

**SPECIAL ISSUE**

*Kenya Gazette Supplement No. 8 (Kwale County Acts No. 6)*



REPUBLIC OF KENYA

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***KENYA GAZETTE SUPPLEMENT***

**KWALE COUNTY ACTS, 2017**

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**NAIROBI, 15th April, 2019**

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# THE KWALE COUNTY BUSINESS LICENSING ACT, 2017

No. 6 of 2017

Date of Assent: 30th May, 2017

Date of Commencement: 31st May, 2017

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**THE KWALE COUNTY BUSINESS LICENSING  
ACT, 2017**

**ACT OF** the Kwale County Assembly to provide for the general administrative and legal framework for licensing of business and trade activities and for related purposes in the county.

**ENACTED** by the County Assembly of Kwale, as follows—

**PART I—PRELIMINARY**

1. This Act may be cited as the Kwale County Short title  
Business Licensing Act, 2017.

2. (1) In this Act, unless the context otherwise Interpretation  
provides—

“business” means

- (a) Trade, commerce or manufacture, profession, vocation or occupation;
- (b) Any activity carried on by a person continuously or regularly, whether or not for gain or profit and which involves, in part or in whole, the supply of goods or services for consideration;
- (c) importing or exporting goods;
- (d) commission agent or indent agent;
- (e) manufacturer's representatives;
- (f) produce dealer or produce broker;
- (g) business broker or management consultant;
- (h) insurance agent;
- (i) estate agent; or
- (j) any other occupation, whether similar to any of the foregoing or not, which the County Executive Committee Member may, by order, declare to be an occupation for the purposes of this definition;

“Business Licence Register” means the register of business licences established under section 11;

“business person” means a person carrying on any business activity for the purpose of generating revenue in

trade, commerce or industry, and includes any trade, profession or calling;

“business transaction” means a transaction entered into with a business connected with the occupation carried on by the concern which constitutes the business;

“County Executive Committee Member” means the County Executive Committee member responsible for Trade;

“commission agent” means a factor employed by his principal to sell goods delivered to the factor, for remuneration called commission;

“general business area” means an area within the County declared under section 7 to be a general business area for the purposes of this Act;

“hawker” means a person who, whether on his or her own account or as the servant of another person, sells goods by retail other than in trading premises or in a market established under the Kwale County Trade and Markets Act 2015;

“licence” means a licence, other than a conditional licence, granted under this Act;

“licensee” means holder of a licence;

“licensing officer” means a person appointed to be a licensing officer under section 13;

“licensing authority” means the County Executive Committee Member, Directorate or any other body or person designated by The County Executive Committee Member;

“manufacturer’s representative” means a person resident in Kenya in the year in question who acts as agent for a manufacturing or trading concern and receives remuneration from the concern on a retainer basis or on the basis of the orders which he obtains in Kenya, or both;

“regulated trade” means—

- (a) wholesale or retail trade;
- (b) catering;
- (c) laundering or dry-cleaning;
- (d) hairdressing;

- (e) beauty culture;
- (f) shoe repairing;
- (g) motor vehicle repairing;
- (h) cinematograph film exhibition;
- (i) advertising;
- (j) the sale by a manufacturer of goods manufactured by him;
- (k) Any other

“specified goods” means any goods, or goods of any particular class, declared as such under section 8 for the purposes of this Act.

“owner” includes occupier;

“prescribed” means prescribed by regulations made by the County Executive Committee Member under this Act;

“sell”, with its grammatical variants and cognate expressions, includes to offer for sale and to expose for sale and their grammatical variants and cognate expressions;

“sell goods wholesale” means to sell goods to a person or the servant of the person who is reasonably believed by the seller to intend to resell the goods by retail;

“trade” or “trading” means the selling of goods for which a licence under this Act is required, in any trading premises, whether by retail or wholesale;

“trading premises” includes any structure attached to the land, whether of a permanent or temporary nature, except a market established under the Kwale County Trade and Markets Act 2015, in which trade is carried on;

“travelling wholesaler” means a person who, whether on his or her own account or as the servant of another person, sells goods by wholesale other than in trading premises.

