

# ALUOCHIER DISPUTE RESOLUTION

Arbitral Institution · Rongo, Kenya

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## TRIBUNAL PROCEDURAL DIRECTION

# TPD 15/2026

## Direct Entry Portfolio Assessment — Procedure, Standards, and Forms

Tier I (Foundation Certificate), Tier II (Practitioner Diploma), and Tier III (Advanced Practitioner)

Issued by the Chief Adjudicator and President of Independent Tribunals

Issued: May 2026

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Governing instruments: AITAR Tribunal Training Programme (Third Edition, June 2026); AITAR 2026 (Fourth Edition, 26 April 2026); AISTAR 2026 (3 May 2026 Edition); AIETAR 2026 (Inaugural Edition, Revised, June 2026); TPD 10/2026; TPD 11/2026

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## PART 1 — PURPOSE, AUTHORITY, AND SCOPE

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### 1.1 Purpose

The AITAR Tribunal Training Programme (Third Edition, June 2026) provides that candidates with substantial prior adjudicative or arbitration experience may apply for direct entry at Tier I (Foundation Certificate), Tier II (Practitioner Diploma), or Tier III (Advanced Practitioner, AISTAR Specialist, and AIETAR Specialist qualification), subject to a structured portfolio assessment. The burden of demonstrating equivalent prior learning rests on the applicant. Where the assessment reveals gaps, targeted bridge modules are prescribed before progression.

This Procedural Direction establishes the complete framework for those assessments: the eligibility threshold, the application procedure, the appointment and conduct of the Assessor, the competency mapping against which each application is evaluated, the written assessment tasks, the gap identification and bridge-module prescription process, and the forms prescribed for use throughout.

### 1.2 Authority

This Direction is issued by the Chief Adjudicator and President of Independent Tribunals under the institutional authority vested in that office by AITAR 2026. It is binding on all applicants for direct entry and on all persons involved in the conduct of portfolio assessments. It takes effect on the date of issue and supersedes any earlier informal practice.

### 1.3 Scope

This Direction applies to applications for:

- Direct entry at Tier I — bypassing the taught delivery of Tier I (Modules 1–5) and proceeding directly to Tier I assessment, thereby gaining Tier A Roster admission without attending the standard Programme modules;
- Direct entry at Tier II — bypassing Tiers I and II (Modules 1–9) and commencing the Programme at Module 10; and
- Direct entry at Tier III — bypassing Tiers I, II, and III (Modules 1–15) and being admitted directly to Tier B Roster status.

It also applies to applications by current Tier A and Tier B Roster members for the AISTAR Specialist Supplement (Form D) — the Module 13 qualification pathway for appointment to AISTAR succession proceedings and SST Verifier assignments — and for the AIETAR Specialist Supplement (Form E) — the Module 15 qualification pathway for appointment to AIETAR Electoral Tribunal proceedings — both of which are available independently of Tier III and do not require a full direct-entry application. See Parts 7.4, 7.5, and paragraphs 1.6 and 1.7 below.

A separate and additional written assessment (the AISTAR Specialist Supplement — Form D) applies to Tier III direct-entry applicants who also seek appointment to AISTAR succession proceedings and SST Verifier assignments via Module 13. That supplement is prescribed in Schedule 4 of this Direction.

### 1.4 No Automatic Exemption

Seniority, professional qualification, judicial or quasi-judicial appointment, length of practice, or membership of another arbitral or adjudicative institution does not of itself entitle a candidate to direct entry. Direct entry is granted only on the basis of a positive portfolio assessment demonstrating the competencies of the tier or tiers being bypassed. The Assessor is not required to find the minimum evidence of those competencies — they must be satisfied that the competencies are genuinely held.

## 1.5 Position on Roster Admission

The direct-entry pathways map onto the standard Programme tiers as follows:

- Tier I direct entry: the candidate demonstrates the Tier I competencies (Modules 1–5) and is admitted to the Roster at Tier A, equivalently to a standard Tier I graduate. The candidate has not completed Tier II, and is accordingly subject to the same Tier II completion requirement as any Tier A member who wishes to advance to confirmed Tier A status.
- Tier II direct entry: the candidate demonstrates the competencies of both Tiers I and II (Modules 1–9) and is admitted as a confirmed Tier A member, equivalently to a candidate who has completed both Tiers I and II through the standard route.
- Tier III direct entry: the candidate demonstrates the competencies of Tiers I, II, and III (Modules 1–15) and is admitted at Tier B, equivalently to a standard Tier III graduate, subject to production of professional indemnity insurance at the minimum level prescribed by the tiered PI Coverage Schedule (Gazette Notices 11 and 12, 4 May 2026) before Tier B status is confirmed.

## 1.6 AISTAR Specialist Supplement — Access for Existing Roster Members

The AISTAR Specialist Supplement (Form D, Schedule 4) is not restricted to Tier III candidates. The bulk of AITAR's expected appointment volume is AISTAR succession and estate settlement work, arising from the millions of dormant estates in Kenya that the AISTAR framework is designed to activate. Restricting AISTAR qualification to Tier III candidates would create an unnecessary bottleneck at a critical moment in the institution's growth.

Accordingly, the following rules apply to AISTAR access:

- A Tier A Roster member (Foundation Certificate or Practitioner Diploma) may apply to undertake the AISTAR Specialist Supplement at any time after admission. Eligibility requires completion of Module 13 — the AISTAR Specialist Module — either through the standard Programme or through the standalone AISTAR Specialist enrolment. On passing the Form D supplement at 70%, the member is eligible for AISTAR Tribunal appointments within their pecuniary jurisdiction as a Tier A member, and for SST Verifier assignments if the Module 13 Block D competency is satisfied.
- A Tier B Roster member is eligible for the full range of AISTAR appointments, including complex and high-value succession proceedings, subject to completing Module 13 if not already completed as part of their Tier III pathway.
- The pecuniary jurisdiction limits applicable to Tier A and Tier B members in AISTAR proceedings are as set out in the Fifth Schedule (Roster Tier Framework) of AITAR 2026 and in AISTAR 2026. AISTAR qualification does not expand a member's pecuniary jurisdiction beyond their Roster tier — it qualifies them for succession proceedings within that jurisdiction.
- The standalone AISTAR Specialist enrolment fee (for existing Roster members undertaking Module 13 and the Form D supplement without full Tier III enrolment) is KES 28,000 (USD 215 international). This fee covers access to the Module 13 learning materials, the Form D assessment, and the marking and certification process.

**NOTE:** The strategic importance of the AISTAR qualification cannot be overstated. Kenya's dormant estate problem — millions of unadministered estates generating land disputes, succession conflicts, and economic exclusion — is the primary social context that justified the creation of AISTAR. A trained, accessible pool of AISTAR-qualified Tribunal members at all Roster tiers is the institutional mechanism through which that problem is addressed. The Supplement pathway for Tier A members is not a dilution of standards — it is a deliberate policy choice to mobilise the full Roster for AISTAR work as quickly as the competency framework permits.

## 1.7 AIETAR Specialist Supplement — Access for Existing Roster Members

The AIETAR Specialist Supplement (Form E, Schedule 5) qualifies Roster members for appointment to AIETAR Electoral Tribunal proceedings. Like the AISTAR Specialist Supplement, it is available to current Tier A and Tier B Roster members as a standalone qualification route, independently of Tier III direct entry or full Tier III enrolment.

Kenya's general election cycle creates a dateable and recurring demand for AIETAR-qualified practitioners. The 2027 general election — and every election thereafter — will generate pre-election nomination disputes (7-day primary track), post-election petitions (6-month primary track), and Electoral SRT appointments. Building an AIETAR-qualified pool before the 2027 cycle begins is an institutional imperative. Restricting AIETAR qualification to Tier III graduates would create a bottleneck that leaves the institution unable to serve that demand at the required scale.

A Roster member seeking the standalone AIETAR qualification submits to the Registry:

- A written request identifying their current Roster tier and specifying whether they are seeking AIETAR Tribunal appointment only, or AIETAR Tribunal appointment plus Electoral SRT eligibility.
- Evidence of having completed Module 15 — either through the standard Programme or through standalone enrolment in the Module 15 AIETAR Specialist content (available at [aluochier.co.ke](http://aluochier.co.ke)).
- The standalone AIETAR Specialist Supplement fee: KES 28,000 (USD 215 international).

On receipt of a complete standalone request, the Registry sends the applicant the Form E assessment tasks (four tasks, pass mark 70% on each). On passing, the member's Roster record is updated to reflect AIETAR qualification. The member is then eligible for AIETAR appointment within their Roster tier's pecuniary jurisdiction.

A combined AISTAR and AIETAR Specialist Bundle is available for Roster members seeking both specialist qualifications: KES 50,000 (USD 385 international), covering both Module 13 and Module 15 learning content and both Form D and Form E assessments. This represents a saving of KES 6,000 against separate standalone enrolments.

**NOTE:** AIETAR qualification does not upgrade a member's Roster tier and does not expand pecuniary jurisdiction. A Tier A member with AIETAR qualification handles electoral proceedings within Tier A jurisdiction limits. The qualification specifies the type of work — electoral dispute resolution — not the scale of jurisdiction permitted. The AIETAR qualification carries a mandatory retraining obligation: any amendment to AIETAR 2026 triggers a retraining obligation for all AIETAR-qualified members, on the same basis as AITAR and AISTAR retraining obligations under the CPD framework.

## 1.8 The Authorised Representative Programme

The Authorised Representative Programme (ARP) is a formal, positive pathway within the ADR ecosystem for trained practitioners who choose to operate as client representatives in AITAR, AISTAR, and AIETAR proceedings rather than — or in addition to — pursuing Roster admission as Tribunal members. The ARP is open by choice: it is available to any person who meets the eligibility threshold in paragraph 2.4 of this Direction, whether or not they have attempted or achieved Roster admission standards.

The ARP is not a consolation pathway. It is a specialist representative qualification in its own right, producing practitioners who are system-literate, constitutionally informed, and trained in the specific procedural demands of AITAR, AISTAR, and AIETAR proceedings. An ARP-registered representative brings to the client a level of institutional knowledge that no untrained lay representative or generalist advocate can replicate without equivalent engagement with the Programme.

The full framework governing the ARP — eligibility, registration, obligations, fees, cost recovery, the deferred payment mechanism, and conversion to Roster admission — is set out in Part 12 of this Direction.

## PART 2 — ELIGIBILITY THRESHOLD

### 2.1 Tier I Direct Entry — Minimum Eligibility

To be eligible to apply for direct entry at Tier I, a candidate must demonstrate all of the following:

1. A professional qualification in law, quantity surveying, accountancy, engineering, or another recognised discipline admissible under the AITAR 2026 representation provisions (Rule 5).
2. A minimum of three years of active professional practice in the candidate's primary discipline after qualification.
3. Familiarity with dispute resolution, administrative decision-making, or a closely related field — demonstrated by professional practice, published work, academic qualification, or other evidence the Panel considers sufficient.
4. No outstanding disciplinary finding or pending disciplinary proceeding in any professional regulatory body.

NOTE: Tier I direct entry does not bypass the Tier I content — it bypasses the taught delivery. The applicant must still pass all five Tier I assessment tasks at the standard pass mark (65%). What the direct-entry pathway offers is the ability to sit those assessments without attending the formal modules, on the basis that the candidate's prior study, practice, and reading have equipped them with the relevant knowledge. The Assessment Panel will set the Tier I written assessment tasks and the competency mapping review applies in full. Tier I direct entry is the most accessible entry point and is suitable for, among others, retired magistrates or judicial officers who hold professional qualifications and have relevant experience but have not previously engaged in dispute resolution as a private practitioner.

### 2.2 Tier II Direct Entry — Minimum Eligibility

To be eligible to apply for direct entry at Tier II, a candidate must demonstrate all of the following:

5. A professional qualification in law, quantity surveying, accountancy, engineering, or another recognised discipline admissible under the AITAR 2026 representation provisions (Rule 5).
6. A minimum of five years of active professional practice in the candidate's primary discipline after qualification.
7. Evidence of substantive engagement with adjudication, arbitration, or administrative decision-making — whether as a decision-maker, advocate, technical expert, or case manager — in at least five completed proceedings within the five years preceding the application.
8. No outstanding disciplinary finding or pending disciplinary proceeding in any professional regulatory body.

NOTE: Tier II eligibility does not require that the candidate has served as a sole adjudicator or arbitrator. Substantive engagement in proceedings in any of the qualifying roles listed above is sufficient, provided the candidate can demonstrate understanding of the adjudicative process, the constitutional and statutory framework, and the standards of procedural fairness required of a Tribunal member.

### 2.3 Tier III Direct Entry — Minimum Eligibility

To be eligible to apply for direct entry at Tier III, a candidate must satisfy the Tier II eligibility threshold in full and additionally demonstrate:

9. A minimum of ten years of active professional practice after qualification.
10. Service as a sole decision-maker (adjudicator, arbitrator, mediator, or equivalent) in a minimum of fifteen completed proceedings, of which at least five must have involved matters of complexity — including multi-party disputes, jurisdictional challenges, constitutional or statutory interpretation

questions, or proceedings resulting in reasoned awards or determinations of significant financial or legal consequence.

11. At least two specimen decisions, awards, or determinations authored by the candidate as sole decision-maker, of sufficient complexity to permit assessment of constitutional reasoning, factual analysis, and drafting quality.
12. No outstanding disciplinary finding or pending disciplinary proceeding in any professional regulatory body.

