indemnity insurance under Schedule C and are not extinguished by this Rule.

Rule 75 — Transitional Provisions

1. Proceedings commenced under earlier institutional procedures may, with the consent of the parties or direction of the Tribunal, continue under these Rules where appropriate.
2. The Institution may issue transitional practice directions to facilitate the implementation of these Rules.
3. Nothing in this Rule shall invalidate proceedings already commenced under earlier procedural arrangements.

Rule 76 — Amendment of Rules

These Rules may be amended by such institutional authority as may be designated for that purpose. Amendments shall be published in the AITAR Digital Gazette and shall apply prospectively unless otherwise specified.

Rule 77 — Severability and Institutional Continuity

1. If any provision of these Rules is held to be invalid or inconsistent with the Constitution or any written law by a court of competent jurisdiction, that provision shall be severed to the minimum extent necessary to remove the inconsistency. The remaining provisions shall continue to operate with full force and effect.
2. The invalidity of any provision shall not affect the validity of any determination lawfully issued prior to such finding, unless otherwise ordered by a court of competent jurisdiction.

Rule 78 — Data Subject Rights

1. Any person whose personal data is processed under these Rules has the right to:

   (a) request access to their personal data held by ADR or the Tribunal;

   (b) request rectification of inaccurate or incomplete personal data;

   (c) request erasure of personal data where the data is no longer necessary, subject to legal retention obligations;

   (d) request restriction of processing where the accuracy of the data is contested;

(e) object to processing based on legitimate interests.

2. Requests under sub-rule (1) shall be made in writing to the Data Protection Officer at ADR.
3. ADR shall respond to a request under sub-rule (1) within fourteen (14) days of receipt.
4. Where ADR refuses a request, it shall provide written reasons for the refusal and inform the data subject of their right to complain to the Office of the Data Protection Commissioner.
5. This Rule does not apply where compliance would prejudice the lawful administration of an estate or violate an order of the Tribunal, or where the data is exempt under the Data Protection Act.

Rule 79 — Data Breach Response

1. ADR shall maintain a Data Breach Response Policy approved by the Data Protection Officer. 10

2. Upon becoming aware of a personal data breach, ADR shall:
(a) take immediate steps to contain the breach;
(b) assess the risk to data subjects;
(c) notify the Office of the Data Protection Commissioner within forty-eight (48) hours;
(d) notify affected data subjects without undue delay where there is a high risk of harm;
(e) document the breach in a register.
3. The Tribunal shall immediately report any suspected breach to the Registrar.

SCHEDULES

The Schedules form an integral part of the AISTAR Rules.

Schedule A — Tribunal Oath of Integrity

Pursuant to Rule 13

I, _____, having been admitted to the AISTAR Roster, do solemnly swear or affirm that:

1. I will respect, uphold, and defend the Constitution of Kenya, 2010 and the rule of law.
2. I will faithfully and impartially perform the duties of a Tribunal member when appointed under the Aluochier Independent Succession Tribunals Administrative Rules (AISTAR 2026).
3. I will exercise my adjudicative functions independently and without fear, favour, bias, or prejudice.
4. I will act consistently with the Constitution of Kenya, the Law of Succession Act, the Fair Administrative Action Act, the Arbitration Act, and the procedural framework established by AISTAR.
5. I will avoid conflicts of interest and will disclose any circumstances that may reasonably give rise to doubts about my independence or impartiality.
6. I will conduct proceedings fairly, transparently, and diligently, ensuring that every party is given a reasonable opportunity to be heard.
7. I will conduct proceedings openly and transparently in accordance with Articles 10 and 50(1) of the Constitution, ensuring that proceedings are accessible to the public. I will depart from this obligation of openness only on the grounds and to the extent permitted by Article 50(8) of the Constitution — that is, where exclusion or restriction is necessary, in a free and democratic society, to protect witnesses or vulnerable persons, morality, public order, or national security — and shall record written reasons for any such departure. I will not impose or agree to confidentiality of proceedings beyond what is constitutionally permissible under Article 50(8).
8. I will faithfully discharge my responsibilities in the best interests of justice and in fidelity to the Constitution.

Signed at _____

on this _____ day of _____ 20____.

Signature: _____

Name: _____

Administered by: _____ (Authorised Officer, Aluochier Dispute Resolution)

Schedule B — Standard Forms

The following forms support the Rules. Full templates are maintained in the AITAR Case Documentation System.

Form	Purpose	Rule Reference
B1	Petition for Adjudicative Settlement	Rule 17
B2	Request for Arbitration	Rule 38
B3	Sworn Verification of Petition	Rule 17(3)
B4	Notice of Proceedings	Rule 20
B5	Tribunal Appointment Instrument	Rule 14
B6	Arbitrator Appointment Instrument	Rule 40
B7	Conflict of Interest & Independence Disclosure	Rule 14(7)
B8	Continuing Disclosure of Independence	Rule 41
B9	Application for Preservation Order	Rule 19
B10	Administrative Preservation Order	Rule 19
B11	Estate Asset Inventory Declaration	Rule 19
B12	Interim Inventory Order	Rule 22(3)
B13	Notice of Case Management Meeting	Rule 22
B14	Preliminary Case Management Checklist	Rule 22
B15	Procedural Directions Order	Rule 22(4)
B16	Supplemental Inventory	Rule 23(3)
B17	Production Direction	Rule 27(3)
B18	Notice of Hearing	Rule 26
B19	Witness Statement	Rule 27
B20	Witness Oath or Affirmation	Rule 28
B21	Expert Appointment Order	Rule 29

Form	Purpose	Rule Reference
B22	Expert Report Certification	Rule 29
B23	Consent Determination Record	Rule 25
B24	Determination	Rule 33
B25	Distribution Order	Rule 33
B26	Request for Reasons	Rule 34
B27	Registry-Ready Certification	Rule 35
B28	Certificate of Finality	Rule 53
B29	Request for Clarification (Slip Rule)	Rule 48
B30	Correction Notice	Rule 48
B31	Application for Review	Rule 51
B32	Notice of Review Hearing	Rule 51
B33	Supervisory Review Determination	Rule 52
B34	Fee Worksheet and Lien Record	Schedule D
B35	Application for Indigent Status	Schedule D, Item 12
B36	Waiver of Statutory Limitation (Arbitration)	Rule 46(3)
B37	Affidavit of Full Beneficiary Disclosure	Rule 20
B38	High Court Probate Registry Inquiry Letter	Rule 6(7)
B39	Withdrawal of Proceedings	PART IX
B40	Closing Certificate	PART IX
B41	Notice of Institutional Interested Party Status	Rule 21(2)
B42	Institutional Compliance Demand	Rule 36(2)(a)
B43	Application for Expeditious Administrator Revocation	Rule 31(2)
B44	Settlement Application (Structured Settlement Track)	Rule 60
B45	Notice of Settlement Proceedings (Institutional)	Rule 63(1)

Form	Purpose	Rule Reference
B46	Settlement Verification Certificate	Rule 64(3)(e)
B47	Notice of Withdrawal from SST	Rule 67(1)
B48	Certificate of Settlement	Rule 65
B49	Referral Notice (SST to Adjudication Highway)	Rule 66(1)
B50	Best Interests Finding (Minor Beneficiary)	TPD 09/2026
B51	Sale Form 1: Estate Repossession Mandate	Rules 36A & 36D
B52	Notice to Show Cause — Succession Execution	Rule 36B
B53	Succession Civil Contempt Citation	Rule 36B
B54	Warrant of Committal to Civil Jail	Rule 36B

Schedule C — Roster Tier Framework

Pursuant to Rules 11 and 12

The AISTAR Roster is organised into three tiers reflecting experience, expertise, and institutional responsibilities.