(2) For the purposes of this Act a person conducts a business—

- (i) as the owner or a part-owner of the business;  
or
- (ii) if that person has a controlling interest or partly controls the business.

3. The purpose and object of this Act is to provide Object of the Act  
for a framework for the County Government to—

- (a) regulate trade and business activities in the County;
- (b) license business activities;
- (c) categorize various classes of businesses and provide for their respective licensing;
- (d) ensure that there is a clear and transparent process of determining the fees and charges to be paid.

4. (1) This Act applies to all business activities Application  
within the County.

(2) Unless otherwise provided for under this Act, all person undertaking business in the County must obtain a license in accordance with this Act.

5. The County Executive Committee Member, any public or State officer charged with any responsibility under this Act shall, in the conduct of his or her responsibility, comply with, respect and uphold the values and principles enshrined in the Constitution. General Principles

## PART II—REGULATION OF BUSINESS

6. (1) The County Executive Committee Member Declaration of a trading center  
may through public participation—

- (a) declare any specified area in Kwale County to be a trading centre for the purposes of this Act;
- (b) assign a name to the trading centre;
- (c) define the boundaries of the trading centre;
- (d) alter the boundaries of any trading centre;
- (e) declare that any trading centre shall cease to be a trading centre.

(2) Any trading centre declared by an administration of a district before the coming into operation of this Act which has not ceased to be a trading centre shall be

deemed to be a trading centre for the purposes of this Act.

7. The County Executive Committee Member may, from time to time, declare any area of County or town or any part of that area to be a general business area for the purposes of this Act;

Declaration of business areas

8. The County Executive Committee Member may, from time to time declare any particular goods or goods of any particular class to be specified goods for the purposes of this Act.

Declaration of specified goods

9. (1) A person shall not conduct any business, except under and in accordance with the terms of a current licence issued under this Act.

Restrictions on carrying on business

(2) A person shall not conduct a business in any specified goods unless his or her licence specifically authorizes that person to do so.

(3) A licensee shall not enter into any business transaction unless the business with which the transaction is entered into is carried on under a licence.

(4) Any person who contravenes subsection (1), (2) or (3) commits an offence and shall be liable, upon conviction to imprisonment for term not exceeding one year or to a fine not exceeding two hundred thousand shillings or to both.

10. Subject to subsection (2), a person shall not trade in any goods or carry on any business specified in the Schedule unless he or she is in possession of a business licence granted for that purpose under this Act.

Trading prohibited without Business licence

(2) A business licence shall not be required for—

(a) farm gate sales by farmer, gardener, dairy person or agriculturist in respect of the sale of his or her own dairy or agricultural produce;

(b) the trade of a person in respect of goods bona fide made by him or her by his or her handicraft in or on any premises where he or she normally resides, or by the handicraft of persons normally residing with him or her or who are his or her employees or members of his or her family;



- (c) the trade/business carried on in any market established under the Kwale County Trade and Markets Act 2015;
- (d) the sale of tobacco, cigarettes, newspapers, books, non intoxicating liquor or playing cards by the management of a proprietary or members club to its members in the club premises;
- (e) any other business which the County Executive Committee Member may declare to be a trade for which no business licence is required under this Act; or
- (f) any trade or business in respect of which a separate licence is required by or under any written law.

### **PART III—LICENSING OF BUSINESSES OTHER THAN THOSE PROVIDING PROFESSIONAL AND CONSULTANCY SERVICES**

11. (1) There shall be established by the County Executive Committee Member a Directorate of Trade and Co-operative Development under the Department responsible for Trade. Directorate of trade

(2) The Directorate shall be responsible to the County Executive Committee Member for—

- (a) Regulation of trade in the County;
- (b) Provision of business development support in the County;
- (c) Ensuring practice of fair trade in the County;
- (d) Promotion of competitive and innovative industry and services sector in the County that contribute to inclusive growth and employment generation.