**NOTE:** The threshold for Tier III direct entry is deliberately demanding. Tier III qualification confers Tier B status and eligibility for appointment to the Senior Review Pool — functions that require the highest level of constitutional discipline and adjudicative experience. The Assessment Panel will not grant Tier III direct entry where the evidence satisfies only the Tier II threshold.

## 2.4 Authorised Representative Programme — Eligibility

Eligibility for registration as an Authorised Representative is open by choice to any person who meets either of the following thresholds:

13. Completion of at least three of the five Tier I module assessment tasks (Modules 1–5) at any score, demonstrating genuine engagement with the AITAR Training Programme content; or
14. Completion of the full Tier I assessment (all five module tasks) without achieving the Roster admission pass mark on one or more tasks — i.e., the attempt without achieving full pass standard.

In addition, the applicant must complete the ARP Induction Assessment (Form ARP-1, Schedule 6) at a pass mark of 60%. The Induction Assessment tests the minimum knowledge required to function as a competent and ethical representative in AITAR, AISTAR, and AIETAR proceedings — specifically: the right to appear under written client authority (Rule 5); claim preparation and filing procedure; conduct before a Tribunal; the fee structure and the client's financial obligations; the representative's ethical obligations; the basics of the payment direction; and the cost recovery framework under the Advocates Remuneration Order as it applies to AITAR proceedings.

**NOTE:** The ARP is also open to persons who have fully qualified for Roster admission but who choose to operate as representatives rather than — or in addition to — accepting Tribunal appointments. There is no restriction on a Roster member also holding ARP registration. A Tier A or Tier B member may represent a client in proceedings before a different Tribunal member without conflict, subject to the standard conflict of interest disclosure obligations.

## PART 3 — APPLICATION PROCEDURE

### 3.1 How to Apply

An application for direct entry is made by submitting the following to the Chief Adjudicator and President of Independent Tribunals at the institutional address or email address published at [aluochier.co.ke](http://aluochier.co.ke):

- Form A-DE1 (Direct Entry Application — Tier II or Tier III), prescribed in Schedule 1 of this Direction, completed in full.
- A current curriculum vitae of not more than six pages, setting out professional qualifications, chronological employment and practice history, and dispute resolution experience.
- A Schedule of Proceedings (using the template at Schedule 2 of this Direction), listing every adjudicative, arbitral, or administrative proceeding on which the candidate relies, with the matter type, the candidate's role, the procedural stage reached, and the outcome (where known).
- Specimen decisions or awards as required by paragraph 2.1 (Tier II: at least one; Tier III: at least two), redacted to remove party names and any identifying information.
- Two professional references from persons qualified to comment on the candidate's adjudicative or arbitration experience — at least one of whom must be a current member of an arbitral institution, a retired judicial officer, or a senior member of a relevant professional body. References must be provided directly by the referee in a signed letter addressed to the Chief Adjudicator.
- The applicable direct-entry application fee (Tier I: KES 15,000 / USD 115; Tier II: KES 22,000 / USD 170; Tier III: KES 30,000 / USD 230), paid in advance. All fees are exclusive of VAT — VAT at the prevailing rate is charged additionally where applicable. The full fee schedule, including VAT treatment, is published at [aluochier.co.ke](http://aluochier.co.ke). Fees are non-refundable save as provided in paragraph 3.4 below.

### 3.2 Completeness Check

On receipt of an application, the Registry will carry out a completeness check within five working days. If the application is incomplete, the Registry will notify the applicant specifying the missing items. The applicant has fourteen days to submit the missing items, failing which the application lapses. A lapsed application may be resubmitted with a fresh application fee.

### 3.3 Acknowledgement and Timeline

On a complete application being received, the Registry will:

15. Acknowledge receipt and assign a reference number within two working days.
16. Appoint the Assessor and commence the assessment within twenty-one days of acknowledgement.
17. Notify the applicant of the Assessor's decision, with written reasons, within fourteen days of the assessment concluding.

### 3.4 Application Fee

The application fee is non-refundable. If direct entry is granted, the fee is credited against the Programme enrolment fee for the next tier the applicant proceeds to (if any). A Tier I direct-entry candidate who is admitted and does not proceed to Tier II receives no credit. A Tier II or Tier III direct-entry candidate who proceeds to the next tier receives the application fee as a credit against that tier's enrolment fee. If the application is declined, no credit is given. The current Programme and direct-entry fee schedule is set out in the AITAR Training and Membership Fee Schedule (Schedule 5 of this Direction) and is published at [aluochier.co.ke](http://aluochier.co.ke). The Digital Gazette at [gazette.aluochier.co.ke](http://gazette.aluochier.co.ke) and the AISTAR portal at [aistar.aluochier.co.ke](http://aistar.aluochier.co.ke) are not the appropriate reference points for fee information — fee schedules are maintained at the main institutional website only.

## PART 4 — THE ASSESSOR

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### 4.1 Default Model — Sole Assessor

At this stage of the institution's development, direct-entry portfolio assessments are conducted by a sole Assessor appointed by the Chief Adjudicator and President of Independent Tribunals. The sole Assessor model is operationally appropriate where the volume of direct-entry applications is low and where constituting a multi-person panel for every application would impose a disproportionate administrative burden. It is the model used by a number of comparable arbitral and adjudicative institutions at the qualification stage.

The sole Assessor must satisfy all of the following:

- Tier B Roster standing, or equivalent senior standing in another recognised arbitral institution, or judicial or quasi-judicial experience of not less than ten years;
- No personal, professional, or financial relationship with the applicant that could reasonably be perceived as affecting impartiality; and
- Sufficient familiarity with the AITAR 2026 framework and the competency requirements of the relevant tier to conduct a credible competency mapping review.

The Chief Adjudicator may appoint themselves as Assessor for Tier I direct-entry applications. For Tier II and Tier III applications, the Chief Adjudicator may serve as Assessor or may appoint another qualified person. Where the Chief Adjudicator appoints another person as sole Assessor, the Chief Adjudicator reviews and countersigns the decision before it is communicated to the applicant. The countersignature is an institutional endorsement, not a re-evaluation — it confirms that the decision is procedurally regular and that the reasons given are comprehensible and consistent with the competency framework.

### 4.2 Three-Person Panel — When Convened

The Chief Adjudicator may constitute a three-person Assessment Panel in lieu of a sole Assessor in the following circumstances:

- The application is for Tier III direct entry and the Chief Adjudicator considers the multi-disciplinary perspective of a panel desirable given the applicant's background or the complexity of the application.
- The applicant has requested a panel (at the time of application) and the Chief Adjudicator agrees that a panel is appropriate.
- The Chief Adjudicator considers, for any other reason, that a panel assessment would better serve the integrity of the process.

A three-person panel, where constituted, comprises:

- the Chief Adjudicator or a senior Tier B member, who chairs the panel;
- one Tier B Roster member or equivalent selected having regard to the applicant's primary discipline; and
- one external assessor with recognised standing in dispute resolution, administrative law, or a relevant technical discipline, who is not a current Roster member.

Where a three-person panel is constituted, decisions are by majority. The Chair does not have a casting vote; where the panel is evenly divided on any competency (which can arise only where a substitute member has been appointed following recusal), that competency is treated as not demonstrated and a bridge module is prescribed for the relevant area.

### 4.3 Conflicts of Interest

The sole Assessor, and each member of a three-person panel, must disclose any personal, professional, or financial relationship with the applicant that could reasonably be perceived as affecting impartiality. Disclosure is made to the Chief Adjudicator before the assessment commences. Where the Chief Adjudicator is the sole Assessor and has a potential conflict, the Chief Adjudicator must appoint a substitute Assessor for that application. An Assessor who fails to disclose a material conflict and whose involvement subsequently comes to light may be subject to review under Rule 14.5 of AITAR 2026.

### 4.4 Conduct of the Assessment

The assessment is conducted on the papers. There is no oral examination or interview. The Assessor's work comprises:

18. Review of the application documents and specimen decisions or awards submitted by the applicant.
19. Mapping of the applicant's demonstrated experience and produced work against the competency frameworks set out in Parts 5 and 6 of this Direction.
20. Setting and marking of the written assessment tasks prescribed in Part 7 of this Direction.
21. Deliberation on the outcome and preparation of the Gap Report (Form C) where applicable.

### 4.5 External Review Right

An applicant who receives a Decision Letter declining their application, or granting entry at a lower tier than applied for, may request an external review. The request must be submitted in writing to the Chief Adjudicator within twenty-one days of the Decision Letter. The Chief Adjudicator appoints an external reviewer — who must not be the sole Assessor who conducted the original assessment, and must not be a current Roster member — to review the decision on the papers.

The external review is a procedural and reasonableness check, not a merits re-evaluation. The reviewer confirms that the correct competency framework was applied, that the written assessment tasks were set from the correct question bank, that the reasons given are comprehensible and consistent with the framework, and that the outcome follows from the reasoning. The reviewer does not substitute their own view of whether any competency was demonstrated. The reviewer's decision is final. A request for external review does not extend the timeline for bridge module completion.

### 4.6 Transition to Panel Model

The Chief Adjudicator will keep the sole-assessor model under review. Once the Roster has reached a size and composition that makes a standing three-person Assessment Panel operationally feasible — anticipated when the Tier B pool reaches a minimum of five members — this Direction will be amended to make the three-person panel the default for Tier II and Tier III applications. Tier I applications may continue to be assessed by a sole Assessor at that point.

### 4.7 Confidentiality and Record Keeping

The application documents, the Assessor's competency mapping, the marked written assessment tasks, and the decision with reasons are confidential. They are held by the Registry and are not published. The applicant receives the decision and written reasons. The fact that an application was made and its outcome may be recorded in the Roster register for administrative purposes but is not published in the Digital Gazette or otherwise made publicly available without the applicant's consent.

The Registry retains the complete application file for a period of seven years from the date of decision. These records are available to the applicant on request.

## PART 5 — TIER II COMPETENCY FRAMEWORK

An applicant for Tier II direct entry must demonstrate the competencies of Tier I (Modules 1–5). The following table maps each module to its core competency requirement and specifies the standard of demonstration the Assessor must be satisfied has been met. The Assessor evaluates the competencies from the application documents and specimen work produced by the applicant; a gap in any competency area will result in a bridge module being prescribed.

### 5.1 Tier I Competency Mapping Table (Modules 1–5)

Module	Subject Area	Competency to be demonstrated
<b>Module 1 Constitutional Architecture</b>	The constitutional source of Tribunal authority; Articles 1(3)(c), 47, 48, 50(1), 159, 165(6) & (7), 232	Applicant must demonstrate understanding of the constitutional hierarchy and the derivation of Tribunal authority from the Constitution — not merely from institutional rules. Evidence may appear in specimen decisions that cite constitutional provisions correctly and reason from them, or in a written assessment task.
<b>Module 1 Constitutional Architecture</b>	Article 47 — right to fair administrative action; pre-decision notice obligation under FAA Act ss. 4(3)(a) and (b)	Applicant must show that the pre-decision notice obligation is understood as a constitutional requirement, not a procedural option. Specimen decisions should show notices being issued and recorded, or written assessment must demonstrate this understanding.
<b>Module 2 AITAR Framework</b>	The two Highways — Adjudication Highway (administrative review) and Arbitration Highway; their constitutional bases and procedural differences	Applicant must demonstrate that the distinction between the two Highways is understood at the level of jurisdiction, procedure, and outcome — not merely terminology.
<b>Module 2 AITAR Framework</b>	Commencement procedure; the three-day Registry clock; case management; the Rule 33.2 Determination structure	Applicant must demonstrate working procedural knowledge of AITAR 2026 commencement and case management, and the five mandatory elements of a Determination under Rule 33.2.
<b>Module 3 Costs, Fees &amp; AQAF</b>	Fee calculation from First Schedule bands; administrative costs (20% of professional fee); VAT; withholding tax; QAR retention (20%)	Applicant must demonstrate ability to calculate the correct fee from the relevant First Schedule band and to construct a compliant payment direction including all four financial components. Specimen decisions must show correct payment directions, or the written assessment must test this.
<b>Module 3 Costs, Fees &amp; AQAF</b>	The AQAF mechanism; 42-day automatic release; review triggers	Applicant must understand the AQAF as a constitutional quality assurance mechanism — not merely a financial holding account.
<b>Module 4 Review, Finality &amp; Enforcement</b>	The SRT — supervisory-only review jurisdiction; the 90-day mandatory period at each level; Certificate of Finality	Applicant must distinguish supervisory review from de novo merits review and demonstrate understanding of the finality mechanism.
<b>Module 4 Review, Finality &amp; Enforcement</b>	The five enforcement pathways including FAA Rule 37 / Order 22 execution	Applicant must demonstrate awareness of all five enforcement pathways and the conditions for each.
<b>Module 5 Ethics &amp; Professional Obligations</b>	The AITAR Oath of Integrity — all eight clauses; conflict of interest disclosure (Rule 38);	Applicant must demonstrate that the ethical obligations of a Roster member are understood as constitutional commitments, not merely

Module	Subject Area	Competency to be demonstrated
	independence	institutional rules. Evidence of actual disclosure practice in proceedings is the strongest form of evidence.
<b>Module 5 Ethics &amp; Professional Obligations</b>	Data protection obligations; the Seventh Schedule AI governance policy; open proceedings obligation under Article 50(1)	Applicant must demonstrate awareness of data protection obligations in adjudicative practice and the constitutional basis for the open proceedings default.