Tier A — Accredited Tribunal Members

Tier A members are eligible for appointment to matters involving estates up to KES 20 million as sole adjudicators, panel members, or arbitrators, and as Verifiers in Structured Settlement Track proceedings under PART VIII regardless of estate value. Typical qualifications include a recognised qualification in law or dispute resolution, successful completion of the AISTAR Tribunal Admission Assessment, and demonstrated competence in constitutional and procedural law.

Tier B — Senior Members and Supervisory Review Pool

Tier B members are eligible for all Tier A appointments and additionally eligible for appointment to Supervisory Review Tribunals (SRTs) in matters of any value, and as Revocation Tribunal members under Rule 31. Members of the Senior Review Pool shall not participate in review of determinations in which they were previously involved. Tier B members typically possess substantial adjudicative or arbitration experience and advanced knowledge of constitutional and administrative law. Mandatory professional indemnity insurance is a condition of Tier B membership and of eligibility for SRT appointment. A Tier B member shall at all times maintain current professional indemnity insurance at a minimum coverage level of KES 5,000,000 per claim or such higher amount as the Institution may prescribe from time to time by publication in the AITAR Digital Gazette. The insurance obligation reflects the personal liability exposure of SRT members, including in respect of non-delivery of a mandatory statutory determination within the ninety-day period under section 8 of the Fair Administrative Action Act. Proof of current insurance shall be filed with the Institution on admission to Tier B and renewed annually. A Tier B member whose insurance lapses shall be suspended from the Senior Review Pool until coverage is reinstated and proof provided to the Institution.

Tier C — Specialists and Assessors

Tier C members may be appointed as technical experts or assessors where specialised knowledge is required. Such expertise may include land registration and surveying, financial and accounting analysis, business valuation, customary law expertise, digital asset recovery, and other relevant technical fields. Experts and assessors do not exercise adjudicative authority.

Institutional Progression

The Institution shall establish procedures for the admission, evaluation, and advancement of members between tiers based on experience, training, demonstrated competence, and performance in proceedings. A member who is subject to an active disciplinary finding shall be ineligible for tier advancement until the matter is resolved.

Diversity and Equity

The composition of the Roster shall, over time, reflect the constitutional values of gender equity, regional balance, and inclusion of marginalised groups as required by Article 232. The Institution shall maintain and publish annual statistics on the composition of the Roster.

Schedule D — Sustainable Fee Framework and Fee Schedule

Pursuant to Rule 71. The Institution may revise amounts from time to time through publication in the AITAR Digital Gazette. Any reference to "priority" in this Schedule refers to priority as between beneficiaries and estate distributions under these Rules and does not override the statutory ranking of debts under applicable written law including the Law of Succession Act.

1. Filing Fees

Service	Fee (KES)
Petition for Adjudicative Settlement	2,000
Request for Arbitration	2,000
Application for Review	2,000
Application for Administrative Preservation Order	2,000
Settlement Application (Structured Settlement Track)	2,000

1A. Publication Disbursements

Service	Disbursement (KES)
Newspaper publication — SST application (Rule 60(3)(b))	15,000
Newspaper publication — Adjudication Highway petition (Rules 18(4) and 20(3))	15,000

The Publication Disbursement is collected at filing, held by the Registry in a designated account, and disbursed to the newspaper upon publication. Any balance is refunded to the applicants. Any shortfall is invoiced to the applicants before publication proceeds. This disbursement applies during the transitional period under Rule 72(3) and lapses upon the Head of the Institution declaring Digital Gazette-alone sufficiency.

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1B. SST Verifier Fees

The Verifier’s fee is determined by the outcome of the SST engagement as follows.

SST Outcome	Verifier Fee
Concluded SST — Certificate of Settlement issued	Uncontested estate fee under Item 2
Inconclusive SST — Referral Notice issued; no Certificate of Settlement	Mediation fee as prescribed in the ADR Mediation Rules fee scale, being 50% of the applicable uncontested estate fee

SST Outcome	Verifier Fee
	under Item 2

The Verifier's fee is earned upon completion of the settlement verification review and any facilitation of settlement negotiations undertaken pursuant to Rule 64(3), and constitutes a charge on the estate from that point, regardless of whether payment has been made. For an asset-rich but cash-poor estate, the fee ranks as an administration expense under section 83(c) of the Law of Succession Act and is recoverable upon realisation or distribution of estate assets.

The Quality Assurance Retention mechanism under Item 4 applies to the Verifier's fee on the same basis as it applies to Tribunal members — twenty percent of the applicable Verifier fee is retained in the AQAF pending the review period outcome.

Where the SST converts to the Adjudication Highway and the Verifier continues as Tribunal member under Rule 69(3)(a): the inconclusive SST Verifier fee is credited in full against the contested adjudication fee payable on conclusion of the adjudication. The net amount due to the Verifier on conclusion of the adjudication is the contested adjudication fee less the inconclusive SST Verifier fee already payable. Where the inconclusive SST Verifier fee has been retained in part under the Quality Assurance Retention mechanism, the credit operates against the gross contested adjudication fee and the retained portion is released or adjusted accordingly upon conclusion of the adjudication.

Where the SST converts to the Adjudication Highway and a different Tribunal member is appointed: the inconclusive SST Verifier fee and the new Tribunal member's contested adjudication fee are separate charges on the estate. No credit operates between them. The total fees payable in this scenario shall not exceed the sum of the contested adjudication fee applicable to the subject matter of the dispute and the inconclusive SST Verifier fee.

2. Tribunal Fees (Ad Valorem Professional Fees)

Tribunal remuneration for global estate settlement shall be calculated as follows:

Estate Value	Uncontested Fee	Contested Fee	Minimum
Up to KES 1,000,000	5% of estate value	7.5% of estate value	KES 30,000
Above KES 1,000,000	1% of estate value	1.5% of estate value	—

Note: For SST proceedings, the applicable Tribunal fee is the Uncontested Fee column above. The Verifier's professional fee is calculated on the same basis.

For discrete or isolated disputes (single asset or specific claim), the following applies:

Disputed Asset Value	Uncontested (KES)	Contested (KES)
Up to 50,000	17,640	26,460
50,001 – 100,000	23,520	35,280
100,001 – 200,000	35,280	52,920
200,001 – 500,000	58,800	88,200
500,001 – 1,000,000	100,000	150,000
1,000,001 – 20,000,000	Fees as for 1,000,000 plus an additional 1%	
20,000,000 – 250,000,000	Fees as for 20,000,000 plus an additional 0.5%	
Over 250,000,000	Fees as for 250,000,000 plus an additional 0.1%	

The Tribunal may adjust fees downward if strict application produces manifest disproportionality, recording brief reasons.