(3) The directorate shall maintain an updated business license register

(4) The Directorate shall be headed by a Director of trade and Co-operatives who shall be appointed by the County Public Service Board on such terms and conditions of service as the County Public Service Board may determine.

12. (1) The County Executive Committee Member shall designate licensing officers or body undertaking licensing as prescribed in this Act. Licensing officers

13. (1) An officer appointed and authorised by the County Executive Committee Member under this Act shall have the power to inspect any premises. Power to undertake inspections

(2) Before starting to inspect or search the premises, an inspector who is not a member of the police force shall identify themselves to the occupier of the premises by producing their identity card for inspection by the occupier.

(3) An officer authorised under sub section (1) may, at any reasonable time, enter any place that they believe on reasonable grounds to be a place where goods are being, or have been manufactured, prepared or supplied or that is a place where services are supplied or arranged, and may—

- (a) inspect any goods or partly manufactured goods and make such other inspections as he considers to be necessary;
- (b) take any goods or partly manufactured goods for which he pays a fair price;
- (c) take a sample of anything from which goods are manufactured or produced at that place;
- (d) make inquiries of any person employed at that place or who has responsibility over that place; or
- (e) inspect and take copies of records required to be kept under this Act or any other law regulating or applying to the business being conducted at that place.

(4) Without derogating from any power conferred by subsection (3), the directorate may require the production of any accounting documents, returns, inventories or other information whether or not relating to the business of any manufacturer or trader if such information is considered necessary for the discharge of any power or function vested in the directorate.

14. (1) An officer who divulges confidential information obtained during the course of an investigation conducted under this Act or any other law commits an offence.

Confidential  
information

(2) This section does not apply to information that is—

- (a) given as evidence in proceedings taken under this Act or any law relating to consumer protection;
- (b) given by the officer as part of a report prepared for the purpose of an investigation; or
- (c) a matter of public record or is otherwise in the public domain.

(3) A person who commits an offence under this section is liable on conviction to a fine not exceeding fifty thousand shillings or to a term of imprisonment not exceeding six months, or to both.

15. (1) There shall be, within the Directorate, such Divisions as may be required for the effective performance of the functions of the Directorate.

Divisions of the  
Directorate

(2) The Directorate shall ensure access to its services in all parts of the County as far as it is practicable.

16. (1) The directorate shall, within three months after the end of each financial year, or within such longer period as the County Executive Committee Member may in special circumstances allow, cause to be made and transmitted to the County executive committee member a report dealing generally with the activities of the Directorate during the preceding financial year.

Reports

(2) The Director may from time to time furnish to the County executive committee member a report relating to any particular matter or matters investigated, or being investigated which, in the opinion of the Director, require the special attention of the Governor.

(3) The County Executive Committee Member shall cause a copy of a report submitted under this section to be laid before the County Executive Committee.

17. (1) An application for a business licence shall be made, on such form as may be prescribed to the Licensing Authority.

Application for  
business license

(2) Every application shall be accompanied by the fee prescribed in the Regulations.

(3) In addition to (18. 2) above, every application by a foreign investor shall be accompanied by a valid foreign investment registration certificate.

(4) Any person who makes any statement in his or her application for a business licence which is to his or her knowledge untrue commits an offence and is liable on conviction to a fine not exceeding fifty thousand shillings or to a term of imprisonment not exceeding twelve months or to both.

**18.** (1) Subject to this Act, the Licensing Authority may, on application made to it in the prescribed manner and on payment of the appropriate fee specified in the Schedule to this Act, grant to the applicant a business licence. Grant of business licence

(2) A business licence shall—

- (a) be in the prescribed form;
- (b) be granted subject to such conditions as may be prescribed; and
- (c) specify the premises in respect of which it is granted.