## 5.2 Additional Consideration — Constitutional Literacy

The Panel must be satisfied, across all five modules, that the applicant understands the constitutional foundation of each rule and obligation — not merely its operational content. An applicant who demonstrates extensive procedural experience but treats the legal framework as a set of institutional rules disconnected from the Constitution will not satisfy the Tier II competency standard. The Programme's foundational principle — that constitutional reasoning precedes procedural instruction — applies equally to the portfolio assessment.

## PART 6 — TIER III COMPETENCY FRAMEWORK

An applicant for Tier III direct entry must demonstrate the competencies of both Tier I (Modules 1–5) and Tier II (Modules 6–9). The Tier I competency framework in Part 5 applies in full. The following table maps the additional Tier II competency requirements (Modules 6–9).

### 6.1 Tier II Competency Mapping Table (Modules 6–9)

Module	Subject Area	Competency to be demonstrated
<b>Module 6 Jurisdiction</b>	Kompetenz-kompetenz under Rule 44 and Arbitration Act s. 17 / UNCITRAL Model Law Article 16(1); separability under Rule 36.4	Applicant must demonstrate that the Tribunal's power to rule on its own jurisdiction — including where the main contract is alleged to be void — is understood and has been applied. Specimen decisions should show reasoned jurisdictional rulings.
<b>Module 6 Jurisdiction</b>	Plea-timing — irrevocable waiver under Rule 44.2; parallel proceedings under Rule 9	Applicant must demonstrate understanding of the waiver trap and the three responses available to a Tribunal facing parallel proceedings.
<b>Module 7 Determinations &amp; Awards</b>	The five Rule 33.2 mandatory elements of a Determination; the Rule 49 Award structure; the registry-ready operative order requirement	This is the most heavily weighted Tier II competency. Applicant must produce a specimen Determination or Award that demonstrates all five mandatory elements, a complete and correct payment direction, and an operative order sufficient for an implementing institution to act from the document face alone.
<b>Module 7 Determinations &amp; Awards</b>	Constitutional reasoning in decisions — path from facts to law to conclusion; Article 47(2) compliance visible in the written instrument	Specimen decisions must demonstrate a clear reasoning chain: findings of fact anchored to named evidence, applicable law identified and applied, conclusion following from that analysis. A decision that reaches the correct conclusion without visible reasoning does not satisfy this competency.
<b>Module 8 Multi-Party Proceedings</b>	Joinder on the Adjudication Highway under Rules 20.4 and 21; joinder and consolidation on the Arbitration Highway under Rule 46; case management in complex matters	Applicant must demonstrate experience managing proceedings with more than two parties, or the written assessment must test this competency.
<b>Module 9 Mediation Integration</b>	The Rule 61 mediation integration framework; the stand-alone Settlement Application under Rules 24.7–24.13; the ADR Mediation Rules 2026 interface	Applicant must demonstrate understanding of the mediation integration mechanism and the verification obligations that arise when a settlement is referred to the Tribunal for certification.

### 6.2 The Heightened Standard at Tier III

Tier III direct entry confers Tier B status. The Assessor applies a heightened standard when evaluating Tier III applications. Specifically:

- Specimen decisions must demonstrate constitutional mastery — not merely constitutional awareness. The Assessor looks for evidence that the applicant can reason from constitutional first principles in novel situations, not merely apply familiar rules.
- The applicant's record must show evidence of handling jurisdictional challenges, contested preliminary issues, or constitutionally significant questions — not only standard proceedings.
- The written assessment tasks at Tier III carry a pass mark of 70%, not 65%, reflecting the standard required of Tier III candidates throughout the Programme.

A Tier III applicant who demonstrates the Tier II competencies clearly but whose specimen work does not yet evidence mastery at the Tier III standard will be offered Tier II direct entry in lieu of Tier III, provided they satisfy the Tier II eligibility threshold. This is not a lesser outcome — it is the correct outcome for the demonstrated level.

### 6.3 Module 15 Competency Mapping Table (AIETAR Specialist)

A Tier III direct-entry applicant who additionally seeks appointment to AIETAR Electoral Tribunal proceedings must demonstrate the Module 15 competencies. The following table maps the seven content Blocks of Module 15 to the competency requirements the Assessor must be satisfied have been met. Where an applicant does not seek AIETAR appointment, Module 15 competencies are not assessed in the direct-entry process — they are addressed through the standalone AIETAR Specialist Supplement (Form E) if and when the member chooses to seek AIETAR appointment.

Module	Subject Area	Competency to be demonstrated
<b>Module 15 Block A Constitutional Chain &amp; Parallel Jurisdiction</b>	Articles 1(3)(c), 19(3)(c), 25(c), and 50(1) — the four-link constitutional chain; IEBC mandate (Art. 88(4)(e)); PPDT jurisdiction (Political Parties Act ss. 39–41); res judicata; FAAA s. 9(2) exhaustion obligation; the presidential petition question (Rule 16 and the constitutional frontier)	Applicant must articulate the full constitutional chain — not merely the conclusion that AIETAR has jurisdiction. Must demonstrate understanding of the parallel jurisdiction principle and the distinction between IEBC/PPDT determinations that constitute res judicata and those that do not. Must address the Rule 16 presidential petition jurisdiction question, including its novel constitutional character.
<b>Module 15 Block B AIETAR Framework</b>	Structure and foundational rules of AIETAR 2026; Rule 3 purpose and scope; Rule 4 constitutional status; Rule 5 guiding principles; intake and merit screening (Rule 10); Tribunal composition (Rule 11); appointment of adjudicators (Rule 12)	Applicant must demonstrate working knowledge of the AIETAR 2026 framework at an equivalent level to their knowledge of AITAR 2026. Must understand the institutional structure and the basis on which proceedings are initiated, screened, and assigned.
<b>Module 15 Block C Pre-Election Track &amp; Pre-Decision Notice</b>	Rule 14 (7-day primary track for pre-election nomination disputes); Form E1 Pre-Decision Notice — all five mandatory elements; evaluation of representations; integration of representations into the final order; the self-executing intended order requirement	Applicant must demonstrate ability to conduct the Pre-Decision Notice procedure under the time pressure of the 7-day track. Form E1 must contain all five mandatory elements. The intended order must be self-executing — sufficient for an implementing body to act from the document face alone without further instruction.
<b>Module 15 Block D Post-Election Track &amp; Chess-Clock Method</b>	Rule 15 (6-month primary track); Rule 16 (14-day fast-track for presidential petitions); Chess-Clock Method (Rule 19) — time allocations by track; equal	This is the procedurally most demanding Module 15 competency. Applicant must demonstrate ability to set and enforce Chess-Clock time allocations and to manage the interlocutory safety valve without disrupting the constitutional timeline. Must demonstrate that the cross-

Module	Subject Area	Competency to be demonstrated
	treatment constitutional basis (Art. 47(1)); interlocutory safety valve (Rule 13(3)); permissible cross-examination (Rule 19(4) — affidavit credibility only); the Indisputable Record (Rule 20)	examination boundary (Rule 19(4)) is understood and would be enforced. Must understand the Indisputable Record mechanism and its evidentiary significance.
<b>Module 15 Block E Electoral SRT</b>	Rule 26 — Electoral Supervisory Review Tribunal jurisdiction; Rule 27 — grounds for supervisory review; Rule 28 — SRT timelines and fast-track review; Rule 29 — four SRT powers; Rule 15(4) composite timeline cap; Certificate of Constitutional Infringement	Applicant must distinguish supervisory from appellate review. Must demonstrate ability to apply the correct review standard and issue a disposition using one of the four Rule 29 powers. Must demonstrate understanding of the composite timeline cap (Rule 15(4)) and the constitutional ceiling within which the composite process must fit.
<b>Module 15 Block F Costs &amp; Representation</b>	Rule 24 — unrestricted right to authorised representation; Rule 25 — costs of proceedings and legal fee caps; the Indemnity Disciplinary Mechanism; representation fee recovery under the Advocates Remuneration Order ceiling	Applicant must demonstrate understanding of the cost and representation framework, including the ARO ceiling on recoverable costs — both party-and-party and client-and-representative — and the Indemnity Disciplinary Mechanism as a quality enforcement tool.
<b>Module 15 Block G Comparative EDR Study</b>	Institutional EDR (AIETAR) against court-based electoral dispute resolution; speed, cost, constitutional fidelity, and accessibility comparisons; the strategic case for institutional EDR in Kenya's electoral context	Applicant must demonstrate a considered understanding of why institutional EDR is constitutionally grounded and operationally superior in the electoral context — not merely that it is different from court-based processes. This competency is tested in the written assessment and in specimen work where the applicant has electoral dispute experience.

The Module 15 competency framework is assessed by the same Assessor conducting the overall Tier III assessment. Where the applicant does not seek AIETAR appointment, Module 15 is omitted from the assessment entirely and Forms E assessment tasks are not set. Where the applicant seeks AIETAR appointment, the AIETAR Specialist Supplement tasks (Form E, Part 7.5) apply in addition to the standard Tier III tasks (T4–T6).

## PART 7 — WRITTEN ASSESSMENT TASKS

The portfolio review of application documents and specimen work is supplemented by written assessment tasks set by the Assessor. The tasks serve two purposes: they test competencies that may not be evidenced by the applicant's prior work (because, for example, the candidate's prior role was as advocate rather than decision-maker), and they test competencies in the specific AITAR 2026 / AISTAR 2026 framework to which the applicant must demonstrate knowledge regardless of prior institutional experience.

Written assessment tasks are drawn from the Assessment Question Banks maintained by the institution for Modules 1–5 (Tier I applicants), Modules 1–9 (Tier II applicants), and Modules 1–14 (Tier III applicants). The tasks are sent to the applicant with the acknowledgement letter and must be returned within twenty-one days of receipt. All assessments are conducted in writing. There is no oral examination.

### 7.1 Tier I Written Assessment Tasks

A Tier I direct-entry applicant bypasses the taught delivery of the five Foundation Certificate modules but must demonstrate that they hold the competencies those modules produce. Accordingly, the Tier I direct-entry applicant sits the standard assessment task for each of the five Tier I modules, drawn from the standard Assessment Question Bank. There are no shortened or modified tasks for direct-entry candidates at Tier I — the assessment is identical to that sat by candidates who have completed the taught modules.

#	Task	Standard required
<b>M1</b>	Module 1 assessment task — Constitutional Architecture (500 words): applicant is given a scenario requiring identification of the constitutional basis for Tribunal authority, correct ordering of the legal hierarchy, and application of Article 47(2) to a concrete procedural problem.	Pass mark: 65%.
<b>M2</b>	Module 2 assessment task — AITAR Framework (1,000 words): applicant is given a case file and must identify the correct Highway, apply the commencement procedure, and draft the operative section of a Procedural Directions Order addressing a case management issue.	Pass mark: 65%.
<b>M3</b>	Module 3 assessment task — Costs, Fees, and AQAF (calculation + 300 words): applicant is given a matter summary and must calculate the correct professional fee, administrative costs, withholding tax, and QAR retention, and draft a complete payment direction.	Pass mark: 65%. All six payment direction components must be present. Any missing component is a gateway failure.
<b>M4</b>	Module 4 assessment task — Review, Finality, and Enforcement (500 words): applicant is given a scenario involving a party seeking to enforce a Determination and must identify the correct enforcement pathway and the conditions precedent to enforcement.	Pass mark: 65%.
<b>M5</b>	Module 5 assessment task — Ethics	Pass mark: 65%. All three scenarios must be attempted.

#	Task	Standard required
	portfolio (three scenarios, 500 words each): (a) a conflict of interest disclosure dilemma; (b) an AI tool governance problem under the Seventh Schedule; and (c) a challenge to the admissibility of a representative, requiring application of the two-step Article 19(3)(c) / Article 24 framework.	

NOTE on Tier I direct entry: the written assessment tasks above are the complete assessment for Tier I direct entry — there are no portfolio documents or specimen decisions required in addition. The competency mapping for Tier I direct entry is conducted through the assessment tasks themselves, not through a separate portfolio document review. The Tier I application requires a CV and two references (as prescribed in Part 3.1) but not a Schedule of Proceedings or specimen decisions. This reflects the nature of Tier I — it is the entry-level qualification and does not require prior decision-making experience.

## 7.2 Tier II Written Assessment Tasks

A Tier II direct-entry applicant must demonstrate the competencies of Tier I (Modules 1–5). The Tier II written assessment comprises the following three tasks, drawn from the Tier I Assessment Question Bank:

#	Task	Standard required
<b>T1</b>	Constitutional analysis (1,000 words): applicant is given a scenario raising an Article 47(2) issue — pre-decision notice, right to be heard, or reasons for decision — and must identify the constitutional obligation, apply the FAA Act ss. 4(3)(a)/(b) requirements, and draft the operative paragraph of the Determination addressing that issue.	Pass mark: 65%. Minimum 40% on constitutional analysis component.
<b>T2</b>	Fee calculation and payment direction: applicant is given a matter summary specifying the subject matter, the Highway, and the outcome. The applicant must calculate the correct professional fee from the First Schedule bands, compute the administrative costs, state VAT, authorise QAR retention and withholding tax, and draft a complete, compliant payment direction.	Pass mark: 65%. All six payment direction components must be present. Any missing component is a gateway failure regardless of aggregate score.
<b>T3</b>	Ethics scenario (500 words each, two scenarios): (a) a conflict of interest disclosure dilemma — applying the Rule 38 obligations and the Oath of Integrity; (b) an AI tool governance problem — applying the Seventh Schedule AI governance policy.	Pass mark: 65%. Both scenarios must be attempted.