2A. Estate Execution, Asset Recovery, and Intermeddling Contempt Tariffs

(Pursuant to Rules 36A, 36B, and 71)

1. **Execution and Repossession Tariffs**:
Where a confirmed personal representative, heir, or creditor applies for native tribunal execution under CPR Order 22 or recovery from intermeddlers under Section 45(1)(b) of the Law of Succession Act, the fees shall be pegged directly to Schedule 6 of the Advocates Remuneration Order (ARO):

(a) *Routine Estate Repossession / Warrant Issuance (ARO Item 12):*
Tribunal Fee: KES 1,600 | Institutional Fee (20%): KES 320
Total: KES 1,920

(b) *Direct Bank Account Freezing and Transmission Order (ARO Item 14(a)):*
Tribunal Fee: KES 4,200 | Institutional Fee (20%): KES 840
Total: KES 5,040

(c) *Third-Party Succession Property Objections (ARO Item 13):*
- Filing of Objection Notice (CPR Order 22 r. 51): KES 10,000 + KES 2,000 (Inst.)
- Intimation to Maintain Estate Attachment (r. 52): KES 2,100 + KES 420 (Inst.)
- Summary Hearing & Ruling on Estate Title (r. 54): KES 14,000 + KES 2,800 (Inst.)

(d) *Contested Intermeddling Contempt Citations (ARO Item 14(b) / CPA s. 84(2)):*
Tribunal Fee: KES 14,000 | Institutional Fee (20%): KES 2,800
Total: KES 16,800

2. **Priority Ranking under Law of Succession Act:**
Pursuant to Section 83(c) of the Law of Succession Act (Cap 160), all execution and repossession charges paid to ADR constitute testamentary and administration expenses and rank in first priority before any creditor claims or general distributions.

3. Institutional Fee

The Institution is entitled to an Institutional Fee of twenty percent (20%) of the Tribunal Fee to support operation of the ACDS, registry services, roster management, publication through the Digital Gazette, and institutional training.

4. Quality Assurance Retention Mechanism

Twenty percent (20%) of the Tribunal Professional Fee shall be retained as a Quality Assurance Retention in the AQAF until expiry of the 42-day internal review period.

(a) Where no Review Application is filed within the prescribed period, the retained amount shall be released in full to the Tribunal member.

(b) Where a Review Application is filed, the retained amount shall be held pending the SRT determination:

i. Determination Upheld — retained amount released in full.

ii. Determination Remitted — retained amount released after compliance with directions and no further review application.

iii. Determination Set Aside — retained amount transferred to the estate and applied toward costs of the newly constituted Tribunal.

5. Representative Fee Caps

To safeguard the value of the estate for its rightful heirs, the Institution shall maintain a Scale of Representative Fees for AISTAR proceedings. Professional fees for estate settlement shall be capped at a reasonable percentage of the gross estate value to ensure that Small Estates are not rendered insolvent by legal costs. Any fee agreement exceeding the prescribed scale must be filed with the Tribunal, which shall review such agreements to ensure compliance with the Advocates (Remuneration) Order and public policy.

6. Disbursements

Disbursements include land search fees, valuation costs, Kenya Gazette publication fees, forensic audit costs, and registry search fees. Disbursements shall be settled as they arise from liquid estate funds or by any party who shall be entitled to reimbursement. Under section 83(c) of the Law of Succession Act, such payments are treated as testamentary and administration expenses and shall rank in priority before creditor claims or beneficiary distributions.

7. Deferred Professional Fee and Institutional Lien

Professional fees payable to the Tribunal constitute a statutory lien upon estate assets, to be realised upon issuance of the Certificate of Finality. Upon issuance of the Interim Inventory Order, the Institution may register a lien equivalent to a caution or caveat on relevant estate assets after giving

notice to all parties. The lien shall be discharged automatically upon settlement of fees or issuance of the Certificate of Finality.

8. Compensatory Liability for Obstruction

Where a party is found to have caused financial prejudice to the estate through non-disclosure, wilful obstruction, bad-faith objections, or intermeddling, the Tribunal may order restitution of lost income or asset value, reimbursement of additional professional costs, and surcharge of such liability against the offending party's share of the estate.

9. Proceedings by Indigent Persons

A petitioner unable to pay the administrative levy may apply to proceed as an indigent person. The Institution shall grant such status where the applicant demonstrates financial hardship meeting the criteria published by the Institution. Where indigent status is granted, the upfront levy may be suspended and security for costs may be waived. Deferred fees shall be recorded as a first charge on estate assets and recovered upon final settlement. Where the estate has no recoverable value, accrued costs may be written off from the AISTAR Legal Aid Fund where available.

10. Late Payment Interest

Where total fees remain unpaid sixty (60) days after issuance of the Certificate of Finality, interest shall accrue at the court rate (currently 12% per annum), calculated on a simple interest basis and recorded by the Registry through the ACDS.

11. Supervisory Review Tribunal (SRT) Fees

The default SRT constitution is a sole Senior Review Member (Tier B). A panel of three requires a written direction from the Institution under Rule 52(1). The applicable fee tier is determined by the constitution directed for each Review Application. The primary Tribunal fee referenced below is the Tribunal fee payable under items 2 and 3 of this Schedule for the matter under review, before any deductions. The SRT fee is payable only upon delivery of a reasoned determination within the ninety-day statutory period under section 8 of the Fair Administrative Action Act. Where the statutory period expires without a determination, any advance payment of the SRT fee shall be refunded in full to the estate or the parties within fourteen (14) days of the deemed dismissal date. The Institution's administrative costs for services actually rendered are retained separately and are unaffected by non-delivery.

A. Sole Member Sitting (Default)

Item	Fee (KES)
SRT Member's Fee	50% of primary Tribunal fee, minimum KES 50,000

Item	Fee (KES)
Administrative Costs	20% of SRT Member's Fee

B. Panel of Three (Institution Direction Required)

Item	Fee (KES)
SRT Member's Fee (per member, excl. Chairperson)	50% of primary Tribunal fee per member, minimum KES 50,000 per member
SRT Chairperson's Fee	150% of SRT Member's Fee
Administrative Costs	20% of aggregate panel fee

Schedule E — Determination Certification

Pursuant to Rules 31 and 48

E1. Purpose

This Schedule establishes the standard certification format by which the AISTAR Registry certifies a Tribunal instrument as Registry-Ready. Certification confirms that the instrument was finalised by a duly appointed Tribunal and issues a Sovereign Hash and Registry Authentication block for verification of authenticity. Certification does not substitute for any statutory process required by written law and does not limit constitutional supervision under Article 165(6).

E2. Instruments Eligible for Certification

The Registry may certify Determinations (Part IV), Awards (Part V), and Review Determinations (Part VI). Each certified instrument shall carry a Certification Clause, a Sovereign Hash Block, and a Registry Authentication Block.

E3. Certification Preconditions

Before certification, the Registry shall confirm that the Tribunal was constituted by a valid Appointment Instrument, the instrument is marked Finalised in the ACDS with member signature block and date of finalisation, and all format completeness checks have been satisfied.