(3) The Directorate may refuse to grant a business licence under this section without assigning any reason for the refusal, and may revoke any licence granted under this section if it is satisfied that any of the terms and conditions upon which the licence was granted has been contravened.

(4) Any applicant who is aggrieved by the refusal of the licensing authority to grant him or her a business licence may appeal to the Subcommittee of the County Executive Committee responsible for trade .

**19.** The Directorate shall not issue a business licence to any person— Disqualification for holding a business licence

- (a) who is disqualified from holding a business licence under an order made by a court in Kenya;
- (b) who has not attained the apparent age of eighteen years unless that person undertakes, to the

satisfaction of the licensing authority, to trade in partnership with one or more persons all of whom have attained the apparent age of eighteen years; or

- (c) if the granting of the licence contravenes any other provision of any written law.

20. Unless earlier revoked, a business licence granted under this Act in respect of any year shall expire on the thirty-first day of December of that year. Duration of business licence

21. Every holder of a business licence shall keep his or her licence exhibited in a conspicuous place of his or her trading premises. Exhibition of business licence

22. (1) Any administrative officer, police officer, or any person authorised in writing by the Directorate, may at all reasonable times enter— Inspection of business licence

(a) any trading premises in respect of which a business licence has been granted for the purpose of inspecting the business licence and of satisfying himself or herself that the provisions of this Act are being complied with; or

(b) any premises in respect of which a business licence has not been granted under this Act but in which he or she has reasonable grounds to believe there is carried on a trade for which a business licence is required under this Act,

and may require the owner of the premises to furnish him or her with any information he or she may deem necessary.

(2) The owner of any premises to which subsection (1) applies shall provide all necessary assistance and furnish all necessary information as any administrative officer, police officer, licensing authority or a person authorised in writing by the licensing authority may deem necessary for the discharge of his or her duties under that subsection.

(3) Any person who obstructs or hinders, or knowingly makes a false declaration or gives any false information to any administrative officer, police officer, the or a person authorised in writing by the licensing

authority in the performance of his or her duties under subsection (1) commits an offence and is liable on conviction to a fine not exceeding five thousand shillings or to a term of imprisonment not exceeding six months or to both.

### PART III—HAWKERS LICENCE

23. (1) A person shall not act as a hawker unless he or she is in possession of a valid hawkers licence granted to him or her for that purpose by the licencing authority. Grant of hawkers licence

(2) A licensing authority may, on application made to it in the prescribed manner and on payment of the appropriate fee specified in the Schedule to this Act, grant to the applicant a hawkers licence.

(3) A hawkers licence shall be in such form as may be prescribed and shall be granted subject to such conditions as to—

- (a) the kind of goods which may be hawked;
- (b) the area within which the hawking shall be restricted;
- (c) the hours during which the goods may be hawked, and such other conditions as the licensing authority may think fit to impose.

(4) Where any person employs a servant to hawk goods on his or her behalf, he or she shall take out, in his or her own name, a licence to be carried by the servant when so employed and where it is desired that more servants than one shall be so employed, an additional licence shall be taken out in respect of each additional servant.

(5) Subject to subsection (6), no hawkers licence shall be required in respect of any person who acts as a hawker of merchandise valued at not more than KSh.1,500 of—

- (a) fish, poultry, vegetables, eggs, fruit, victuals, firewood or newspapers;
- (b) any goods bona fide made by his or her handicraft in or on any premises where he or she normally resides or by the handicraft of persons

residing with him or her or who are his or her employees or members of his or her family;

(c) any other goods which the County Executive Committee Member may declare to be goods which may be hawked without a hawkers licence under this Act.

(6) The licensing authority may refuse to grant a hawkers licence under this section without assigning any reason for the refusal, and may revoke any hawkers licence granted under this section if it is satisfied that any of the terms and conditions upon which the hawkers licence was granted has been contravened.

(7) Any applicant who is aggrieved by the refusal of the licensing authority to grant him or her a hawkers licence may appeal to the Sub committee of the County Executive Committee responsible for trade.