## 7.3 Tier III Written Assessment Tasks

Tier III applicants complete the Tier II tasks above (Tasks T1–T3) and the following additional tasks:

#	Task	Standard required
<b>T4</b>	Advanced constitutional analysis (1,500 words): applicant is given a scenario raising the two-step Article 19(3)(c) / Article 24 rights limitation framework and must apply both steps in sequence, identify whether the limitation is constitutionally permissible, and explain the consequence under Article 2(4) if a statutory provision is found to be inconsistent with the Constitution.	Pass mark: 70%. Minimum 50% on the constitutional chain component.
<b>T5</b>	Jurisdictional ruling (1,500 words): applicant is given a scenario involving three concurrent jurisdictional challenges — one going to the Tribunal's subject matter jurisdiction, one to the validity of the arbitration clause, and one to the timeliness of a jurisdictional plea. The applicant must issue a complete, reasoned jurisdictional ruling addressing all three grounds.	Pass mark: 70%. The kompetenz-kompetenz principle and the separability doctrine must be correctly applied. A ruling that fails to address all three grounds is a gateway failure.
<b>T6</b>	SRT review determination (1,500 words): applicant is given a scenario in which an SRT is asked to review a first-instance Determination on grounds of procedural unfairness and failure to give reasons. The applicant must state the supervisory-only jurisdiction at the outset, apply the correct review standard, and issue a disposition with reasons using one of the four Rule 57 powers.	Pass mark: 70%. A determination that substitutes the applicant's own view of the merits for that of the first-instance Tribunal is a gateway failure, regardless of the aggregate score.

#### 7.4 AISTAR Specialist Supplement (Tier III — Module 13)

A Tier III applicant who additionally seeks appointment to AISTAR succession proceedings and SST Verifier assignments must complete the AISTAR Specialist Supplement (Form D, Schedule 4). The supplement tests the Module 13 competencies: the Law of Succession Act framework (sections 26–45), the AISTAR proceedings structure, protection of vulnerable beneficiaries, and the SST Verifier function. It is a separate written assessment of three tasks with a pass mark of 70% on each task.

#### 7.5 AIETAR Specialist Supplement (Tier III — Module 15)

A Tier III applicant who additionally seeks appointment to AIETAR Electoral Tribunal proceedings must complete the AIETAR Specialist Supplement (Form E, Schedule 5). The supplement tests the Module 15 competencies across seven content Blocks: the constitutional chain (Articles 1(3)(c), 19(3)(c), 25(c), 50(1)); the AIETAR framework; the Pre-Election track and Pre-Decision Notice procedure; the Post-Election petition track and Chess-Clock Method; the Electoral SRT; costs and representation; and the comparative EDR study. It is a separate written assessment of four tasks with a pass mark of 70% on each task.

#	Task	Standard required
<b>E1</b>	Constitutional chain analysis (1,000 words): applicant is given a scenario in which AIETAR jurisdiction is challenged on three grounds —	Pass mark: 70%. The constitutional chain must be stated in full for each ground — bare conclusions without constitutional reasoning are a gateway failure. The presidential petition question must be addressed as

#	Task	Standard required
	subject matter, parallel IEBC proceedings, and presidential petition exclusivity. The applicant must apply the four-link constitutional chain (Articles 1(3)(c), 19(3)(c), 25(c), 50(1)) to each ground and issue a reasoned jurisdictional ruling.	a frontier constitutional issue, not deflected.
<b>E2</b>	Form E1 Pre-Decision Notice (500 words + notice draft): applicant is given a pre-election nomination dispute scenario on a 7-day track and must draft a complete Form E1 Pre-Decision Notice containing all five mandatory elements, with a self-executing intended order.	Pass mark: 70%. All five Form E1 elements must be present. A notice that does not contain a self-executing intended order sufficient for an implementing body to act from the document face alone is a gateway failure.
<b>E3</b>	Electoral Determination with Chess-Clock ruling (1,500 words): applicant is given a post-election petition scenario in which one party's Chess-Clock time expires mid-cross-examination and the other party objects to enforcement. The applicant must (a) apply Rule 19 to enforce the Clock absolutely; (b) rule on the objection with constitutional reasons; and (c) produce the five-part Electoral Determination in the structural form required by Rule 21.	Pass mark: 70%. Absolute enforcement of the Clock is required — any extension, reserve, or discretionary relief is a gateway failure. The Rule 21 five-part structure must be present.
<b>E4</b>	Composite timeline analysis (structured calculation): applicant is given a post-election petition filing date and must map the complete composite process — primary track (Rule 15), SRT filing window, SRT determination window — demonstrating Rule 15(4) composite cap compliance and identifying the residual buffer within the applicable constitutional ceiling.	Pass mark: 70%. Rule 15(4) composite cap must be demonstrated. An analysis that confuses the SRT filing window with the SRT determination window, or that fails to show the composite fits within the constitutional ceiling, is a gateway failure.

## 7.6 Standalone AISTAR Specialist Supplement — Existing Roster Members

The AISTAR Specialist Supplement (Form D) is also available as a standalone qualification route for current Tier A and Tier B Roster members who are not applying for direct entry at a higher tier. This pathway reflects the institutional priority of building an accessible, broadly-distributed pool of AISTAR-qualified practitioners across all Roster tiers.

A Roster member seeking the standalone AISTAR qualification submits the following to the Registry:

- A written request identifying their current Roster tier and specifying whether they are seeking AISTAR Tribunal appointment only, or AISTAR Tribunal appointment plus SST Verifier eligibility.
- Evidence of having completed Module 13 — either through the standard Programme or through standalone enrolment in the Module 13 AISTAR Specialist content (available at [aluochier.co.ke](http://aluochier.co.ke)).
- The standalone AISTAR Specialist Supplement fee: KES 28,000 (USD 215 international).

On receipt of a complete standalone request, the Registry will send the applicant the Form D assessment tasks (three tasks, pass mark 70% on each). The tasks are marked by an assessor appointed by the Chief

Adjudicator. On passing, the member's Roster record is updated to reflect AISTAR qualification and SST Verifier eligibility (where the Block D task is passed). The member is then eligible for AISTAR appointment within their Roster tier's pecuniary jurisdiction.

**NOTE:** AISTAR qualification through the standalone Supplement pathway does not upgrade a member's Roster tier. A Tier A member who completes the Supplement remains at Tier A and is subject to Tier A pecuniary jurisdiction limits in AISTAR proceedings. The Supplement qualifies them for the type of work — succession and estate settlement — not for a higher jurisdiction than their tier permits. Tier B status continues to require completion of Tier III through the standard Programme or Tier III direct entry.

## 7.7 Standalone AIETAR Specialist Supplement — Existing Roster Members

The AIETAR Specialist Supplement (Form E) is available as a standalone qualification route for current Tier A and Tier B Roster members on the same access-broadening basis as the AISTAR Supplement. The procedure mirrors that set out in Part 1.7 of this Direction. On passing all four Form E tasks at 70%, the member's Roster record is updated to reflect AIETAR qualification and eligibility for Electoral SRT appointment.

A combined AISTAR and AIETAR Specialist Bundle application is available to Roster members seeking both qualifications simultaneously — submitting a single application, completing both Form D and Form E assessments, at the combined fee of KES 50,000 (USD 385 international).

## 7.8 Aggregate Scoring and Gateway Rules

The following gateway rules apply to all direct-entry assessments. A gateway failure causes the relevant task to be failed regardless of the aggregate score:

- Task T2 — all six payment direction components must be present.
- Task T5 — all three jurisdictional grounds must be addressed.
- Task T6 — the supervisory-only jurisdiction must be stated at the outset; no de novo merits substitution.
- Task E1 — the constitutional chain must be stated in full for each jurisdictional ground; the presidential petition question must be addressed.
- Task E2 — all five Form E1 elements must be present; the intended order must be self-executing.
- Task E3 — absolute enforcement of the Chess-Clock; no extension or discretionary relief; Rule 21 five-part structure must be present.
- Task E4 — Rule 15(4) composite cap must be demonstrated; SRT filing and determination windows must not be conflated.

Subject to the gateway rules, a candidate who achieves the pass mark on all tasks and satisfies the Assessor on all mapped competencies is granted direct entry. A candidate who fails one or two tasks but satisfies the competency mapping on the portfolio review may be offered targeted bridge modules in lieu of full failure of the application.

## PART 8 — GAP IDENTIFICATION AND BRIDGE MODULES

### 8.1 The Gap Report

Where the Assessor is not satisfied that one or more competencies are demonstrated, they must record each gap in a Gap Report (Form C, Schedule 3). The Gap Report must:

22. identify each competency area in which a gap is found, by reference to the competency mapping tables in Parts 5 and 6;
23. state briefly the basis for the Assessor's finding — what evidence was expected, what was provided, and why that evidence did not satisfy the Assessor;
24. prescribe a specific bridge module or modules from the standard Programme curriculum that address the gap;
25. specify a completion deadline for each bridge module (not exceeding ninety days from the date of the Gap Report); and
26. confirm the assessment method by which completion of the bridge module will be assessed (standard Programme assessment task for that module, at the standard pass mark).

### 8.2 Bridge Module Principles

The following principles govern the prescription of bridge modules:

- A bridge module is prescribed for a specific competency gap — not as a general requirement to re-sit a tier. The Panel may prescribe one module only, or several, depending on where the gaps are found.
- A bridge module is the standard Programme module for the relevant subject area. The applicant completes that module through the standard Programme delivery format (recorded lectures, reading pack, and assessment task) and must achieve the standard pass mark for that module (65% for Tier I and II modules; 70% for Tier III modules).
- Completion of a bridge module does not require the applicant to attend a residential intensive or participate in a live cohort. Online asynchronous access is available.
- Where a bridge module has been prescribed for a Tier II direct-entry applicant, the applicant may not be admitted to the Roster until the bridge module is completed and the assessment has been marked at pass standard.
- Where a bridge module has been prescribed for a Tier III direct-entry applicant, Tier B status is not confirmed until all prescribed bridge modules are completed.

### 8.3 Re-Assessment after Bridge Module Completion

On completion of a prescribed bridge module, the applicant submits the assessment to the Registry. The assessment is marked by an assessor appointed by the Chief Adjudicator. Where the applicant achieves the pass mark, the gap is treated as closed. Where the applicant does not achieve the pass mark, the assessor may offer one further attempt within thirty days. A second failure results in the direct entry application being declined, and the applicant must complete the relevant tier in full through the standard Programme route.

### 8.4 Illustrative Bridge-Module Prescription Table

The following illustrates the Gap Report format. Actual entries in a Gap Report will reflect the specific gaps identified in the individual application.

Module	Gap identified	Bridge prescribed	Completion deadline
Module 3 — Costs, Fees & AQAF	Payment direction incomplete — withholding tax authorisation and QAR retention not present in specimen	Complete Module 3 assessment task from the standard Assessment Question Bank.	90 days from Gap Report date

Module	Gap identified	Bridge prescribed	Completion deadline
	decisions.		
Module 7 — Drafting	Specimen Determination lacks a registry-ready operative order — asset identifier absent; implementing institution direction insufficient to act from document face.	Complete Module 7 assessment task — full Determination draft.	90 days from Gap Report date
Module 6 — Jurisdiction	No evidence of kompetenz-kompetenz analysis in any specimen; all proceedings appear to have proceeded on uncontested jurisdiction.	Complete Module 6 assessment task — jurisdictional ruling on three-ground challenge.	90 days from Gap Report date

## PART 9 — DECISION, NOTIFICATION, AND APPEAL

### 9.1 Possible Outcomes

On completing the assessment, the Assessor must reach one of the following outcomes:

27. Grant of direct entry at the tier applied for — no gaps identified, all written tasks passed at the required standard.
28. Grant of direct entry at the tier applied for, subject to completion of prescribed bridge modules — competency mapping substantially satisfied but one or more targeted gaps identified.
29. Grant of direct entry at a lower tier — Tier III applicant satisfies the Tier II threshold clearly but not the Tier III standard; Tier II direct entry offered in lieu.
30. Decline — the application does not satisfy the minimum eligibility threshold, or the competency gaps are so pervasive that targeted bridge modules would amount to requiring completion of the full tier.
31. Decline with ARP referral — the application does not meet Roster admission standards, but the applicant has demonstrated sufficient engagement with the Programme content to be eligible for registration as an Authorised Representative under Part 12. The Decision Letter invites the applicant to consider the ARP pathway and sets out the steps required to take it up.

### 9.2 The Decision Letter

The Registry sends the applicant a Decision Letter within fourteen days of the assessment concluding. The Decision Letter must:

- state the outcome clearly;
- where direct entry is granted, confirm the tier of entry and the Roster category to which the applicant will be admitted on completing all remaining requirements (including the Oath of Integrity and, for Tier B, professional indemnity insurance);
- where bridge modules are prescribed, attach the completed Gap Report (Form C) and specify the completion deadline;
- where the application is declined with ARP referral, explain the ARP pathway clearly and positively — including the ARP registration process, the Induction Assessment, the representative income potential, and the conversion pathway to Roster admission — and provide the Form ARP-1 application;
- where the application is declined without ARP referral (minimum eligibility threshold not met), give brief written reasons identifying the specific threshold failures, and note that the applicant may reapply after twelve months.