E4. Standard Certification Clause

> *CERTIFICATION: I certify that this [Determination/Award/Review Determination] was issued and finalised by a duly appointed AISTAR Tribunal in Case No. [AISTAR Case Number] under the Aluochier Independent Succession Tribunals Administrative Rules (AISTAR 2026), and that this certified copy is issued as a Registry-Ready adjudicative instrument pursuant to Rule 35.*

E5. Sovereign Hash Block

Each certified instrument shall contain a Sovereign Hash Block including: Case Number (AISTAR-YYYY-######), Hash ID (AISTAR-DET-YYYY-######), Hash Algorithm (SHA-256), Hash Value (64-character hex), Instrument Type, Date Finalised by Tribunal, and Date Certified by Registry.

E6. Verification Notice

The authenticity of any certified instrument may be verified using the Sovereign Hash ID through the AISTAR verification channel. Any alteration to the document will invalidate the hash verification result.

Schedule F — Digital Registry and Sovereign Hash Protocol

Pursuant to Rules 31 and 55

The AISTAR Digital Registry forms part of the ACDS and serves as the secure electronic repository for certified Determinations, Awards, Review Determinations, and Registry certifications. The Digital Registry ensures authenticity of adjudicative instruments, traceability of institutional records, and verifiable certification for third parties including banks, land registries, and financial institutions. It does not replace statutory registries established by written law.

Upon certification of an instrument, ACDS shall generate a Sovereign Hash using SHA-256 applied to the final sealed PDF, and record a Sovereign Hash ID in the format AISTAR-[InstrumentType]-[Year]-[SequentialNumber]. Any alteration to the certified document will result in a different hash value and fail verification.

The Institution shall maintain a public verification interface through which any person may verify a certified instrument by submitting the Sovereign Hash ID or the document file. Results shall indicate: VALID (document matches), NOT FOUND (hash does not match registry records), or SUPERSEDED (instrument varied or replaced by review).

Where a Determination or Award is varied, remitted, or substituted by a Review Determination, the Registry shall generate a new Sovereign Hash for the Review Determination and mark the original instrument as SUPERSEDED. Original instruments shall be preserved in the Digital Registry for historical and audit purposes.

ACDS shall maintain an immutable audit log recording: certification of instruments, generation of Sovereign Hashes, verification requests, and supersession or variation of instruments, including user identity and timestamp. The Institution shall adopt reasonable technical and administrative security measures including encrypted communications, controlled access, and routine backup procedures.

Schedule G — Transitional Practice Directions

Issued pursuant to Rules 75 and 76

G1. Purpose

This Schedule establishes transitional practice directions governing the initial implementation of AISTAR 2026, facilitating orderly institutional commencement while ensuring consistency with the Constitution, existing succession proceedings, and the efficient settlement of estates.

G2. Pilot Proceedings

During the transitional phase, the Institution may designate selected matters as Pilot Proceedings, including estates where succession disputes remain unresolved for prolonged periods, beneficiaries are unable to sustain formal court proceedings, assets require urgent protection, or structured adjudication may assist in resolving complex beneficiary disputes. Pilot Proceedings shall be subject to enhanced institutional monitoring for the purposes of refining Tribunal procedures and developing institutional guidance.

G3. Interaction with Court Succession Proceedings

A Tribunal shall not assume adjudicative responsibility over an estate where a succession cause concerning the same estate is actively pending before a court of competent jurisdiction, except where the issues before the Tribunal are distinct or the intervention is limited to preservation measures. Where a court has issued a Grant of Representation, the Tribunal shall respect its legal effect.

G4. Dormant Estate Activation

Proceedings may be initiated before a Tribunal to identify beneficiaries, secure estate assets, resolve disputes, or facilitate lawful distribution in respect of Dormant Estates. In appropriate cases the Tribunal may issue Administrative Preservation Orders under Rule 19.

G5. Professional Participation

Professionals including advocates, arbitrators, mediators, accountants, valuers, and persons with other relevant expertise may participate in proceedings in accordance with applicable provisions.

G6. Institutional Cooperation

The Institution may engage with public and private institutions to facilitate the lawful implementation of Tribunal determinations, including financial institutions, land registries, government administrative offices, and professional regulatory bodies.

G7. Monitoring and Duration

The Institution shall monitor the operation of these Rules during the transitional phase to assess procedural efficiency, fairness, accessibility, and effectiveness of determinations, and may publish guidance notes arising from such evaluation. The Institution may declare the conclusion of the transitional phase once stable institutional practice has been established.

G8. Institutional Engagement Protocol

During the transitional phase, the Institution shall proactively engage with land registries, principal financial institutions, the Registrar of Companies, and principal insurance bodies to communicate the AISTAR framework, the Institutional Interested Party Joinder mechanism under Rule 21, and the form in which certified Determinations will be presented for institutional compliance. The Institution shall seek to establish agreed institutional protocols for processing Registry-Ready instruments in advance of the first contested enforcement scenario.

TPD 08/2026 — Verifier's Legal Compliance Checklist

Issued pursuant to Rule 64(7)

The Institution shall publish and maintain a structured Verifier's Legal Compliance Checklist as Practice Direction TPD 08/2026. The Checklist provides a systematic framework for the Verifier's settlement verification review and shall cover at minimum the following categories:

1. **Law of Succession Act compliance**: dependants' rights (sections 26-35), minimum entitlements, spousal rights (sections 35-36), children's rights, polygamous family provisions (sections 37-40), testamentary provisions where applicable.
2. **Bill of Rights compliance**: equality (Article 27), property rights (Article 40), dignity and privacy where relevant.
3. **Land Registration Act, 2012 compliance** (where land assets are involved): valid transfer requirements, existing restrictions or cautions, overriding interests, discharge of registered charges.
4. **Matrimonial Property Act, 2013 compliance** (where matrimonial property is involved): spousal rights, consent requirements, treatment of the matrimonial home.
5. **Companies Act, 2015 compliance** (where company interests are involved): pre-emption rights in articles of association, share transfer restrictions, director qualification requirements.
6. **Children Act, 2022 compliance** (where minor beneficiaries are involved): trustee or guardian requirements, prohibition on direct vesting without supervision, court approval requirements where applicable.
7. **Insolvency Act, 2015 compliance** (where the estate has creditors): fraudulent preferences, transactions at undervalue, creditor priority.
8. **Voluntariness confirmation**: independent declaration by each party; evidence of independent legal advice where appropriate.

9. **Asset inventory completeness**: verified against known records, no material gaps identified.
10. **Institutional instruction precision**: each institutional transmission instruction is specific, complete, and capable of implementation under the relevant institution's governing statute.

The Verifier shall complete and sign the Checklist for each SST matter and shall annex it to the Settlement Verification Certificate or Referral Notice. The current version of the Checklist shall be available on the AISTAR Digital Gazette and shall be updated by the Institution from time to time without requiring formal amendment of these Rules.

