



LEGAL NOTICE NO.....

THE GAMBLING CONTROL ACT, 2025
(No. 14 of 2025)

**THE GAMBLING CONTROL (GAMBLING APPEALS
TRIBUNAL) REGULATIONS, 2026**

ARRANGEMENT OF REGULATIONS

Regulation.

- 1—Citation.
- 2—Interpretation.
- 3—Quorum.
- 4—Form of appeal.
- 5—Register of appeals.
- 6—Filing of memorandum.
- 7—Amendment of memorandum.
- 8—Service of memorandum.
- 9—Service of notice of hearing.
- 10—Withdrawal of appeal.
- 11—Appearance.
- 12—Hearing.
- 13—Summoning of witnesses.
- 14—Power to adjourn hearing.
- 15—Ruling.
- 16—Procedure.
- 17—Filing and other fees.

FIRST SCHEDULE

SECOND SCHEDULE

THE GAMBLING CONTROL ACT, 2025

(No. 14 of 2025)

IN EXERCISE of the powers conferred by section 88(12) of the Gambling Control Act, the Cabinet Secretary for Public Service, Human Capital Development and Special Programmes makes the following Regulations—

THE GAMBLING CONTROL (GAMBLING APPEALS TRIBUNAL) REGULATIONS, 2026

Citation.

1. These Regulations may be cited as the Gambling Control (Gambling Appeals Tribunal) Regulations, 2026.

Interpretation.

2. In these Regulations, unless the context otherwise requires—

“appellant” means a person who appeals to the Tribunal;

No. 14 of 2025.

“Act” means the Gambling Control Act, 2026;

“Authority” means the Gambling Regulatory Authority of Kenya established under section 6 of the Act;

“Chairperson” means the Chairperson of the Tribunal appointed under section 88(2)(a) of the Act;

“hearing” means a sitting of the Tribunal duly constituted for the purpose of receiving evidence, hearing addresses and witnesses, delivering the decision of the Tribunal or doing anything lawfully required to enable the Tribunal to reach a decision on any particular appeal or matter prosecuted before the Tribunal;

“interested party” means any party named and enjoined in any proceedings before the Tribunal;

“member” means a member of the Tribunal appointed under section 88 (2) (b) and (c) of the Act

“representative” means an officer or advocate appointed by the Authority or an advocate appointed by an appellant or any of the parties;

“Secretary” means the Secretary to the Tribunal appointed under section 88(11) of the Act.

Quorum.

3. (1) The quorum for any sitting of a panel constituted under section 91 of the Act shall be three members, at least one of whom shall be an advocate of the High Court, as required under section 91(3) of the Act.

(2) The Chairperson shall preside over any sitting of the Tribunal at which the Chairperson is a member of the panel.

(3) In the absence of the Chairperson from the panel, the Chairperson shall designate one member of the panel who is an advocate of the High Court to preside over the proceedings in accordance with section 91(4) of the Act.

(4) Where a member of a panel is unable to continue participating in the proceedings for any reason, the Chairperson shall assign another member to the panel, and the proceedings shall continue as valid proceedings of the Tribunal for all purposes, consistent with section 91(5) of the Act.

Form of appeal.

4. (1) Every appeal shall be in writing, in the form of a Memorandum of Appeal, presented by the appellant or the appellant's duly appointed representative and shall have attached thereto a copy of the decision appealed against and shall be presented to the registry of the Tribunal together with the fee set out in the Second Schedule.

(2) Each separate ground of appeal shall be contained in a separate paragraph of the memorandum and shall be numbered consecutively.

(3) The appellant shall attach to the Memorandum of Appeal any documentary evidence, or copy thereof, relevant to the appeal, which is in the possession of the appellant or which the appellant can reasonably obtain.

Register of appeals.

5. The Secretary shall keep in the registry of the Tribunal a register of all matters dealt with by the Tribunal indicating the following particulars in respect of each matter—

- (a) the date of filing;
- (b) the serial number assigned thereto;
- (c) the names of the parties;

- (d) the relief sought; and
- (e) the final determination or order of the Tribunal and the date of the determination.

Filing of memorandum.	of	6. The appellant shall, within thirty days from the date of the decision of the Authority file a memorandum of appeal at the Registry of the Tribunal and shall serve the same together with any annexures thereto upon the Authority and any other named interested party.
Amendment memorandum.	of	7. The appellant may with the leave of the Tribunal amend the memorandum of appeal at any time before the hearing of the appeal and shall serve the same upon the Authority and any other named interested party.
Service of memorandum. <i>L.N No. 151/2010.</i>	of	8. The service of any pleadings or documents under these Regulations shall be effected in the manner prescribed for the service of summons under Order V of the Civil Procedure Rules.
Service of notice of hearing.		9. The Chairperson shall fix, after twenty-one days of lodging of the Memorandum of Appeal, a date and place for the hearing and shall cause to be served upon the appellant, not less than seven days before the date fixed for the hearing, a hearing notice in Form 1 set out in the First Schedule and shall cause a copy of such notice to be sent to the Authority and any named interested party.
Withdrawal of appeal.	of	10. An appellant may at any time before the hearing of the appeal by notice in writing to the Tribunal withdraw the appeal, and thereupon the appeal shall be struck out with such order as to costs as may appear to be just to the Tribunal.
Appearance.		11. An applicant or an advocate appearing for any party in proceedings before the Tribunal shall file a notice of the advocate's appointment and any subsequent change shall be notified by the filing of a notice of change of advocate or a notice of intention to act in person as the case may be.
Hearing.		12.(1) The hearings of the Tribunal shall be held in public, unless for good cause shown and reasons recorded the Tribunal directs that a hearing shall be held in camera.