### 9.3 Oath of Integrity

A candidate whose direct entry is granted must take the AITAR Oath of Integrity under the Sixth Schedule of AITAR 2026 and sign Form A7 before being admitted to the Roster. The Oath is administered by the Chief Adjudicator or a designated Authorised Officer. This requirement applies equally to direct-entry candidates as to standard-route candidates. There is no exemption from the Oath on grounds of prior experience or professional standing.

### 9.4 Review of a Declined Application

An applicant whose application is declined may request a review by submitting a written request to the Chief Adjudicator within twenty-one days of the Decision Letter. The request must identify specifically the aspect of the decision that the applicant contends is in error. The Chief Adjudicator appoints a single reviewer — who must not have been a member of the original Panel — to review the decision on the papers. The reviewer's decision is final. A candidate whose application is declined after review, or who does not request a review within time, may reapply after twelve months.

The external review procedure is not an appeal on the merits of the competency assessment. It is a check that the Assessor followed the correct procedure, applied the correct competency framework, and gave reasons for the decision. The external reviewer will not substitute a different view of whether a competency is demonstrated — that is the Assessor's function.

## **PART 10 — POST-ADMISSION OBLIGATIONS**

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### **10.1 Mentored Practice — Tier II Direct Entry Candidates**

A candidate admitted through the Tier II direct-entry pathway is not subject to the three-assignment mentored practice requirement that applies to standard Tier I graduates, because the direct-entry pathway is the Tier II route — not the Tier I route. However, the Chief Adjudicator may, having regard to the nature of any bridge modules prescribed and the candidate's prior experience, direct that one or more of the candidate's first assignments are subject to Tier B mentor review under TPD 10/2026. Where such a direction is made, it is communicated in the Decision Letter.

### **10.2 Professional Indemnity Insurance — Tier III**

A Tier III direct-entry candidate must produce evidence of professional indemnity insurance at the minimum level prescribed by the tiered PI Coverage Schedule (Gazette Notices 11 and 12, 4 May 2026, operative 4 July 2026) before Tier B status is formally confirmed and before any Tier B appointment is made. This requirement applies regardless of whether the candidate holds professional indemnity insurance in another capacity.

### **10.3 CPD Framework — Tier IV**

A candidate admitted through direct entry is subject to the Tier IV CPD framework on the same terms as any other Roster member from the date of admission. Annual CPD obligations run from the date of the Oath of Integrity. CPD recording forms and annual return requirements are as prescribed in the AITAR Tribunal Training Programme (Second Edition, May 2026), Part Six.

## SCHEDULE 1 — FORM A-DE1: DIRECT ENTRY APPLICATION

### ALUOCHIER DISPUTE RESOLUTION — TRIBUNAL PROCEDURAL DIRECTION TPD 15/2026 DIRECT ENTRY APPLICATION FORM — FORM A-DE1

Complete all sections in full. Incomplete forms will not be processed. Submit this form together with all documents listed in Part 3.1 of TPD 15/2026.

#### SECTION A — APPLICANT DETAILS

Full legal name	
Professional title / designation	
Primary professional qualification	
Year of qualification	
Regulatory or professional body membership	
Current employer / practice	
Postal address	
Email address	
Telephone number	
Tier applied for (circle one)	TIER I / TIER II / TIER III
AISTAR Specialist Supplement required? (Tier III only)	YES / NO

#### SECTION B — EXPERIENCE SUMMARY

In not more than 500 words, summarise your adjudicative, arbitral, or administrative decision-making experience, explaining why you consider yourself eligible for direct entry at the tier applied for. Attach additional sheets if required.

Experience summary (attach additional sheets if needed)	
Total years in practice (post-qualification)	
Number of proceedings as decision-maker (sole or panel)	
Number of proceedings in other qualifying roles	

#### SECTION C — DOCUMENTS ENCLOSED

Confirm by marking each box:

- Current curriculum vitae (maximum six pages)
- Schedule of Proceedings (Form A-DE2 / Schedule 2)
- Specimen decision(s) or award(s) — redacted (number enclosed: \_\_\_\_\_)
- Reference 1 — signed letter from referee directly addressed to the Chief Adjudicator

- Reference 2 — signed letter from referee directly addressed to the Chief Adjudicator
- Application fee receipt / proof of payment

**SECTION D — DECLARATION**

I declare that the information provided in this application is true and accurate to the best of my knowledge and belief. I understand that a false or materially misleading declaration may result in my application being declined or, if discovered after admission, in removal from the Roster under Rule 14.5 of AITAR 2026.

<b>Signature</b>	
<b>Date</b>	

## SCHEDULE 2 — FORM A-DE2: SCHEDULE OF PROCEEDINGS

### SCHEDULE OF PROCEEDINGS — FORM A-DE2

List every proceeding on which you rely in support of your application. Use a separate row for each proceeding. Redact party names if the matter is confidential. You may use a pseudonym (e.g. 'Matter A', 'Estate of B') in place of party names.

#	Matter ref / type	Highway / forum	Candidate's role	Stage reached / outcome	Notes (jurisdictional issues, complexity)
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

Add further rows on a separate sheet as needed. Attach specimen decisions or awards as a separate annex.

## SCHEDULE 3 — FORM C: GAP REPORT

### ASSESSMENT PANEL GAP REPORT — FORM C

For Assessor use only · Confidential · Copy to applicant with Decision Letter

<b>Applicant name</b>	
<b>Application reference number</b>	
<b>Tier applied for</b>	
<b>Date of Panel deliberations</b>	
<b>Assessor (name and qualification)</b>	
<b>Chief Adjudicator countersignature (where Assessor is not the Chief Adjudicator)</b>	
<b>Three-person panel constituted? (Yes / No)</b>	
<b>Overall outcome</b>	<input type="checkbox"/> Granted <input type="checkbox"/> Granted with bridge modules <input type="checkbox"/> Lower tier offered <input type="checkbox"/> Declined

### COMPETENCY MAPPING SUMMARY

For each module in the competency framework applicable to the tier assessed, record the Assessor's finding.

Module	Competency area	Assessor's finding	If gap: bridge module prescribed
<b>Module 1</b>	Constitutional architecture and Article 47 pre-decision notice	<input type="checkbox"/> Satisfied <input type="checkbox"/> Gap found	
<b>Module 2</b>	AITAR framework, two Highways, Rule 33.2 Determination structure	<input type="checkbox"/> Satisfied <input type="checkbox"/> Gap found	
<b>Module 3</b>	Fee calculation and payment direction (all six components)	<input type="checkbox"/> Satisfied <input type="checkbox"/> Gap found	
<b>Module 4</b>	SRT supervisory review; Certificate of Finality; enforcement pathways	<input type="checkbox"/> Satisfied <input type="checkbox"/> Gap found	
<b>Module 5</b>	Ethics; Oath of Integrity; data protection; AI governance	<input type="checkbox"/> Satisfied <input type="checkbox"/> Gap found	
<b>Module 6</b>	Jurisdiction; kompetenz-kompetenz; separability; plea-timing	<input type="checkbox"/> Satisfied <input type="checkbox"/> Gap found	
<b>Module 7</b>	Determination and Award drafting; registry-ready operative order	<input type="checkbox"/> Satisfied <input type="checkbox"/> Gap found	
<b>Module 8</b>	Multi-party proceedings; joinder; complex case management	<input type="checkbox"/> Satisfied <input type="checkbox"/> Gap found	
<b>Module 9</b>	Mediation integration; settlement certification	<input type="checkbox"/> Satisfied <input type="checkbox"/> Gap found	

### WRITTEN ASSESSMENT TASK RESULTS

Task	Description	Score / gateway	Result
<b>T1</b>	Constitutional analysis — Article 47(2)	/ 100%	<input type="checkbox"/> Pass <input type="checkbox"/> Fail <input type="checkbox"/> N/A

Task	Description	Score / gateway	Result
T2	Fee calculation and payment direction	/ 100% (gateway)	<input type="checkbox"/> Pass <input type="checkbox"/> Fail <input type="checkbox"/> N/A
T3	Ethics scenarios (a) and (b)	/ 100%	<input type="checkbox"/> Pass <input type="checkbox"/> Fail <input type="checkbox"/> N/A
T4 (Tier III)	Advanced constitutional analysis — Article 19(3) (c) / 24	/ 100%	<input type="checkbox"/> Pass <input type="checkbox"/> Fail <input type="checkbox"/> N/A
T5 (Tier III)	Jurisdictional ruling — three grounds	/ 100% (gateway)	<input type="checkbox"/> Pass <input type="checkbox"/> Fail <input type="checkbox"/> N/A
T6 (Tier III)	SRT review determination	/ 100% (gateway)	<input type="checkbox"/> Pass <input type="checkbox"/> Fail <input type="checkbox"/> N/A

### REASONS FOR GAP FINDINGS

Where the Assessor has found a gap in any competency area, set out brief reasons below, identifying what evidence was expected, what was provided, and why the Assessor was not satisfied.

Reasons for gap findings (use additional sheets if needed)	
Bridge module completion deadline	
Assessor's signature	
Date	

## SCHEDULE 4 — FORM D: AISTAR SPECIALIST SUPPLEMENT

### AISTAR SPECIALIST SUPPLEMENT — FORM D

For Tier III applicants seeking appointment to AISTAR succession proceedings and SST Verifier assignments

This supplement applies to Tier III direct-entry candidates who additionally seek to qualify under Module 13 (the AISTAR Specialist Module). It sets three written assessment tasks that correspond to the Module 13 Block assessments. The supplement is sent to the applicant with the standard written assessment tasks and must be returned within the same twenty-one day window. All three tasks must be passed at 70% to qualify for AISTAR appointment. The Module 13 competency mapping is as follows:

Module	Subject Area	Competency to be demonstrated
<b>Module 13 Block A Constitutional &amp; Statutory Foundation</b>	Law of Succession Act ss. 26–45; Land Registration Act; Land Act; Companies Act s. 501(1); Matrimonial Property Act; Children Act; Insolvency Act — as they apply in succession proceedings	Applicant must demonstrate that the multi-statute jurisdiction of AISTAR proceedings is understood — that inheritance of land, company shares, bank accounts, and business interests each engages a distinct statutory framework, and that the constitutional hierarchy governs conflicts between them.
<b>Module 13 Block B AISTAR Proceedings Structure</b>	Commencement; the twelve-item B1 checklist; three-Track jurisdiction allocation; Form B50 (vulnerable beneficiary protection); Rule 20(9) Privacy Notice; the Determination structure under Rule 33.2 adapted for succession	Applicant must demonstrate working procedural knowledge of AISTAR 2026 from commencement to Determination, including jurisdiction allocation across the three Tracks.
<b>Module 13 Block C Protection of Vulnerable Beneficiaries</b>	Form B50; the criteria for invoking protective jurisdiction; child beneficiaries under the Children Act; disabled beneficiaries; the Guardian/Next Friend appointment mechanism	Applicant must demonstrate that the protective jurisdiction is understood as a constitutional obligation — not a discretionary power — where a vulnerable beneficiary is identified.
<b>Module 13 Block D SST Verifier Function</b>	TPD 08/2026 compliance checklist; Settlement Verification Certificate; Referral Notice drafting; the conversion mechanism — credit and cap fee consequences under Schedule D Item 1B and Rule 69(4); the outcome-neutral fee obligation	This is the gateway competency for SST Verifier assignment. Applicant must demonstrate complete understanding of the verification function and the financial mechanics of the conversion. An applicant who does not satisfy this competency may qualify for AISTAR Tribunal appointments without SST Verifier eligibility.

### Form D Written Assessment Tasks

#	Task	Standard required
<b>D1</b>	Jurisdiction analysis (1,000 words): applicant is given an AISTAR matter summary involving a deceased's estate comprising land in three counties, a bank account, a 40% shareholding in a private company,	Pass mark: 70%. Each asset class must be addressed. A determination that treats all assets as governed by a single statute is a gateway failure.

#	Task	Standard required
	and a business operated as a sole trader. The applicant must identify the applicable statutory framework for each asset class, allocate the matter to the correct Track, and explain the constitutional basis for AISTAR's jurisdiction over each component.	
<b>D2</b>	Protective jurisdiction scenario (800 words): the applicant is given an AISTAR matter in which one of four beneficiaries is a minor and another has a registered disability. The applicant must identify the Form B50 triggers, explain the constitutional basis for the protective jurisdiction, and draft the relevant portion of the Procedural Directions Order invoking that jurisdiction.	Pass mark: 70%. The constitutional obligation to invoke the jurisdiction (not discretion) must be identified.
<b>D3</b>	SST Verifier scenario (1,000 words): the applicant is given a completed SST settlement and must (a) apply the TPD 08/2026 compliance checklist to identify three specified deficiencies; (b) draft a compliant Deficiency Notice; and (c) calculate the correct fee consequence of a conversion from mediation to AISTAR adjudication, applying Schedule D Item 1B and Rule 69(4).	Pass mark: 70%. All three deficiencies must be identified. Fee calculation must be arithmetically correct. The outcome-neutral character of the SST Verifier fee under Rule 69(4) must be stated.

## SCHEDULE 6 — AITAR TRAINING AND MEMBERSHIP FEE SCHEDULE

### AITAR TRAINING AND MEMBERSHIP FEE SCHEDULE

Effective: May 2026 · Published at [aluochier.co.ke](http://aluochier.co.ke) · Subject to annual review

All fees are stated in Kenya Shillings (KES) and United States Dollars (USD). International rates apply to applicants based outside Kenya. Fees are payable in advance. Where the KES rate is stated, USD equivalents are indicative at the time of issue and are updated periodically at [aluochier.co.ke](http://aluochier.co.ke). Payment methods are published on the website.

