

SPECIAL ISSUE

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(Legislative Supplement No. 43)

LEGAL NOTICE NO. 91

THE COUNTY LICENSING (UNIFORM PROCEDURES) ACT,
2024

(No. 8 of 2024)

IN EXERCISE of the powers conferred by section 28 of the County Licensing (Uniform Procedures) Act, 2024, the Cabinet Secretary responsible for Investments, Trade and Industry makes the following Regulations—

THE COUNTY LICENSING (UNIFORM PROCEDURES)
REGULATIONS, 2025

1. These Regulations may be cited as the County Licensing (Uniform Procedures) Regulations, 2025.

Citation.

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

Interpretation.

“Board” means a County Licensing Board established under section 7(2) of the Act;

“County Executive Committee Member” means the County Executive Committee Member responsible for trade within a respective county government; and

“licence” means a licence issued by the Board under section 16 of the Act.

3. A Board shall—

Register of fees and licences.

(a) maintain a register of fees charged for the issuance of a licence;

(b) maintain a register of the conditions of licences;

(c) upon request, provide a copy of the registers maintained under subparagraphs (a) and (b) to the County Executive Committee Member; and

(d) regularly inform the County Executive Committee Member of any changes to the registers maintained under subparagraphs (a) and (b).

4. The members of a Board shall be paid such allowances or other remuneration for expenses as determined by the respective County Government upon the recommendation of the Salaries and Remuneration Commission.

Remuneration of a Board.

5. The respective County Public Service Board shall appoint such members of staff as may be necessary for the proper discharge of the functions of a Board, on such terms and conditions of service as the County Public Service Board may determine.

Staff of a Board.

6. The respective County Public Service Board shall appoint a secretary of a Board on such terms and conditions of service as the County Public Service Board may determine.

Secretary of a Board.

7. (1) A Board shall meet at least four times in every financial year and not more than four months shall elapse between the date of one meeting and the date of the next meeting.

Conduct of affairs of a Board.

(2) A chairperson of a Board may, upon receiving a request in writing by at least three members, convene a special meeting of the Board.

(3) A notice for a meeting of a Board shall be in writing, and shall be for a period of at least fourteen days from the expected date of the meeting.

(4) The quorum for the conduct of the affairs of a Board shall be three members of the Board.

(5) The chairperson of a Board shall preside over all meetings of the Board and in the absence of the chairperson, a person designated by the members of the Board present at a meeting shall preside over the meeting.

(6) Unless a unanimous decision is reached, a decision on any matter before a Board shall be by a majority of the votes of the members present, and in the case of an equality of votes, the chairperson of a Board or the person presiding over a meeting of a Board, shall have a casting vote.

(7) A Board may establish such committees as the Board considers appropriate and delegate such functions as the Board determines appropriate, to the committees.

8. (1) Where, at a meeting of a Board, a member of the Board has a direct or indirect interest in a matter that is to be deliberated by the Board—

Conflict of interest.

- (a) the member shall declare the nature of the interest;
- (b) the secretary to the Board shall record the declaration in the minutes of the meeting;
- (c) the other members of the Board present at the meeting shall deliberate on the declaration to determine if a conflict of interest has arisen;
- (d) where a majority of the other members of the Board present at the meeting determine that the interest declared by the member raises a conflict of interest, the member who declared the interest shall not participate in the deliberation or the decision of the Board on the matter; and
- (e) the member who declared the interest shall sign the conflict of interest register; and
- (f) the secretary to the Board shall record the conflict of interest in the minutes of the meeting.

(2) A member of a Board who commits an offence is liable, on conviction to a fine not exceeding one million shillings or to imprisonment for a term not exceeding six if that member—

- (a) has a direct or indirect interest in a matter that is to be deliberated by the Board but does not declare the interest;
- (b) participates in the deliberation or the decision of the Board on matter for which the other members of the Board have determined raises a conflict of interest; or
- (c) does not sign the conflict of interest register upon the determination by other members of the Board that a conflict of interest has arisen.

9. (1) Where a vacancy occurs in the office of a member of a Board appointed under section 7(3)(d) of the Act—

Vacancy of membership of the Board.

- (a) the respective County Governor shall notify the National Council for Persons with Disabilities if the vacancy and request for a nomination, within fourteen days of the notice, of a person to fill the vacancy; and
- (b) within seven days of receiving the nomination made under subparagraph (a), the respective County Governor shall appoint the person nominated as a member of a Board.

Made on 14th May, 2025.

LEE MAIYANI KINYANJUI,
Cabinet Secretary for Investments, Trade and Industry.

LEGAL NOTICE NO. 92

THE COMPETITION ACT

(Cap. 504)

EXCLUSION

THE PROPOSED ACQUISITION OF ASSETS OF WESTLANDS TRADING LIMITED BY WESTLAND FOODS AND COMMODITIES LIMITED

IN EXERCISE of the powers conferred by section 42 (1) of the Competition Act, the Competition Authority of Kenya excludes the proposed acquisition of assets of Westlands Trading Limited by Westland Foods and Commodities limited from the provisions of Part IV of the Act due to the following reasons—

- (a) the merger will not affect competition negatively;
- (b) although the combined value of assets of the merging parties for the preceding year 2023, which was higher than the turnover, was above one billion shillings, the targets value of assets was KSh. 188,883,846, which is below five hundred million shillings; and
- (c) the transaction meets the threshold for exclusion provided under the Competition (General) Rules, 2019.

Made on 2nd May, 2025.

DAVID KEMEI,
Director-General.