(2) The parties appearing before the Tribunal at a hearing may under the direction of the Tribunal proceed either by giving oral evidence or by way of making written submissions.

(3) The Tribunal shall not be bound to reject any evidence on the ground only that the evidence would be inadmissible in any other Court or Tribunal, and may dispense with the formal proof of any of the documents referred to in regulation 4(3).

(4) The Tribunal shall give the Authority representative an opportunity to address the Tribunal and call witnesses, and shall give the appellant and other interested parties or their representatives an opportunity to cross-examine any witness called.

(5) The Tribunal shall give the appellant or his representative an opportunity to address the Tribunal and call witnesses, and shall give the Authority representative an opportunity to cross-examine any witness called.

(6) The appellant may, if the appellant wishes, give evidence as a witness on their own behalf.

(7) If the appellant fails to appear, either in person or by their representative, or if the representative fails to appear, it shall be at the discretion of the Tribunal to proceed with the hearing and determine it or adjourn the hearing or give such directions in respect thereof as appear to it to be just and expedient in all the circumstances of the case.

(8) The Tribunal shall administer to any witness appearing before it an oath in the form prescribed by law for administering oaths during court proceedings.

(9) The Tribunal may have regard to the circumstances existing at the date of the hearing of the appeal where any change of circumstances has occurred since the lodging thereof.

Summoning of witnesses.

13.(1) The provisions of Order XV of the Civil Procedure Rules shall apply *mutatis mutandis* for the purposes of hearings under these Regulations.

(2) The Tribunal may require the attendance before it of such other persons as witnesses, not called by any of the parties to an appeal, and may consider such other

evidence as may appear to the Tribunal to assist it in reaching its decision, subject to the right of the Authority and the appellant, or their representatives, to cross-examine any such witnesses as provided in regulation 12.

(3) When in the opinion of the Chairperson a matter arises in a hearing which calls for specialized knowledge, the Chairperson may call upon any person whom the Chairperson considers to be possessed of such knowledge to sit with the Tribunal as an assessor for purposes of assisting it in reaching a decision.

(4) Any person called upon to sit with the Tribunal under subregulation (3) shall be paid the reasonable out-of-pocket expenses and a daily remuneration, the amount of which shall be decided by the Chairperson.

(5) The Tribunal may if it deems necessary or expedient in any particular case, enter and inspect any land, property or anything else of whatsoever description concerned in an appeal.

Power to adjourn hearing.

14.(1) The Tribunal may adjourn the hearing from time to time if for any reason it appears to the Tribunal necessary or desirable to do so.

(2) The Chairperson may on application upon such terms and conditions, if any, as appear to the Chairperson to be just and expedient, extend the time appointed by these Regulations for doing of any act or taking any proceedings.

Ruling.

15.(1) At the conclusion of a hearing conducted under these Regulations, the Chairperson shall invite the assessor referred to in regulation 13(3) to state their opinion.

(2) The Tribunal shall not be bound by the opinion of the assessor when determining an appeal.

(3) The Secretary shall cause the proceedings of the Tribunal to be recorded in a document to be certified by the Chairperson as a true and correct record of such decision and proceedings, and shall as soon as may be practicable thereafter forward copies thereof to the appellant.

(4) Every copy certified as provided under this Regulations shall be conclusive evidence of the decision

and proceedings of the Tribunal on the matter to which the decision relates.

Procedure.

16.(1) Unless the Tribunal otherwise directs, no proceedings of the Tribunal shall be void by reason only of the non-compliance by the appellant, the Authority with any of the provisions of these Regulations, and the Chairperson may at any time give such instructions as appear to the Chairperson to be necessary or desirable by reason of such non-compliance.

(2) The Tribunal may at its discretion either on its own motion or on the application of any party make such orders and give such directions as may appear to be just and appropriate in the circumstances or necessary to prevent the abuse of its own process.

(3) Applications to the Tribunal shall be made by Chamber Summons supported by an Affidavit and the party served shall be entitled to file an affidavit or statement in reply, provided that with the permission of the Tribunal during the hearing of any matter any party may apply orally before the Tribunal.

Filing and other fees.

17. There shall be paid to the Tribunal the filing and other fees prescribed under the Second Schedule of these Regulations.

FIRST SCHEDULE

FORM 1

(r.9)

HEARING NOTICE

SECOND SCHEDULE

(r.4,17)

FEES

1.	FILING FEES	FEES IN KSHS.
2.	Filing of a Memorandum of Appeal	Kshs 10,000
3.	Supporting Affidavit	Kshs 1,000
4.	Replying Affidavit	Kshs 1,000
5.	Statement of defense	Kshs.2,500
6.	Notice of appeal	Kshs.1,000
7.	Notice of appearance	Kshs.1,000
8.	Cross-appeal	Kshs.10,000
9.	Certificate of urgency	Kshs,10,000
10.	File perusal	Kshs.100
11.	Notice of Preliminary Objection	Kshs 1,000
12.	Adjournment fees	Kshs 5,000
13.	Certified copy of the record of the proceedings of the Tribunal or a document in its archives, per page or part thereof	Kshs 30
14. 1	Consent Order	Kshs.500

Made on the, 2026.

GEOFFREY RUKU,
*Cabinet Secretary for Public Service,
Human Capital Development and Special Programmes.*