24. Unless earlier revoked, a hawkers licence granted under this Act in respect of any year shall expire on the thirty-first day of December of that year.

Duration of hawkers licence

25. A hawkers licence granted under this Act shall be personal to the holder of the licence and shall not be transferable.

Hawkers licence not transferable

26. Every person who holds a hawkers licence granted to him or her under this Act shall carry his or her licence with him or her at all times while he or she is acting as a hawker, and shall produce the licence for inspection on the demand of any administrative officer, police officer or any person authorised in writing by the licensing authority.

Production of hawkers licence on demand

#### **PART IV—TRAVELLING WHOLESALERS LICENCE**

27. (1) A person shall not act as a travelling wholesaler unless he or she is in possession of a travelling wholesalers licence granted to him or her for that purpose under this Act.

Travelling wholesalers licence

(2) For the purpose of granting a travelling wholesalers licence, the licensing authority shall be such person as the County Executive Committee Member may appoint.

(3) The licensing authority may, on application made to it in the prescribed manner and on payment of the appropriate fee specified in the Schedule to this Act, grant to the applicant a travelling wholesalers licence.

(4) A travelling wholesalers licence shall be in such form as may be prescribed and shall be granted subject to such conditions as the licensing authority may deem fit to impose.

(5) In addition to any condition which the licensing authority may impose under subsection (4), every travelling wholesalers licence shall be subject to the condition that the holder of the licence shall not sell, or permit the sale of, goods by retail.

(6) The licensing authority may issue a travelling wholesalers licence either generally, or in respect of any part of County.

(7) A travelling wholesalers licence granted under this Act shall be personal to the holder of the licence and shall not be transferable.

(8) The licensing authority may—

(a) refuse to grant a travelling wholesalers licence under this section; and

(b) revoke any travelling wholesalers licence granted under this section if it is satisfied that any of the terms and conditions upon which the travelling wholesalers licence was granted has been contravened.

(9) Any applicant who is aggrieved by the refusal of the licensing authority to grant him or her a travelling wholesalers licence may appeal to the Sub Committee of the County Executive Committee responsible for trade.

**28.** A travelling wholesaler who has a Kwale County wholesale license shall not be required to have a travelling wholesale license. Exemptions from holding a travelling wholesalers licence

**29.** Unless earlier revoked, a travelling wholesalers licence granted in respect of any year shall expire on the 31st day of December of that year. Duration of a travelling wholesalers licence



30. Where a person holding a travelling wholesalers licence employs a servant to act as a travelling wholesaler on his or her behalf, he or she shall take out, in his or her own name, a licence to be carried by the servant when acting as a travelling wholesaler and, when it is desired that more servants than one shall be so employed an additional licence shall be taken out in respect of each additional servant.

Travelling  
wholesalers servant

31. Every person who holds a travelling wholesalers licence, including every servant of that person, shall carry his or her licence with him or her at all times while he or she is acting as a travelling wholesaler, and shall produce the licence for inspection on the demand of any administrative officer, police officer or any person duly authorised in writing by the licensing authority.

Production of  
travelling  
wholesalers licence  
on demand

### PART V— MISCELLANEOUS AND GENERAL PROVISIONS

32. Where a licensing authority is satisfied that any licence granted under this Act has been lost or destroyed, the licensing authority which granted the licence shall, on application made to it and on payment of the fee prescribed in the Schedule to this Act, issue a duplicate of the licence to the applicant.

Issue of duplicate  
licence

33. (1) Subject to this Act, any holder of a licence granted under this Act, except a hawkers or travelling wholesalers licence, may make an application for the transfer of his or her licence and, on payment of the appropriate fee specified in the Schedule to this Act, the licensing authority may transfer the licence to any other fit and proper person—

Transfer of licence

(a) in respect of the same business; or

(b) in respect of a business different from that in respect of which it was originally granted,

and shall endorse the particulars of any such transfer on the licence.

(2) Notwithstanding subsection (1), the licensing authority may refuse to transfer a licence under this section without assigning any reason for the refusal.