TPD 09/2026 — Best Interests Determination in Minor Succession Matters

1. In any AISTAR proceeding affecting a minor's succession rights, the Tribunal (or Verifier, in SST proceedings) shall consider, as minimum factors, the following:

(a) the minor's age, maturity, and understanding of the proceedings (where age-appropriate);

(b) the minor's relationship with the deceased;

(c) the minor's financial and emotional needs;

(d) any existing custodial or guardianship arrangements;

(e) the views of the minor, where the minor is capable of forming and expressing views (Article 53(2) of the Constitution); and

(f) the impact of the proposed distribution on the minor's access to education, health care, and housing.

2. The Tribunal's best-interests finding shall be proportionate to the value of the minor's entitlement:

(a) for estates where the minor's share is less than KES 500,000, a summary best-interests statement in the Determination or Certificate of Settlement is sufficient;

(b) for estates where the minor's share equals or exceeds KES 500,000, a detailed written analysis addressing each factor in sub-paragraph (1) is required.

3. The Institution shall maintain a standard-form best-interests finding template (Form B50) for use by Tribunals and Verifiers, which shall be published in the AITAR Digital Gazette and made available through the ACDS.

Schedule H — Code of Conduct for Representatives

Issued pursuant to Rule 20(6)

H1. Right of Representation

Every party appearing before a Tribunal has the right to be represented by a person of their choice in accordance with Article 50(1). A representative may be an Advocate of the High Court, a family spokesperson or lay representative authorised by the party, or a representative from a legal aid organisation. The acts and omissions of a representative shall be deemed to be the acts and omissions of the party represented.

H2. General Duties

Every representative appearing before a Tribunal shall act honestly and shall not knowingly present false or misleading information; shall disclose material information relevant to the determination of the estate; shall avoid unnecessary delay; and shall conduct themselves in a manner consistent with the orderly and fair administration of proceedings. Representatives shall recognise that proceedings concern the lawful settlement of estates and shall assist the Tribunal in achieving accurate identification of beneficiaries, preservation of estate assets, and fair and lawful distribution.

H3. Fee Transparency

A representative claiming professional fees shall disclose the basis of such fees to the Tribunal and to the represented party. Fees for professional representation in proceedings under these Rules shall be assessed in accordance with Schedule 11 of the Advocates (Remuneration) Order as in force from time to time, which the Institution adopts as the Scale of Representative Fees for these proceedings. Such fees shall be proportionate to the value of the estate and shall not in aggregate exceed the primary Tribunal fee applicable to the same matter under Schedule D of these Rules. Any fee agreement that purports to exceed that cap must be filed with the Tribunal for review in accordance with Schedule D item 5.

H4. Misconduct and Disciplinary Measures

Misconduct includes misappropriation of estate funds, deliberate concealment of assets, submission of forged documents, persistent obstruction, and failure to disclose conflicts of interest. Where misconduct is established, the Institution may impose a written warning, temporary suspension, or removal from the Roster. This does not prevent any other lawful disciplinary or criminal proceedings.

H5. Whistleblowing and Reporting

Where a representative witnesses misconduct by another representative or a Tribunal member in the course of proceedings, the representative shall be entitled to report such conduct to the Institution through the designated reporting channel. The Institution shall maintain a confidential reporting

mechanism and shall investigate all reports made in good faith. No representative shall be penalised for making a report in good faith.

H6. Continuing Education

The Institution may require representatives registered on the AISTAR Roster to participate in periodic training concerning amendments to succession law, digital registry procedures, and institutional practice directions.

Schedule I — Code of Conduct for Tribunal Members

Issued pursuant to Rule 14

I1. Purpose and Constitutional Anchor

This Schedule establishes the Code of Conduct for Tribunal Members serving under the AISTAR Rules, in furtherance of the constitutional principles in Article 73 (Leadership and Integrity) and Article 159 (Judicial Authority).

I2. Independence and Impartiality

A Tribunal member shall act independently and impartially in the determination of every matter. A member shall not adjudicate any matter in which the member has a personal interest, a financial or proprietary interest, or a close family relationship with any party. Where a potential conflict arises, the member shall disclose the matter immediately and shall recuse themselves where appropriate.

I3. Prior Professional Involvement

A Tribunal member shall not sit on a matter where the member previously acted in relation to the estate as Advocate, mediator, valuer, or professional adviser to the deceased or any beneficiary.

I4. Diligence and Timeliness

Tribunal members shall determine matters expeditiously and shall comply with the timelines prescribed under these Rules. Persistent failure to deliver determinations within prescribed timelines without reasonable cause constitutes a breach of this Code.

I5. Decision Integrity and Use of Technology

Every Determination or Award issued remains the personal responsibility of the Tribunal member or panel. Tribunal members may utilise technological tools, including artificial intelligence systems and legal research assistants, to assist in preparing decisions. The use of such tools does not transfer adjudicative responsibility. Tribunal members shall ensure that the final reasoning reflects their independent judgment, that all findings are verified for legal and factual accuracy, and that the member is able to explain the reasoning underlying the determination. Failure by a member to demonstrate personal ownership of the reasoning in a determination may constitute evidence of a breach of this Code.

I6. Financial Integrity

Tribunal members shall not solicit or accept any gift, favour, loan, or benefit in relation to the performance of their duties. Upon accepting appointment, the member shall disclose any financial or proprietary interest relating to the estate. The member shall not acquire any interest in assets

forming part of an estate adjudicated by them during the proceedings or within twenty-four (24) months thereafter.

I7. Confidentiality and Data Protection

Tribunal members shall conduct proceedings openly and transparently in accordance with Articles 10 and 50(1) of the Constitution. Departure from the constitutional default of openness is permitted only on the grounds specified in Article 50(8) of the Constitution — that is, where exclusion or restriction is necessary, in a free and democratic society, to protect witnesses or vulnerable persons, morality, public order, or national security — and written reasons shall be recorded for any such departure. Tribunal members shall not impose or agree to confidentiality of proceedings beyond what is constitutionally permissible under Article 50(8). The processing of personal data and records shall comply with the AITAR Data Protection and AI Governance Policy and applicable data protection legislation.

I8. Whistleblowing and Reporting

Where a Tribunal member witnesses misconduct by another Tribunal member or a representative in the course of proceedings, the member shall be entitled and is encouraged to report such conduct to the Institution through the designated reporting channel. The Institution shall maintain a confidential reporting mechanism and shall investigate all reports made in good faith. No member shall be penalised for making a report in good faith.

I9. Misconduct and Disciplinary Measures

Misconduct includes deliberate concealment of conflicts of interest, acceptance of improper financial benefits, misuse of the Digital Seal or registry credentials, and persistent failure to perform adjudicative duties. Where a breach of this Code is established, the Institution may impose a written caution, temporary suspension, or permanent removal from the Roster. Nothing in this Schedule prevents referral to any relevant professional or statutory disciplinary authority.

I10. Oath of Service

Upon appointment to a Tribunal, every member shall affirm: *"I [Name], having been appointed as a Member of the Aluochier Independent Succession Tribunals, do solemnly swear or affirm that I will do justice to all persons without fear, favour, bias, affection, ill-will, prejudice or improper influence, and that I will uphold the Constitution and the Laws of Kenya."*

Schedule J — AISTAR Data Protection and Artificial Intelligence Governance Policy

Issued pursuant to Rules 11 and Schedule I. Pursuant to Article 31 (right to privacy), Article 47 (lawful administrative action), and the Data Protection Act.