VAT treatment: all fees in this Schedule are stated exclusive of Value Added Tax (VAT). Where VAT is applicable to a particular service under the Value Added Tax Act 2013 and any subsidiary legislation, VAT at the prevailing rate (currently 16%) will be charged in addition to the stated fee. The VAT treatment of each category of service — professional training enrolment, direct-entry assessment, and annual membership — is subject to confirmation with the institution's tax advisors and will be stated on each invoice. Candidates and members should retain VAT invoices for their own tax purposes. Where a candidate is VAT-registered, input VAT claimed is a matter between the candidate and the Kenya Revenue Authority. The institution will comply with all applicable VAT obligations under the Kenya Revenue Authority framework.

### SECTION A — PROGRAMME ENROLMENT FEES

Programme tier / enrolment	KES	USD	Notes
Tier I — Foundation Certificate (Modules 1–5)	<b>45,000</b>	<b>350</b>	5 modules; assessed individually; admitted to Roster at Tier A on passing all 5.
Tier II — Practitioner Diploma (Modules 6–9)	<b>38,000</b>	<b>295</b>	4 modules; confirms Tier A standing. Requires prior Tier I completion or direct entry.
Tier III — Advanced Practitioner + AISTAR Specialist + AIETAR Specialist (Modules 10–15 incl. Module 13 and Module 15)	<b>68,000</b>	<b>525</b>	6 modules; qualifies for Tier B, AISTAR appointment, and AIETAR appointment. PI insurance required for Tier B confirmation. Increase from KES 55,000 reflects addition of Module 15 (AIETAR Specialist) at bundle rate.
Full Programme — Tiers I, II, and III (sequential enrolment bundle)	<b>130,000</b>	<b>1,000</b>	Bundle discount (sum of parts: KES 151,000). Must be paid at Tier I enrolment. Non-transferable. Updated from KES 120,000 to reflect Module 15 addition.
Module 13 — AISTAR Specialist Standalone Enrolment (existing Tier A or Tier B Roster members)	<b>28,000</b>	<b>215</b>	Bundled fee covering Module 13 learning content (five Blocks) and Form D assessment. Complete cost — not

Programme tier / enrolment	KES	USD	Notes
			a course fee plus a separate assessment fee. For members seeking AISTAR qualification without full Tier III enrolment.
Module 15 — AIETAR Specialist Standalone Enrolment (existing Tier A or Tier B Roster members)	<b>28,000</b>	<b>215</b>	Bundled fee covering Module 15 learning content (seven Blocks, 13 segments) and Form E assessment. Complete cost. For members seeking AIETAR qualification without full Tier III enrolment.
AISTAR + AIETAR Combined Specialist Bundle (existing Tier A or Tier B Roster members)	<b>50,000</b>	<b>385</b>	Covers both Module 13 and Module 15 learning content and both Form D and Form E assessments. Saving of KES 6,000 against separate standalone enrolments (KES 56,000). For members seeking both specialist qualifications simultaneously.
Individual module (bridge module or standalone CPD module)	<b>8,000</b>	<b>62</b>	Per module. Includes one marked assessment attempt and feedback.

## SECTION B — DIRECT-ENTRY APPLICATION FEES

The application fee covers the Assessor's time, the competency mapping review, the setting and marking of written assessment tasks, and the issuance of the Decision Letter with reasons. The fee is non-refundable save as provided in paragraph 3.4 of this Direction. Where direct entry is granted and the candidate proceeds to the next tier of the Programme, the application fee is credited in full against that tier's enrolment fee.

Direct-entry application	KES	USD	Credit on progression
Tier I direct entry — application fee	<b>15,000</b>	<b>115</b>	Credited against Tier II enrolment if candidate proceeds to Tier II.
Tier II direct entry — application fee	<b>22,000</b>	<b>170</b>	Credited against Tier III enrolment if candidate proceeds to Tier III.
Tier III direct entry — application fee	<b>35,000</b>	<b>270</b>	Increased from KES 30,000 to reflect addition of Module 15 competency block to Tier III assessment. No further Programme tier. Not credited against any enrolment fee.

Direct-entry application	KES	USD	Credit on progression
AISTAR Specialist Supplement — standalone application	<b>28,000</b>	<b>215</b>	Bundled fee: Module 13 learning content and Form D assessment. Complete cost. Not an assessment-only fee on top of a course fee.
AIETAR Specialist Supplement — standalone application	<b>28,000</b>	<b>215</b>	Bundled fee: Module 15 learning content and Form E assessment. Complete cost. Not an assessment-only fee on top of a course fee.
AISTAR + AIETAR Combined Bundle — standalone application	<b>50,000</b>	<b>385</b>	Covers Module 13 + Module 15 learning content and both Form D and Form E assessments. Saving of KES 6,000 against separate applications.
ARP registration fee (including Induction Assessment for applicants from the Training Programme)	<b>5,000</b>	<b>39</b>	Induction Assessment fee (KES 4,000) included for applicants coming directly from the Programme. For applicants not from the Programme, Induction Assessment charged separately at KES 4,000, registration fee payable on passing.
ARP biennial re-registration fee	<b>3,000</b>	<b>23</b>	Covers Refresher Assessment and renewal of Representative Ethical Declaration. Eligible for DPS deferral.
Bridge module — re-assessment fee (second attempt)	<b>4,000</b>	<b>31</b>	Applicable only where a first attempt at a prescribed bridge module assessment has been failed and a second attempt is sought within the permitted period.

## SECTION C — ANNUAL ROSTER MEMBERSHIP FEES

Annual Roster membership fees are collected by the QAR-Recovery Mechanism prescribed in Part 12.3 of this Direction — deducted as a first charge from the member's first QAR release of each anniversary year. Separate invoicing is used only where no QAR release occurs within 90 days of the anniversary date, in which case the fee rolls over as described in Part 12.3. A member who receives no appointments in a full anniversary year receives an automatic annual fee waiver for that year. The reinstatement fee (KES 5,000 / USD 39) applies only where a member's status has been suspended for DPS default or other cause — it does not apply to the annual fee waiver mechanism.

Membership category	KES / year	USD / year	Notes
Tier A — Annual Roster fee	<b>8,000</b>	<b>62</b>	Covers all Tier A appointments (Adjudication and Arbitration Highways, within Tier A pecuniary jurisdiction). Collected via QAR-Recovery Mechanism.
Tier A with AISTAR qualification — Annual Roster fee	<b>10,000</b>	<b>77</b>	Additional KES 2,000 reflects AISTAR appointment eligibility. Collected via QAR-Recovery Mechanism.
Tier A with AIETAR qualification — Annual Roster fee	<b>10,000</b>	<b>77</b>	Additional KES 2,000 reflects AIETAR Electoral Tribunal appointment eligibility. Collected via QAR-Recovery Mechanism.
Tier A with both AISTAR and AIETAR qualification — Annual Roster fee	<b>12,000</b>	<b>92</b>	Combined specialist premium: KES 4,000 over base. Economies of scale in registry administration mean the combined premium is less than the sum of two separate specialist premiums.
Tier B — Annual Roster fee	<b>15,000</b>	<b>115</b>	Covers all Tier B appointments including Senior Review Pool and complex matters. PI insurance must remain current. Collected via QAR-Recovery Mechanism.
Tier B with AISTAR qualification — Annual Roster fee	<b>18,000</b>	<b>140</b>	Additional KES 3,000 reflects full AISTAR appointment eligibility and SST Verifier assignments.
Tier B with AIETAR qualification — Annual Roster fee	<b>18,000</b>	<b>140</b>	Additional KES 3,000 reflects full AIETAR Electoral Tribunal and Electoral SRT appointment eligibility.
Tier B with both AISTAR and AIETAR qualification — Annual Roster fee	<b>22,000</b>	<b>170</b>	Combined specialist premium: KES 7,000 over base. Highest appointment eligibility; reflects full range of AITAR, AISTAR, and AIETAR appointments including SST Verifier and Electoral SRT.

## SECTION D — BASIS FOR THE FEE STRUCTURE

The following explains the rationale for the fees set out in this Schedule. This section is provided for transparency and is an integral part of the Fee Schedule.

Programme enrolment fees (Section A) are benchmarked against the Chartered Institute of Arbitrators Kenya Chapter pathway fees (KES 45,000–85,000 for a comparable qualification course) and the Law Society of Kenya CPD programme (KES 5,000–15,000 per module). The AITAR Programme fees are positioned to be accessible to the full range of target candidates — advocates, quantity surveyors, accountants, engineers, and other qualified professionals of middle seniority in Kenya — while generating sufficient revenue to fund curriculum delivery, assessment marking, mentor feedback, and registry operations at low initial volume. The Full Programme bundle discount (KES 120,000 against KES 138,000 for individual tier enrolments) incentivises full-pathway commitment and reduces the institution's administrative burden.

The Module 13 Standalone Enrolment fee (KES 28,000) reflects the standalone market value of the AISTAR Specialist qualification, the volume and complexity of the Module 13 curriculum (five Blocks; three assessed components), and the strategic importance of building an AISTAR-qualified practitioner pool quickly across all Roster tiers. It is deliberately set below the cost of a full Programme tier to maximise uptake among existing Roster members.

Direct-entry application fees (Section B) reflect the Assessor's actual time burden: reviewing application documents and specimen work, setting and marking written assessment tasks, and reaching an outcome with written reasons. The Tier III fee (KES 30,000) is highest because the assessment burden is greatest — three complex written tasks, detailed specimen review, and the heightened standard required for Tier B admission. No application fee is credited where the application is declined, because the Assessor's work has been done regardless of outcome.

Annual Roster membership fees (Section C) are collected via the QAR-Recovery Mechanism (Part 12.3) — not by separate invoice — eliminating the administrative burden of membership fee collection and aligning the institution's revenue with actual appointment activity. The AISTAR and AIETAR specialist premiums (KES 2,000–3,000 per specialism per year) reflect the higher appointment volume potential and registry administration associated with specialist qualification. The combined specialist premiums are set below the sum of individual premiums to reflect economies of scale. The Tier B premium reflects the higher appointment value and Senior Review Pool maintenance.

**NOTE:** All fees in this Schedule will be reviewed annually. The review will consider the institution's operating costs, appointment volumes, market comparators, and the feedback of Roster members and ARP representatives. Any increase exceeding ten percent in any fee category requires publication of a notice at [aluochier.co.ke](http://aluochier.co.ke) not less than sixty days before the revised fee takes effect. Existing enrolment fees paid in advance are not subject to mid-enrolment increases.

## SECTION E — AUTHORISED REPRESENTATIVE PROGRAMME FEES

ARP fee category	KES	USD	Notes
ARP registration fee — applicants from the Training Programme (includes Induction Assessment)	5,000	39	Induction Assessment fee (KES 4,000) included. No separate assessment fee charged. Eligible for DPS deferral.
ARP registration fee — applicants not from the Training Programme (Induction Assessment charged separately)	5,000	39	Registration fee payable on passing Induction Assessment. Induction Assessment fee of

ARP fee category	KES	USD	Notes
			KES 4,000 charged separately. Total cost: KES 9,000. Both eligible for DPS deferral.
ARP Induction Assessment — standalone (for applicants not from Training Programme)	<b>4,000</b>	<b>31</b>	Charged separately where applicant has not come from the Training Programme. Included in the KES 5,000 registration fee for Training Programme applicants.
ARP biennial re-registration fee (includes Refresher Assessment)	<b>3,000</b>	<b>23</b>	Due every two years from initial registration. Covers Refresher Assessment and renewal of Representative Ethical Declaration. Eligible for DPS deferral.

## SCHEDULE 7 — ARP AND DEFERRED PAYMENT FORMS

### FORM ARP-1: ARP INDUCTION ASSESSMENT AND REGISTRATION APPLICATION

Authorised Representative Programme · Aluochier Dispute Resolution · aluochier.co.ke

Complete all sections. Submit to the Registry at aluochier.co.ke together with the applicable registration fee. The Induction Assessment questions are sent by the Registry on receipt of a complete application. The Assessment must be returned within 21 days of receipt. Pass mark: 60%.

#### SECTION A — APPLICANT DETAILS

Full legal name	
Professional qualification (if any)	
Primary occupation / discipline	
Region / county of practice	
Email address	
Telephone number	
AITAR Training Programme modules completed (list by module number)	
Specialist subject areas sought (tick all that apply)	<input type="checkbox"/> AITAR <input type="checkbox"/> AISTAR <input type="checkbox"/> AIETAR
Are you also applying for Roster admission?	YES / NO
DPS deferral requested for registration fee?	YES / NO

#### SECTION B — DECLARATION

I apply for registration as an Authorised Representative under the AITAR Authorised Representative Programme. I confirm that the information provided is true and accurate. I understand that registration is subject to passing the ARP Induction Assessment at 60%, and that I will be required to sign the Representative Ethical Declaration (Form ARP-2) before registration is confirmed. I understand that ARP registration does not confer Roster membership and does not authorise me to act as a Tribunal member.

Signature	
Date	

### FORM ARP-2: REPRESENTATIVE ETHICAL DECLARATION

Signed at initial registration and at each biennial re-registration

I, [full name], registered as an Authorised Representative with Aluochier Dispute Resolution, solemnly declare that in all proceedings in which I appear as an authorised representative:

32. I will hold and produce on request the written authority of each client for whom I appear.
33. I will not make representations to the Tribunal that I know or believe to be false.
34. I will not suppress or withhold evidence that I am obliged to disclose under the applicable Rules.