(3) Any applicant who is aggrieved by the refusal of the licensing authority to transfer his or her licence may appeal to the subcommittee of the County Executive Committee responsible for trade.

**34.** (1) Subject to subsection (5), every person holding a licence granted under this Act shall keep or cause to be kept such books of account as are sufficient to show the true financial position of his or her business at any time. Books of account

(2) Any person who contravenes subsection (1) commits an offence and is liable to a fine not exceeding five thousand shillings or to a term of imprisonment not exceeding six months or to both.

(3) Any licensing authority or police officer who is satisfied that a person holding a licence granted under this Act is not complying with subsection (1), may apply to a magistrate's court for an order that the books of account of that person shall be examined, and the court may, on being satisfied that there are reasonable grounds for suspecting that the provisions of subsection (1) are not being complied with, make an order for the examination of the books either by the person making the application or by some other fit and proper person appointed by the court.

(4) Where an examination of any books of account is ordered under subsection (3) and the books are kept in any language other than English, the court may order that the books shall be translated into English at the licence holder's cost.

(6) This section shall only apply to a person holding a licence where the maximum selling value of his or her goods on hand at any time during the currency of his or her licence exceeds ten thousand shillings.

**35.** (1) A person who holds a business, hawkers or travelling wholesalers licence who is convicted of giving short change, short measure or weight, in addition to any penalty to which he or she may otherwise be liable, on a first conviction is liable to have the conviction endorsed on his or her licence by the court and on a second or subsequent conviction whether for the same or any other offence under this Act, is liable to have his or her licence revoked by the court. Endorsement and revocation of licence

(2) Where any licence is endorsed under this section, any subsequent licence of the same kind issued to the holder of the licence shall be similarly endorsed.

**36.** (1) A person who contravenes or fails to comply with any provision of this Act or with any condition of any licence issued to him or her under this Act, commits an offence and is liable on conviction, where no other penalty is specifically provided, to a fine not exceeding five hundred thousand shillings; General penalty

(2) in addition to that penalty the court by which that person is convicted may, in its discretion, revoke any licence granted to him or her under this Act.

(3) Where a person charged with an offence against this Act is a body corporate, every person who, at the time of the commission of the offence, was a director or officer of the body corporate may be charged jointly in the same proceedings with the body corporate, and where the body corporate is convicted of that offence, every such director or officer shall be deemed to have committed the same offence unless he or she proves that the offence was committed without his or her knowledge or that he or she exercised all due diligence to prevent the commission of the offence.

**37.** The County Executive Committee Member may, make Regulations generally to give full effect to this Act, and in particular— Regulations

- (a) prescribing the forms to be used under this Act,
- (b) for the classification of any trade or class of trade in relation to any licence to be granted under this Act; or
- (c) prescribing any matter required to be prescribed under this Act.

**38.** (1) The fees specified in the Schedule to this Act shall be payable on the issue of a licence in the areas set out in the Schedule in respect of the various trades/businesses specified in that Schedule. Licence fees

(2) For the purposes of determining the fees payable in any city, municipality or town, the County Executive Committee Member shall, by statutory order, divide the area of any city, municipality or town into grades.

(3) The County Executive Committee Member may amend the Schedule to this Act.

(4) The County Executive Committee Member may, in respect of any person, reduce any fee payable under this Act if, in his or her opinion, the reduction is desirable for any reason which may seem to the County Executive Committee Member to be sufficient.

(5) Any fees collected in respect of business licences, hawkers licences, transfers and duplicates of those licences, shall be paid to the County Treasury.

**39.** The County Executive Committee Member <sup>Exemption</sup> may, by statutory order, and subject to such conditions, if any, as may be specified in the order, exempt any trade/business or class of trades/businesses or any person or class of persons either generally or in respect of any area, from the operation of all or any of the provisions of this Act.