J1. Lawful Processing Principles

All personal data processed under AISTAR proceedings shall comply with the principles of lawfulness, fairness, and transparency; purpose limitation to estate adjudication; data minimisation; accuracy; storage limitation; integrity and confidentiality; and accountability.

J2. Use of Artificial Intelligence

Artificial intelligence tools may be used to assist in research, drafting, or document preparation. No Determination or Award may be issued without independent human review by the responsible Tribunal Member, who remains fully responsible for the reasoning and conclusions. Only AI tools approved by the Institution may be used for processing estate data. Approval shall be based on data residency location, encryption standards, contractual confidentiality safeguards, and compliance with Kenyan data protection law. The Institution shall maintain an Approved AI Tools Register. Tribunal Members shall not upload unredacted estate records to external AI systems unless formally approved, and shall ensure names are anonymised, identification numbers redacted, financial account numbers truncated, and minors referred to using initials only.

J3. Data Residency and Security

Transfer of personal data outside Kenya shall comply with the Data Protection Act and applicable safeguards. Estate files shall be stored in encrypted digital format within the Digital Registry or in secure physical storage. Access shall be restricted to the appointed Tribunal Member or panel, authorised Registry officers, and parties and their representatives.

J4. Data Retention

Estate records shall be retained in accordance with institutional retention policies and applicable law. AI-generated working drafts shall be deleted once incorporated into the final determination unless retention is required for audit purposes.

J5. Data Breach Protocol

Upon discovery of a data breach, the responsible person shall immediately notify the AISTAR Registry, document the nature and scope of the breach, and assist in mitigation. Where required by law, the Institution shall notify affected parties and the Office of the Data Commissioner.

J6. Personal Accountability

Tribunal Members and Registry personnel are individually responsible for compliance. Reckless or deliberate misuse of estate data may result in removal from the Tribunal Roster, disciplinary action, referral to regulatory authorities, and civil liability under applicable law.

J7. Data Subject Rights

The procedure for exercising data subject rights under Rule 78 is available on the ADR website and upon request from the Data Protection Officer.

J8. Data Breach Response

ADR's Data Breach Response Policy is available upon request.

J9. Data Protection Officer

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The contact details of ADR's Data Protection Officer are:

Name: Isaac Aluochier

Email: **dpo@aluochier.co.ke**

Address: P O Box 436-40404, Rongo, Kenya

Schedule K — Amendment Record

Edition	Date	Principal Changes
First – Second Editions	February 2026 – March 2026	As previously recorded
Third – Fifth Editions	25th March, 2026 – 17th April, 2026	This Schedule records all amendments made to AISTAR 2026 across three revision rounds: (1) the FAAA Compliance Audit (March 2026), implementing all audit recommendations; (2) the Article 2(2) Constitutional Stress Test (March 2026), implementing the four constitutional recommendations and sequentially renumbering all rules 1–61; and (3) the LSA Statutory Integration (Fourth Edition, March 2026), incorporating the statutory fit analysis of sections 2(1) and 45(1) of the Law of Succession Act into the Preamble, Rule 2 definitions, Rule 5(4), and Rule 8(8). It forms part of the official record of the instrument. Inserted Rule 32 (Request for Reasons) providing a 14-day reasons request window, a 30-day response obligation consistent with s.6(3) FAAA, the s.6(4) presumption on failure to respond, and a permitted departure sub-rule for Sensitive Personal Data consistent with s.6(5). Rule 26 renamed "Witnesses and Cross-Examination." Added sub-rules (4)–(6) expressly stating the right to cross-examine adverse witnesses consistent with s.4(3)(f) and s.4(4)(c) FAAA, the obligation to notify parties of this right in the Notice of Hearing (Form B15), and Tribunal power to regulate cross-examination. Inserted Rule 50(4)–(7): clarifying the six-week FAA Rules r.6(1) limitation runs from SRT Determination or deemed dismissal; requiring Certificates of Finality and Closing Certificates to state the exhaustion date; advising parties of pre-filing requirements under FAA Rules r.5; and referencing the Commission on Administrative Justice as an additional challenge avenue. Added Rule 30(3): pre-Determination notice obligation requiring the Tribunal, before deciding adversely on grounds not previously raised, to give affected party written notice and a reasonable opportunity to respond (not ordinarily exceeding 7 days), consistent with s.4(3)(a) FAAA. Added Rule 30(4): detailed notice of review rights in every Determination consistent with ss.4(3)(c), 4(3)(e) and 5(1)(d)(ii)–(iii) FAAA. Amended Rule 19(6) to require that Form B4 (Notice of Proceedings) expressly inform all parties of their right to

Edition	Date	Principal Changes
		legal representation by an advocate or other representative of their choice, consistent with s.4(3)(e) FAAA. Added Rule 20(4)–(5): document and evidence exchange obligation following CMM consistent with s.4(3)(g) and FAA Rules r.19(5); requirement that Procedural Directions Order address exchange; and graduated non-compliance enforcement powers (strike-out, adverse inference, costs) consistent with FAA Rules r.25. Added Rule 24(2) stating express right to attend proceedings in person or with a representative, consistent with s.4(4)(a) FAAA. Added Rule 24(4) providing party right to request a reasonable adjournment for fair hearing purposes, and prohibition on unreasonable refusal, consistent with s.4(4) (d) FAAA. Rule 46: Added three new grounds for internal review: (d) bias or reasonable apprehension of bias (s.7(2)(a)(iv) FAAA); (e) ulterior motive (s.7(2)(e) FAAA); (f) bad faith (s.7(2)(h) FAAA). Remaining grounds renumbered accordingly. Rule 30(4) (new) requires the Determination to specify the manner of filing a review application (Form B30 via ACDS), the Institution address, the 42-day period, right to judicial review subject to exhaustion, and right to legal representation in review proceedings, consistent with ss.4(3)(c), 4(3)(e) and 5(1)(d)(ii)–(iii) FAAA. Amended Rule 49(4)(d) to require the Certificate of Finality to state the date the internal review mechanism was exhausted or lapsed, for FAA Rules r.11(3)(c) compliance. This requirement extends to Form B27 and Form B39. Added Rule 33(3): express party right to access record of proceedings and documents relied upon on written request within 30 days, consistent with ss.6(1)–(2) FAAA. Added Rule 33(4): obligation on Institution to promptly disclose full record to all parties upon receipt of judicial review notice, consistent with FAA Rules r.19(5). 12 Rule 20(5): Non-compliance enforcement mechanism incorporated within Amendment 6 above. Rule 20(5) provides graduated enforcement powers analogous to FAA Rules r.25. Added acknowledgment in Rule 30(1) that the 42-day Determination period constitutes an empowering-