35. I will promptly disclose to the Tribunal any conflict of interest between my personal interests and my client's interests in the proceedings.
36. I will treat the opposing party, the opposing representative (if any), and the Tribunal with professional respect at all times.
37. I will comply with all client-facing and representation requirements under AITAR 2026, AISTAR 2026, and AIETAR 2026 as applicable to my registered subject areas.
38. I will honour all obligations under any Deferred Payment Agreement I have signed, and will submit Form DP2 quarterly without under-reporting, where applicable.
39. I understand that breach of this Declaration may result in suspension or cancellation of my ARP registration following a brief inquiry by the Chief Adjudicator, with written notice and a right to respond.

<b>Full name</b>	
<b>ARP Registration number</b>	
<b>Date</b>	
<b>Signature</b>	

## FORM DP1: DEFERRED PAYMENT AGREEMENT

For Roster members and ARP representatives enrolling under the Deferred Payment Scheme (Part 12.2)

<b>Full name of applicant</b>	
<b>Pathway (circle one)</b>	ROSTER MEMBER / ARP REPRESENTATIVE
<b>Training / qualification deferred</b>	
<b>Principal amount deferred (KES)</b>	
<b>Recovery premium (20% of principal — KES)</b>	
<b>Total amount to be recovered (KES)</b>	
<b>Recovery rate</b>	15% of professional fees / representation fees per appointment
<b>Recovery period (48 months from date of admission / ARP registration)</b>	
<b>DPS start date</b>	

By signing below, the applicant agrees to repay the total amount set out above through the Recovery Mechanism specified in Part 12.2 of TPD 15/2026, and acknowledges that (a) failure to make recovery payments for three consecutive QAR releases (Roster) or quarterly reporting periods (ARP) where income has been earned constitutes material default; (b) material default results in status review and potential suspension; and (c) any outstanding balance at the end of the 48-month recovery period becomes immediately due as a debt.

<b>Applicant signature</b>	
<b>Date</b>	
<b>Chief Adjudicator countersignature</b>	
<b>Date</b>	

## FORM DP2: REPRESENTATIVE INCOME DECLARATION (QUARTERLY)

For ARP representatives under the Deferred Payment Scheme — submitted within 14 days of end of each calendar quarter

<b>Full name</b>	
<b>ARP Registration number</b>	
<b>Quarter covered (e.g. Q1 2027: Jan–Mar)</b>	
<b>Number of matters in which appeared as representative this quarter</b>	
<b>Total representation fees received from AITAR/AISTAR/AIETAR matters this quarter (KES)</b>	
<b>15% recovery payment due (KES)</b>	
<b>Cumulative amount recovered to date under DPS (KES)</b>	
<b>Outstanding balance remaining (KES)</b>	
<b>Payment method / reference</b>	

I declare that the representation income declared above is accurate and complete. I understand that this declaration is subject to cross-verification against ADR's appointment records and that material under-reporting constitutes DPS default.

<b>Signature</b>	
<b>Date</b>	

## PART 11 — AMENDMENT, REVIEW, AND RELATED INSTRUMENTS

### 11.1 Amendment

This Direction may be amended by the Chief Adjudicator and President of Independent Tribunals. Amendments take effect from the date of issue. The competency mapping tables in Parts 5 and 6 will be updated whenever the curriculum of the AITAR Tribunal Training Programme is updated. An applicant is assessed against the competency mapping in force at the date the application is acknowledged as complete.

### 11.2 Review

The Chief Adjudicator will review the operation of this Direction after the first twelve months of its operation and thereafter as required, with particular attention to the pass rates on written assessment tasks, the frequency and nature of bridge module prescriptions, and any systemic competency gaps identified across the pool of direct-entry applicants.

### 11.3 Related Instruments

Instrument	Subject matter
<b>AITAR 2026 (Fourth Edition, 26 April 2026)</b>	Primary institutional framework governing all proceedings, Roster, and member obligations.
<b>AISTAR 2026 (3 May 2026 Edition)</b>	Specialist framework for succession and estate settlement proceedings.
<b>AITAR Tribunal Training Programme (Second Edition, May 2026)</b>	The Programme curriculum, module competency outcomes, and assessment standards against which direct-entry applications are evaluated.
<b>ADR Mediation Rules 2026 (Revised April 2026)</b>	Governs mediation proceedings and the SST Verifier function; relevant to Module 9 and Module 13 Block D competencies.
<b>AIETAR 2026 (Inaugural Edition, Revised, June 2026)</b>	Specialist framework governing all Electoral Dispute Resolution proceedings. Governing instrument for Module 15 (AIETAR Specialist) competencies and the Form E assessment.
<b>TPD 10/2026</b>	Tier B Mentoring Fee — Framework and Procedure. Governs mentoring obligations that may be directed for direct-entry candidates.
<b>TPD 11/2026</b>	Panel Deliberation, Deadlock, and the Casting Vote Mechanism. Governs three-member Tribunal panels in proceedings — does not govern portfolio assessment, which is conducted by a sole Assessor under this Direction.
<b>Gazette Notices 11 and 12 (4 May 2026)</b>	Tiered PI Coverage Schedule — operative 4 July 2026. Prescribes mandatory PI insurance levels for Tier B admission.
<b>FAA Rules 2024 (L.N. 165 of 2024)</b>	Govern judicial review applications and enforcement; relevant to Module 4 competencies.
<b>Advocates Remuneration Order (current edition)</b>	Prescribes the scale of recoverable costs in legal proceedings. Applied as the ceiling on recoverable representation costs in AITAR, AISTAR, and AIETAR proceedings, both on a party-and-party and client-and-representative basis, under Part 12 of this Direction and Rule 25 of AIETAR 2026.
<b>AITAR Tribunal Training Programme (Third Edition, June 2026)</b>	The governing qualification framework. Supersedes the Second Edition (May 2026). Module 15 (AIETAR Specialist) added at Tier III; ARP framework introduced.

Issued by:

**Isaac Aluochier S.Arb, S.Adj, FCIArb, CPM**

Chief Adjudicator and President of Independent Tribunals  
Aluochier Dispute Resolution  
June 2026

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## SCHEDULE 5 — FORM E: AIETAR SPECIALIST SUPPLEMENT

### AIETAR SPECIALIST SUPPLEMENT — FORM E

For Tier III applicants seeking AIETAR Electoral Tribunal appointments · Also available as standalone qualification for existing Tier A and Tier B Roster members

This supplement applies to Tier III direct-entry candidates who seek appointment to AIETAR Electoral Tribunal proceedings, and to current Tier A and Tier B Roster members undertaking the standalone AIETAR Specialist qualification under Part 1.7 and section 7.7 of this Direction. It sets four written assessment tasks corresponding to the Module 15 Block assessments. All four tasks must be passed at 70%. The Module 15 competency mapping is as follows:

Module	Subject Area	Competency to be demonstrated
<b>Block A Constitutional Chain &amp; Parallel Jurisdiction</b>	Articles 1(3)(c), 19(3)(c), 25(c), 50(1); IEBC Art. 88(4) (e); PPDT (Political Parties Act ss. 39–41); res judicata; FAAA s. 9(2) exhaustion; Rule 16 presidential petition question	Applicant must articulate the full four-link chain for each jurisdictional ground. Bare conclusions without constitutional reasoning are a gateway failure. The presidential petition question must be addressed as a frontier constitutional issue.
<b>Block B AIETAR Framework</b>	AIETAR 2026 structure, Rules 3–12; intake and merit screening; Tribunal composition and appointment	Applicant must demonstrate working knowledge of the AIETAR 2026 framework equivalent to knowledge of AITAR 2026. Must understand institutional structure and proceedings initiation.
<b>Block C Pre-Election Track &amp; Pre-Decision Notice</b>	Rule 14 (7-day track); Form E1 — all five mandatory elements; self-executing intended order; evaluation and integration of representations	Form E1 must contain all five mandatory elements. Self-executing intended order is required — a gateway failure if absent.
<b>Block D Post-Election Track &amp; Chess-Clock Method</b>	Rules 15, 16, 19; Chess-Clock time allocations by track; Art. 47(1) equal treatment basis; Rule 13(3) interlocutory safety valve; Rule 19(4) cross-examination boundary; Rule 20 Indisputable Record	Absolute enforcement of the Chess-Clock required. Any extension or discretionary relief is a gateway failure. Cross-examination boundary (Rule 19(4)) must be identified and enforced.
<b>Block E Electoral SRT</b>	Rules 26–29; four SRT powers; Rule 15(4) composite timeline cap; Certificate of Constitutional Infringement	Supervisory-only review distinguished from appellate review. Composite cap analysis must be demonstrated. Conflating SRT filing and determination windows is a gateway failure.
<b>Block F Costs &amp; Representation</b>	Rules 24–25; ARO ceiling on recoverable costs; Indemnity Disciplinary Mechanism	Applicant must understand ARO ceiling as the recovery limit for representation costs — both party-and-party and client-and-representative — regardless of what was privately agreed.
<b>Block G Comparative EDR</b>	Institutional vs court-based EDR — speed, cost, constitutional fidelity, accessibility	Applicant must make the affirmative constitutional case for institutional EDR, not merely describe the differences. Tested in written assessment and specimen electoral dispute work where available.

### Form E Written Assessment Tasks

#	Task	Standard required
<b>E1</b>	Constitutional chain analysis (1,000 words): applicant is given a scenario in which AIETAR jurisdiction is challenged on three grounds — subject matter, parallel IEBC proceedings, and presidential petition exclusivity. The applicant must apply the four-link constitutional chain to each ground and issue a complete, reasoned jurisdictional ruling.	Pass mark: 70%. Constitutional chain in full for each ground. Presidential petition question must be addressed. Bare conclusions are a gateway failure.
<b>E2</b>	Form E1 Pre-Decision Notice (notice draft + 300-word analysis): applicant is given a pre-election nomination dispute on a 7-day track and must draft a complete Form E1 containing all five mandatory elements, with a self-executing intended order, and briefly explain how representations will be evaluated and integrated.	Pass mark: 70%. All five Form E1 elements must be present. Self-executing intended order required — gateway failure if absent.
<b>E3</b>	Electoral Determination with Chess-Clock ruling (1,500 words): applicant is given a post-election petition scenario in which one party's Chess-Clock time expires mid-cross-examination. The applicant must (a) enforce the Clock absolutely with constitutional reasons; (b) rule on the opposing party's objection; and (c) produce the five-part Electoral Determination in the Rule 21 structural form.	Pass mark: 70%. Clock must be enforced absolutely — any discretionary relief is a gateway failure. Rule 21 five-part structure must be present.
<b>E4</b>	Composite timeline analysis (structured calculation with short narrative): applicant is given a post-election petition filing date and must map the complete process — primary track, SRT filing window, SRT determination window — demonstrating Rule 15(4) composite cap compliance and identifying the residual buffer within the constitutional ceiling.	Pass mark: 70%. Rule 15(4) composite cap must be demonstrated. Conflating SRT filing and determination windows is a gateway failure.

## PART 12 — FINANCIAL ACCESS FRAMEWORK

### 12.1 Purpose and Policy Basis

The financial access framework established by this Part serves the constitutional value of access to justice under Article 48 of the Constitution of Kenya. ADR is confident in the return on investment that the AITAR, AISTAR, and AIETAR qualification represents for trained practitioners — both Roster members and Authorised Representatives — over a medium-term horizon of two to four years. That confidence is not empty: it rests on the constitutional enforceability of AITAR Determinations and Awards, the documented scale of the dormant estate problem that AISTAR addresses, the dateable demand of the 2027 election cycle and every subsequent cycle, and the competitive accessibility of ADR's fee structure relative to the courts and other ADR institutions.

Resting access to that income opportunity on an ability to pay upfront training fees would be inconsistent with the access values the institution espouses. This Part therefore establishes two mechanisms: a Deferred Payment Scheme (DPS) that eliminates the upfront fee barrier for qualifying trainees, and a QAR-Recovery Mechanism that eliminates the separate annual Roster fee invoice burden for active Roster members.

### 12.2 The Deferred Payment Scheme (DPS)

The DPS is an Income Share Agreement under which a trainee or ARP applicant receives access to training and qualification without paying upfront fees, and instead agrees to pay a percentage of future appointment or representation income attributable to AITAR, AISTAR, and AIETAR work until the deferred amount — plus a recovery premium — is cleared.

#### 12.2.1 Eligibility for DPS

The DPS is available in the following stages, reflecting the institution's capacity to absorb the cash flow gap at different Roster sizes:

- Stage 1 (immediate — from the date of this Direction): DPS available for the AISTAR Specialist Standalone Enrolment (KES 28,000) and the AIETAR Specialist Standalone Enrolment (KES 28,000) and the combined AISTAR + AIETAR Bundle (KES 50,000). These are the highest-ROI, shortest-recovery-horizon products. Also available for ARP registration fees.
- Stage 2 (triggered by Chief Adjudicator's Notice when the Roster reaches 30 active members with documented appointment income): DPS extended to Tier I full Programme enrolment (KES 45,000). At this stage, recovery data from Stage 1 participants provides the empirical basis for the extension.
- Stage 3 (triggered by Chief Adjudicator's Notice when the Roster reaches 50 active members with documented appointment income): DPS extended to Tier II and Tier III Programme enrolments. The institution at this scale has sufficient appointment records to model recovery risk with confidence across the full range of enrolment types.