**40.** Nothing in this Act shall be construed so as to entitle the holder of any licence granted under this Act to sell any article or substance for the sale of which a separate licence is required by any written law for the time being in force. <sup>Licence required under other Acts</sup>

## SCHEDULE 1

### BUSINESS LICENCE FEES FOR VARIOUS BUSINESSES

#### *General Traders and Retail Services*

The following Business license fees shall be charged on the business listed in third column at the rate specified in the fourth column.

| S/No | Code       |  |        |
|------|------------|--|--------|
| 1.   | 100        | Distributors, traders, wholesalers, hypermarkets, department stores, supermarkets, show rooms, boutiques, retail shops & stores, chemists, take-away butcheries, personal service providers, kiosks. |        |
| (a)  | 103<br>(a) | Mega Store , Large multi-department store, hypermarket<br>Over 100 employees or premises over 3,000 m <sup>2</sup> in prime location   | 90,000 |
|      | 103        | Mega Store , Large multi-department store,   | 45,000 |

No. 6

| S/No | Code    |  |        |
|------|---------|--|--------|
|      | (b)     | hypermarket<br>Over 100 employees or premises over 3,000 m <sup>2</sup><br>in fair location  |        |
|      | 104     | Large Trader, Shop, Retail Store or Personal Service: From 21 to 100 employees and/or premises from 300 to 3000m <sup>2</sup> in prime location  | 15,000 |
|      | (b) 105 | Large Trader, Shop, Retail Store or Personal Service: From 21 to 100 employees and/or premises from 300 to 3000m <sup>2</sup> in fair location   | 8,000  |
|      | (c) 110 | Medium Trader, Shop or Retail Service: From 5 to 20 employees and/or premises from 50 to 300 m <sup>2</sup> . Fair location  | 4,000  |
|      | (d) 115 | Small Trader, Shop or Retail Service: Up to 4 employees and/or premises less than 50m <sup>2</sup> in far away location  | 2,000  |
|      | (f) 120 | Kiosk Light or Temporary Construction: Less than 5 m <sup>2</sup> .  | 1,600  |
| 2.   | 200     | Small vendors and small traders and service providers operating on the street, verandas or temporary building.   |        |
|      | (a) 215 | Small Informal Sector Trader/Service Provider: Shoeshine, shoe repair, street vendor (newspapers, sweets, soda, cigarettes).   | 800    |
|      | (b) 220 | Semi-Permanent Informal Sector Trader: Up to 2 persons operating in veranda or temporary building.   | 1,200  |
|      | (c) 295 | Other Informal Sector Operation  | 800    |
| 3.   | 300     | Transportation operating taxis-Matatus-buses-lorries-planes-boats. driving schools, tour / safari operators. petrol stations, storage facilities, cold storage facilities; publishing co, newspapers |        |
|      | (a) 305 | Large Transportation Company: Over 30 vehicles.  | 80,000 |
|      | (b) 310 | Medium Transport Company: From 10 to 30 vehicles.  | 20,000 |
|      | (c) 315 | Small Transport Company: From 2 to 10 vehicles.  | 8,000  |
|      | (d) 320 | Independent Transport Operator: 1 vehicle  | 4,500  |
|      | (e) 325 | Large Petrol Filling Station: Over 6 pumps or with garage-workshop and retail shop.  | 30,000 |