Edition	Date	Principal Changes
		provision departure from the FAA Rules r.36(1) default timeline, in accordance with s.4(6) of the FAAA. Judicial review document disclosure obligation incorporated within Amendment 11 above (Rule 33(4)). Added Rule 3(4): express preservation of common law and natural justice principles, consistent with s.12 FAAA. Added Rule 50(7): express reference to the Commission on Administrative Justice as an additional challenge avenue, consistent with s.5(2)(a) FAAA. Added Rule 50(6): advisory notice to parties of pre-filing requirements under FAA Rules r.5 for prospective judicial review applicants. Incorporated within Amendment 1 above (Rule 32(4)): permitted departure from reasons obligation for Sensitive Personal Data, consistent with s.6(5) FAAA. Rule 9 rewritten to make explicit that ADR's role is purely administrative and facilitative. The act of selection and appointment is a procedural mechanism that brings a constitutionally authorised Tribunal into being; it does not confer constitutional authority. Constitutional authority derives from the Constitution itself. Once constituted, the Tribunal exercises its functions independently of the Institution. Rule 4 ("Constitutional Status of an Appointed Tribunal") substantially rewritten to: (a) distinguish between ADR as secretariat and the Tribunal as constitutional actor; (b) identify Article 50(1) as the constitutional provision that validates the existence of independent adjudicative bodies; (c) state that the Appointment Instrument is a procedural instrument, not the source of constitutional authority; (d) expressly address Article 2(2) by stating that the Tribunal's authority is authorised under the Constitution through Articles 1(3)(c), 47, and 50(1); and (e) clarify scope and supervisory limits. Rule 8 ("Constitutional Positioning") substantially rewritten to: (a) expressly address Article 2(2) with a structured three-part constitutional authorisation answer through Articles 1(3)(c), 50(1), and 47; (b) clarify how independent tribunals and courts share the same constitutional source while differing in scope and mandate; (c) state that AISTAR 2026 is the "empowering provision" for FAAA purposes only — identifying the

Edition	Date	Principal Changes
		procedural basis for administrative action — and does not itself confer constitutional authority; (d) confirm that constitutional authority rests on Articles 1(3)(c), 47, and 50(1), not on AISTAR 2026 as a self authorising instrument. Definition of "Empowering provision" in Rule 2 refined to limit its characterisation to FAAA review purposes only, with an express statement that this does not make AISTAR the source of constitutional authority. Definitions of "Tribunal," "SRT," "Slip Rule," and "CMM" updated to reference correct new rule numbers. Rules renumbered sequentially 1–61: Rule 30A became Rule 31; former Rules 31–60 renumbered 32–61. All internal cross-references, Form B references, and Schedule references harmonised accordingly. **Round 3: LSA Statutory Integration (Fourth Edition, March 2026)** Preamble: Amendment Made New WHEREAS recital inserted after the Sixth Schedule recital. Identifies section 2(1) of the LSA as making that Act's substantive succession law universally applicable, and confirms these Rules apply that substantive law in all proceedings. Names section 45(1) and its triple-gateway structure, identifies the Constitution and the FAA Act as other written law satisfying the second gateway, and states that a personal representative appointed by a certified Determination is expressly authorised to administer the estate without a court issued grant of representation. Rule 2: Two amendments: (a) "Constitutive Effect" definition expanded to state that constitutive effect "arises within the framework of section 45(1) of the Law of Succession Act" and Amendment Made names the Constitution and FAA Act as the other written law satisfying that section's second gateway. (b) New definition "Lawful Written Authority" inserted: defines the authorisation of an AISTAR-appointed personal representative as arising under the Constitution and FAA Act as other written law within section 45(1) of the LSA, expressly distinguished from a court issued grant of representation. Rule 5(4) rewritten. Original stated constitutive effect was available "subject to supervisory jurisdiction under Article 165(6) and to applicable written law." Revised provision

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		states that constitutive effect "arises within the framework of section 45(1) of the Law of Succession Act" and names the Constitution and FAA Act as the other written law satisfying that section's second gateway. This converts a passive qualification into an affirmative statutory basis, making clear that constitutive effect is a consequence of section 45(1)'s second gateway being satisfied. New Rule 8(8) inserted after Rule 8(7). Contains four lettered sub-paragraphs: (a) section 2(1) LSA — universality of substantive succession law; these Rules apply that law in all proceedings without displacing any substantive provision; (b) section 45(1) LSA — triple gateway, Constitution and FAA Act as other written law satisfying the second gateway, AISTAR-appointed personal representative lawfully authorised without court grant, no intermeddling by persons acting on certified Determinations; (c) section 7(1) Sixth Schedule — mandatory conformable construction, exclusive-court reading inconsistent with 2010 Constitution, Article 2(4) as backstop; (d) non-substitution declaration — these Rules do not amend the LSA, probate and constitutional-administrative pathways are parallel and co-equal, section 45(1) accommodates both. **Round 4: Enforcement Architecture Integration (Fifth Edition, April 2026)** Inserted Rule 19A (Joinder of Institutional Interested Parties) after Rule 19. Mandatory joinder of all compliance-required institutions as Institutional Interested Parties. Service under section 4(3)(a) FAA Act. Deemed waiver for non-respondents. Compliance obligation is constitutional, not court-order dependent. Forms B40 added. Definitions of "Compliance Demand" and "Institutional Interested Party" added to Rule 2(1). Inserted Rule 28A (Expeditious Administrator Revocation Proceedings) after Rule 28. 7-day Tribunal constitution. Oral hearing is right of personal representative, waivable only in writing. Standard Part IV determination timelines apply. Substitute appointment follows section 66 LSA priority: family first, then trust corporation (section 3 LSA), then Public Trustee. SRT review compressed to 42 days (extendable to 60). Form B42 added. Tier B eligibility in Schedule C updated. Inserted Rule 32A (Enforcement Hierarchy) after Rule 32. Tier 1: Institutional Compliance Demand (14 days). Tier

Edition	Date	Principal Changes
		2: FAA Rule 37/CPR Order 22 — adjudications and arbitrations. Tier 3: Section 36 Arbitration Act — arbitrations only. Tiers 2 and 3 alternative, not sequential, both High Court jurisdiction. Merits not re-examinable at enforcement stage. Form B41 added. Rule 5(7) RECOMMENDED Compliance by Institutional Interested Parties under Rule 19A is a constitutional obligation, not a discretionary act. Rule 8(8)(b) RECOMMENDED Cross-reference to Rule 19A as procedural mechanism binding Institutional Interested Parties. Rule 42(5) RECOMMENDED Rule 19A applies mutatis mutandis to arbitrations; compliance obligations apply to certified Awards. Rule 49(4)(e) RECOMMENDED Certificate of Finality triggers Rule 19A(5) compliance; Sovereign Hash is verification instrument. Schedule B REQUIRED Forms B40, B41, B42 added. Schedule C RECOMMENDED Tier B description updated — eligible for Rule 28A Revocation Tribunal appointments. Schedule G ADVISORY G8 (Institutional Engagement Protocol) added. Rule 2(1) REQUIRED Definitions of "Compliance Demand" and "Institutional Interested Party" added. Cover and Rule 1 ADMINISTRATIVE Fifth Edition (April 2026). Author: Isaac Aluochier S.Arb, S.Adj, FCIArb, CPM.
Sixth Edition	19th April, 2026	The following twelve amendments are incorporated in this revised Sixth Edition. Amendments 1–10 were incorporated in the revision of 17 April 2026. Amendments 11 and 12 are incorporated in this revision of 19 April 2026. All rule references are to the renumbered Sixth Edition. Amendment notes appear at each affected provision. **Amendment 1 — SST Filing Fee** Rule 69 and Schedule D: SST filing fee corrected to KES 2,000, consistent with all other AISTAR filing fees and the Article 48 access to justice rationale by reference to