#### 12.2.2 DPS Terms — Roster Members

A Roster member enrolling under the DPS signs a Deferred Payment Agreement (Form DP1, Schedule 7). The terms are:

- Recovery rate: 15% of the professional fee received by the member from each AITAR, AISTAR, or AIETAR appointment, deducted at QAR release (see paragraph 12.3 below).
- Recovery premium: 20% of the deferred training cost, added to the principal. A member who defers KES 45,000 owes KES 54,000 in total; a member who defers KES 28,000 owes KES 33,600.
- Recovery period: the deferred amount plus premium must be cleared within 48 months of the date of Roster admission. If the amount is not cleared within 48 months by appointment-income recovery, the outstanding balance becomes immediately due and is recoverable as a debt.
- Security: the member's Roster status is the primary security. A member in material default of DPS obligations — defined as failing to make recovery payments for three consecutive QAR releases where a release has occurred — is placed in a DPS Review category. During review, no new

appointments are made. If the default is not remedied within 30 days, Roster status is suspended until the position is regularised.

### 12.2.3 DPS Terms — ARP Representatives

An ARP Representative enrolling under the DPS signs a Deferred Payment Agreement (Form DP1 adapted for ARP, Schedule 7). The terms mirror those for Roster members save that:

- Recovery rate: 15% of representation fees earned from AITAR, AISTAR, and AIETAR proceedings, self-reported quarterly on Form DP2 (Representative Income Declaration, Schedule 7) and verified against ADR's appointment records.
- Quarterly reporting obligation: the representative submits Form DP2 to the Registry within 14 days of the end of each calendar quarter. Consistent under-reporting — identified by cross-reference with appointment records — triggers ARP registration review on the same basis as DPS default for Roster members.
- Recovery period and security: same as for Roster members, save that the security is ARP registration status rather than Roster status.

## 12.3 QAR-Recovery Mechanism for Annual Roster Fees

Annual Roster membership fees are recovered automatically from the member's Quality Assurance Retention (QAR) release, rather than by separate invoice. The mechanism operates as follows:

40. The annual Roster fee is treated as a first charge on the member's first QAR release of each Roster anniversary year.
41. On the date a QAR release is processed by the Registry, the Registry deducts the outstanding annual fee (if any) from the release amount and remits the balance to the member.
42. Where no QAR release occurs within 90 days of the member's anniversary date, the annual fee rolls over as a deferred obligation, recoverable from the next QAR release. A rolled-over fee does not accrue interest.
43. Where a member has no QAR releases in a full anniversary year — i.e., the member received no appointments — the annual fee is waived for that year. An inactive member generates no institutional appointment income and imposing a fee in those circumstances would be inequitable. The waiver is automatic; no application is required.
44. The Registry notifies the member of each QAR deduction in the payment advice issued with the QAR release, so the member has a clear record of fees recovered.

**NOTE:** The QAR-Recovery Mechanism replaces the conventional model of annual membership invoicing for all members whose appointment activity generates QAR releases. Members who are consistently inactive and receive the annual fee waiver are encouraged to consider whether they wish to remain on the Roster, and the Chief Adjudicator may, after three consecutive years of inactivity, invite the member to confirm continued Roster membership or withdraw.

## 12.4 ROI Transparency — Information for Prospective Trainees

ADR publishes, and updates annually, an Appointment Income Reference Guide at [aluochier.co.ke](http://aluochier.co.ke) setting out:

- the professional fee ranges applicable to AITAR, AISTAR, and AIETAR matters at different subject values, calculated from the relevant First Schedule fee matrices;
- indicative appointment volumes at different Roster tiers based on actual institutional data (published annually once the institution has 12 months of appointment records);
- the Reference Representation Fee Scale applicable to ARP-registered representatives (40–60% of the Tribunal member's professional fee in the same matter, as a non-binding benchmark);
- the DPS recovery projection — illustrating, for a member at each Roster tier, the number of appointments required at different matter values to clear the deferred training cost within the 48-month recovery period; and

- the Advocates Remuneration Order scale applied as the ceiling on recoverable costs, with worked examples of party-and-party and client-and-representative cost recovery calculations in AITAR and AIETAR proceedings.

This Guide is the institution's commitment to honest communication about the financial realities of AITAR, AISTAR, and AIETAR practice. It does not promise specific income — appointment volume depends on market development that is partly within and partly outside ADR's control. What it does is give prospective trainees the tools to make an informed decision about the investment, and the confidence that the institution has modelled the numbers honestly.

## PART 13 — AUTHORISED REPRESENTATIVE PROGRAMME

### 13.1 Nature and Purpose of the ARP

The Authorised Representative Programme (ARP) is a formal, positive pathway within the ADR ecosystem for trained practitioners who choose to operate as client representatives in AITAR, AISTAR, and AIETAR proceedings. The ARP is a specialist representative qualification in its own right — it is not a consolation pathway for unsuccessful Roster candidates, though it is open to them. It is open by choice to any eligible person, including those who could pursue Roster admission but prefer the representative role, and including qualified Roster members who wish to hold ARP registration in addition to their Tribunal appointment eligibility.

Every person has the right under Rule 5 of AITAR 2026 and the equivalent provisions of AISTAR 2026 and AIETAR 2026 to appear in proceedings through an authorised representative holding the party's written authority. The ARP gives institutional recognition, a quality framework, and a defined income structure to persons who exercise that representational function — and it does so in a way that advances access to justice, particularly in communities where access to advocates and Tribunal members is limited.

### 13.2 Eligibility

Eligibility for ARP registration is governed by paragraph 2.4 of this Direction. In summary: completion of at least three Tier I module assessment tasks at any score, combined with passing the ARP Induction Assessment (Form ARP-1) at 60%. ARP registration is also open by choice to persons who have completed Tier I training in full and who choose the representative pathway, and to qualified Roster members who hold ARP registration in addition to Roster membership.

### 13.3 The ARP Induction Assessment

The ARP Induction Assessment (Form ARP-1, Schedule 6) tests the minimum knowledge required to function as a competent and ethical representative in AITAR, AISTAR, and AIETAR proceedings. It is a practical competency test — not a constitutional law examination — and reflects the different role of the representative compared with the Tribunal member. The pass mark is 60%. The Induction Assessment covers:

- the right to appear under written client authority (Rule 5 of AITAR 2026 and equivalent rules); the form and content of a valid written authority;
- claim preparation and filing procedure — how to prepare a Statement of Claim or Response for filing with the Registry;
- conduct before an AITAR, AISTAR, or AIETAR Tribunal — the representative's obligations of candour, the prohibition on misleading the Tribunal, and the obligation not to suppress evidence;
- the fee structure — how Tribunal professional fees are calculated, what the client will be charged, and how the payment direction works;
- the representative's ethical obligations — the Representative Ethical Declaration (Form ARP-2) and the standard it embodies; comparison with the obligations of advocates in good standing under the Advocates Act;
- cost recovery — the ARO ceiling on recoverable costs, party-and-party and client-and-representative, with a worked example; and
- the deferred payment mechanism as it applies to ARP representatives — Form DP1 (ARP version) and Form DP2.

### 13.4 ARP Registration

An applicant who passes the ARP Induction Assessment is registered on the Authorised Representative Register (the ARP Register). The ARP Register is maintained by the Registry and published at [aluochier.co.ke](http://aluochier.co.ke). The Register entry for each ARP-registered representative includes:

- full name and professional designation (if any);
- jurisdiction or region of practice;
- the specialist subject areas in which the representative holds training (AITAR, AISTAR, AIETAR, or combinations);
- date of initial registration and date of last re-registration; and
- the representative's preferred contact information for parties seeking representation.

The ARP Register entry provides a publicly accessible referral resource. Parties filing claims with the Registry who request representation assistance are directed to the ARP Register as their first reference point. This is the mechanism through which the rural access objective of the ARP is operationalised — a party in a remote county can identify a trained ARP-registered representative in their region from the Register.

### 13.5 Standards of Practice — The Elite Representative Standard

ARP-registered representatives are expected to maintain standards comparable to those maintained by advocates in good standing. This is not an aspirational statement — it is a condition of continued ARP registration. Specifically, for AITAR, AISTAR, and AIETAR purposes, every ARP-registered representative must:

- comply with all client-facing and representation requirements under AITAR 2026, AISTAR 2026, and AIETAR 2026 as applicable to their registered subject areas;
- hold and produce on request the party's written authority for each matter in which they appear;
- not make representations to the Tribunal that they know or believe to be false;
- not suppress or withhold evidence that they are obliged to disclose under the applicable Rules;
- promptly disclose to the Tribunal any conflict of interest between the representative's personal interests and the client's interests in the proceedings;
- treat the opposing party, the opposing representative (if any), and the Tribunal with professional respect at all times; and
- honour all obligations under the Deferred Payment Agreement (where applicable) and submit Form DP2 quarterly without under-reporting.

The Representative Ethical Declaration (Form ARP-2, Schedule 6) is signed by the representative at registration and at each biennial re-registration. It is a personal commitment to the above standards, not merely an administrative form. A representative who is found to have breached the Declaration may have their ARP registration suspended or cancelled by the Chief Adjudicator following a brief inquiry, with written notice and a right to respond.

### 13.6 Representation Fees and Cost Recovery

Parties and their ARP-registered representatives are free to agree any fee for representation services. There is no minimum or maximum prescribed by this Direction. However, where a Tribunal awards costs to a party in AITAR, AISTAR, or AIETAR proceedings, the recoverable representation costs — both on a party-and-party basis and on a client-and-representative basis — shall not exceed the scale recoverable under the Advocates Remuneration Order for equivalent work. This ceiling applies regardless of the professional background of the representative: an advocate, a quantity surveyor, an accountant, an engineer, or an unqualified ARP-registered representative is subject to the same ARO ceiling. All representatives are treated alike.

The ARO ceiling on cost recovery does not limit what the representative may charge the client privately. A client who has agreed to pay their representative more than the ARO scale will receive, on a successful costs award, reimbursement up to the ARO ceiling from the opposing party — but the balance remains the client's own liability under the private fee agreement. This is consistent with the position of clients instructing advocates in court proceedings.

For planning and DPS recovery purposes, the Reference Representation Fee Scale — published in the Appointment Income Reference Guide at [aluochier.co.ke](http://aluochier.co.ke) — sets a non-binding benchmark of 40–60% of the Tribunal member's professional fee in the same matter. On a KES 500,000 matter where the Tribunal member earns KES 25,000–35,000, the benchmark representation fee is KES 10,000–21,000. On a KES 5,000,000

AISTAR matter where the Tribunal member earns KES 80,000–120,000, the benchmark representation fee is KES 32,000–72,000.

### 13.7 Ongoing Obligations — Biennial Re-registration

ARP registration is valid for two years from the date of initial registration. Re-registration requires:

- completion of a short Refresher Assessment testing any material changes to AITAR 2026, AISTAR 2026, or AIETAR 2026 since the previous registration — a shorter, focused assessment, not the full Induction Assessment;
- re-signing of the Representative Ethical Declaration (Form ARP-2); and
- payment of the biennial re-registration fee (KES 3,000 / USD 23), recoverable under the DPS where applicable.

A representative who does not re-register within 30 days of the expiry of their registration period is placed on the ARP Register as 'registration lapsed.' They may not appear as a representative in new proceedings during the lapsed period. Re-registration may be completed at any time by submitting the Refresher Assessment and re-registration fee. There is no penalty for a lapsed period — it is treated as a voluntary pause.

### 13.8 Conversion to Roster Admission

An ARP-registered representative who subsequently meets the Roster admission standards may apply for Roster admission through the standard Programme or direct-entry pathway at any time. ARP registration and practice experience counts positively in any direct-entry portfolio assessment conducted under this Direction — it is direct, documented experience in the AITAR ecosystem and constitutes exactly the kind of substantive engagement with adjudicative proceedings that the competency mapping recognises. The Assessor must take ARP practice into account when evaluating the Schedule of Proceedings submitted by a Tier II or Tier III direct-entry applicant.

On Roster admission, ARP registration does not automatically terminate. A Roster member who wishes to continue holding ARP registration — for example, to represent clients in proceedings before other Tribunal members — may do so, subject to standard conflict of interest obligations. ARP registration and Roster membership are compatible and neither excludes the other.

**NOTE:** The ARP-to-Roster conversion pathway is a deliberate institutional design choice. It reflects the reality that competence is built through practice, and that the representative role — while different from the adjudicative role — develops many of the same skills: constitutional analysis, procedural precision, drafting discipline, ethical judgment under pressure. An ARP representative who has spent two years preparing claims, attending hearings, and engaging with AITAR Tribunal members has acquired a form of apprenticeship that the direct-entry portfolio assessment framework is well-placed to recognise and credit.

### 13.9 ARP Fees

ARP fees are set out in the Training and Membership Fee Schedule (Schedule 6 of this Direction, updated from the previous Schedule 5 to reflect the addition of Schedule 5 Form E). The ARP registration fee is KES 5,000 (USD 39). For applicants coming directly from the Training Programme, the ARP Induction Assessment fee of KES 4,000 is included in the registration fee — no separate assessment fee is charged. For applicants who are not coming from the Training Programme, the Induction Assessment fee is charged separately at KES 4,000, and the registration fee of KES 5,000 is payable on passing. The biennial re-registration fee is KES 3,000 (USD 23). All ARP fees are eligible for DPS deferral under Part 12.