

is a self sufficient Act which provides its own rules of procedure including the right of Appeal.

Unless such other procedures or rules are expressly incorporated in the Act, then they cannot be invoked by the court. The learned magistrate had no jurisdiction whatsoever to grant the Appellant extension of time within which to file an Appeal to the Provincial Appeals Tribunal. This Appeal has merit and it must succeed on the points of law discussed above. In the circumstances, the same is allowed with costs to the Appellant. The orders of the learned magistrate dated 6.10.08 are bad in law. The same is set aside and in their place thereof, I make an order dismissing the Respondent's Application dated 9.6.2008. I so order.

W. KARANJA
JUDGE

SIGNED BY THE ABOVE BUT DELIVERED AND DATED AT EMBU THIS 15TH DAY OF MARCH, 2011.

M. WARSAME
JUDGE