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		Judiciary filing fees. **Amendment 2 — Newspaper publication extended to Adjudication Highway** Rules 17(4) and 20(3): publication in one newspaper of national circulation now required alongside Digital Gazette publication, consistent with Rule 60(3)(b). Uniform constructive notice standard across all three pathways. **Amendment 3 — Transitional graduation mechanism** Rule 72(3) added: the supplementary newspaper publication requirement operates until the Head of the Institution declares, with supporting readership or viewership data comparable to the Kenya Gazette, that Digital Gazette publication alone constitutes sufficient constructive notice for all purposes under these Rules. **Amendment 4 — Head of the Institution replaces Founder in governance provisions** Rules 72(3) and 76: 'Founder' replaced with 'Head of the Institution' in all provisions conferring governing or decision-making authority. Cover attribution references unaffected. **Amendment 5 — Full Article 159(3) compliance standard** Rules 59(2), 59(4)(c), 64(3)(a), 64(5), and Rule 2(1) definitions: expanded from LSA-only to the full Article 159(3) purposive standard — does not contravene the Bill of Rights, is not inconsistent with the Constitution, and complies with all applicable written law including the Law of Succession Act, Land Registration Act, Matrimonial Property Act, Companies Act, Children Act, and Insolvency Act where engaged by the specific estate. **Amendment 6 — Publication Disbursement** Rule 60(2)(f) added: Publication Disbursement of KES 15,000 payable at filing, held by Registry, disbursed to newspaper upon publication. Rule 60(3)(b) updated. Schedule D gains new Publication Disbursements category. **Amendment 7 — Rule 65(3) clarified — administrative action distinction** The settlement agreement between consenting parties is a consensual instrument and is not itself administrative action under the FAA Act. The Certificate of Settlement

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		issued by the Institution is administrative action for the purposes of Article 47 and the FAA Act. Made explicit at Rule 65(3). **Amendment 8 — Rule 69(1) — correct fee and value proposition** Applicable SST fee is the uncontested estate fee prescribed in Schedule D. The primary benefit of the SST is estate cost savings from expeditious settlement (60-day target vs years in the court probate system), not reduced AISTAR fees. **Amendment 9 — Rule 69(3) — continuity of Roster member on conversion** Upon conversion to the Adjudication Highway, the Verifier is offered continued appointment as Tribunal member. The Verifier may accept or decline. Where accepted, SST fee credited in full and no double fee charged. Seven-day party objection window on bias grounds. **Amendment 10 — Rule 64(7) — Verifier Practice Direction cross-reference** New Rule 64(7) added: the Institution shall issue and maintain Practice Direction TPD 08/2026 — Verifier's Legal Compliance Checklist. Cross-reference added to Rule 64. Checklist items added to Schedule G (Transitional Practice Directions). **Amendment 11 — Rule 65(3) and 65(4) replacement text** Rule 65(3) replaced with three paragraphs (65(3), 65(3A), 65(3B)) establishing the correct administrative action analysis: the settlement agreement between primary parties is a consensual instrument and is not administrative action; the Verifier's verification review and the Certificate of Settlement issued by the Registry are administrative action under Article 47 and the FAA Act; and the Certificate of Settlement carries a 42-day review period under Rule 51 with Part VI applying on the same basis as to any other administrative action under these Rules. Rule 65(4) replaced with expanded non-party options: invoke the Adjudication Highway under Part IV, or apply for SRT internal review under Rule 51 within 42 days; exhaustion of internal remedies required before High Court approach; urgent interim relief from High Court not excluded.

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		Amendment 12 — Schedule D Item 1B and Rule 69(4) — SST Facilitator fee for inconclusive SST engagement New Schedule D Item 1B inserted after Item 1A: defines two Facilitator fee outcomes — concluded SST at the uncontested estate fee; inconclusive SST (Referral Notice issued) at the mediation fee as prescribed in the ADR Mediation Rules fee scale, being 50% of the applicable uncontested estate fee. Provides for credit mechanism in Scenario B (Facilitator continues as Tribunal member), cap mechanism in Scenario C (different Tribunal member), and Quality Assurance Retention treatment in both scenarios. New Rule 69(4) inserted after Rule 69(3): gives the same fee structure and credit/cap mechanics direct rule force, with the "payable" formulation throughout to address asset-rich cash-poor estates *(subsequently amended by the 3 May 2026 amendment below).*
Seventh Edition	26th April, 2026	**Tax compliance and billing amendments:** 1. Rule 33(2)(h): added payment direction in Determination (ADR to collect fees, deduct WHT and AQAF, pay neutral; ADR to provide receipt and WHT certificate). 2. Rule 46(2)(e): equivalent payment direction for Arbitral Award (Arbitration Highway). 3. Rule 65(2)(i): equivalent payment direction for Certificate of Settlement (Structured Settlement Track). 4. Consequential updates to cross-references.
Seventh Edition	26th April, 2026	Insertion of Rules 27A, 27B, 27C (Protection of Minor Beneficiaries); consequential amendments to Rules 21 and 25; insertion of TPD 09/2026; addition of Form B50.
Seventh Edition	3rd May, 2026	Amendment of Rule 69(4): the SST Verifier's fee is for the professional legal compliance and verification service provided, and is not conditioned on the outcome of that compliance and verification service. The appropriate fee in the circumstances is that for an uncontested estate, as that is the basis on which the settlement is presented to the SST Verifier for legal compliance and verification. The responsibility for a legally compliant estate settlement lies upon the parties to the settlement. The responsibility for

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		assessing whether the settlement is legally compliant, and so is Registry-Ready for purposes of effecting transmission of the estate lies upon the SST Verifier.
Eighth Edition	18th October, 2026	1. Statutory Cross-References: Corrects statutory drafting error; L.N. 165 of 2024 terminates at Rule 39, with Rule 37 being the true incorporation clause for CPR Order 22. 2. Rule 19(8): Prevents unlawful intermeddling and dissipation of estate assets during the vulnerable pre-adjudication window. 3. Rule 31(9): Eliminates prolonged possession by disgraced administrators without requiring fresh court ejectment suits. 4. Rule 36A: Implements LSA s. 45(1)(b) "other written law" gateway; bypasses probate court delays; shifts burden to intermeddlers to seek High Court stay. 5. Rule 36B: Direct execution under FAA Rules 2024 rr. 2 & 37. Native civil contempt under CPA s. 84(2) prevents intermeddling without court referral delays. Eliminates ultra vires fine risks; restores estate funds on indemnity basis. 6. Rule 36C: Overcomes administrative inertia in public registries while preventing substantive re-litigation in court. 7. Rule 36D: Ensures consensual succession settlements possess identical summary enforcement force as litigated Determinations. 8. Rule 53(5): Harmonises existing 53(5) with proposed 53(2). Prevents debtor/intermeddler technical defences based on clerical delay; provides conclusive title transmission authority under written law.

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		9. Schedule B: Standardises execution and civil contempt instruments across succession registries.