| S/No | Code |  |           |
|------|------|--|-----------|
| (f)  | 330  | Medium Petrol Filling Station: From 4 to 6 pumps or with garage-workshop or retail shop.   | 14,800    |
| (g)  | 335  | Small Petrol Filling Station: Up to 3 pumps and without garage-workshop or retail shop.  | 10,500    |
| (h)  | 340  | Large Cold Storage Facility: Over 1,000 m <sup>2</sup> , insulated walls, cold production equipment.   | 40,000    |
| (i)  | 345  | Medium Cold Storage Facility: Between 100-1,000 m <sup>2</sup> .   | 20,000    |
| (j)  | 350  | Small Cold Storage Facility: Up to 100 m <sup>2</sup> .  | 10,000    |
| k)   | 355  | Large Storage Facility: Over 5,000 m <sup>2</sup> . Go down, Warehouse. Liquid Storage Tanks Complex.  | 35,800    |
| (l)  | 360  | Medium Storage Facility: From 1,000 to 5,000 m <sup>2</sup> .  | 18,500    |
| (m)  | 365  | Small Storage Facility: Up to 1,000 m <sup>2</sup> .   | 9,000     |
| (n)  | 370  | Large Communications Co. Over 100 employees and/or premises over 5,000 m <sup>2</sup>  | 80,000    |
| (o)  | 375  | Medium Communications Co. from 16 to 100 employees and/or premises from 1,500 to 5,000 m <sup>2</sup>  | 40,000    |
| (p)  | 380  | Small Communications Co. Up to 15 employees and/or premises up to 1,500 m <sup>2</sup>   | 20,000    |
| (q)  | 395  | Other Transport, Storage, and Communications   | 10,500    |
| 4.   | 400  | Production of coffee, tea, fruits, flowers, cereals, vegetables and horticultural products. grain storage and processing, mills and posho mills, bakeries; forestry and timber production, sawmills, coal production; animal breeding, dairy products processing |           |
| (a)  | 405  | Large Agricultural Producer/Processor/Dealer/Exporter: Over 50 employees.  | 90,800    |
| (b)  | 410  | Medium Agricultural Producer/Processor/Dealer/Exporter: From 11 to 50 employees  | 37,200    |
| (c)  | 415  | Small Agricultural Producer/Processor/Dealer: up to 10 employees   | 12,000    |
| (d)  | 420  | Large Mining or Natural Resources Extraction Operation: Over 50 acres  | 1,000,000 |

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| S/No | Code |  |         |
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| (e)  | 425  | Medium Mining or Natural Resources Extraction Operation: from 4 to 50 employees  | 500,000 |
| (f)  | 430  | Small Mining or Natural Resources Extraction Operation: up to 3 employees  | 100,000 |
| (g)  | 435  | Quarries and small mining operations   | 37,200  |
| (h)  | 495  | Other Agricultural, Forestry, and Natural Resources  | 3,200   |
| 5.   | 500  | Hotels, tourists' camps, lodging houses, restaurants, bars, eating houses, tea and coffee houses. Butcheries with meat roasting and/or soup kitchen facilities. Membership clubs, night clubs and casinos. |         |
| (a)  | 503  | Large-High Standard Lodging House/Hotel D Class: Over 100 rooms.   | 40,000  |
| (b)  | 506  | Medium-High Standard Lodging House / Hotel D Class: From 41 to 100 rooms.  | 28,000  |
| (c)  | 509  | Small-High Standard Lodging House/Hotel D Class: Up to 40 rooms  | 20,000  |
| (d)  | 512  | Large Lodging House with Restaurant and/ or Bar B/C Class: Basic standard over 15 rooms.   | 18,000  |
| (e)  | 515  | Medium Lodging House with Restaurant and/ or Bar B/C Class: Basic standard from 6 to 15 rooms.   | 14,000  |
| (f)  | 518  | Small Lodging House with Restaurant and/ or Bar B / C Class: Basic standard up to 5 rooms.   | 10,000  |
| (g)  | 521  | Large Lodging House B/C Class: Basic standard over 15 rooms.   | 16,000  |
| (h)  | 524  | Medium Lodging House B/C Class: Basic standard from 6 to 15 rooms.   | 10,000  |
| (i)  | 527  | Small Lodging House B/C Class: Basic standard up to 5 rooms.   | 6,000   |
| (j)  | 540  | Large Restaurant with Bar/Membership Club: Capacity over 30 customers/members  | 12,000  |
| (k)  | 543  | Medium Restaurant with Bar/Membership Club: Capacity from 11 to 30 customers/members.  | 6,000   |
| (l)  | 546  | Small Restaurant with Bar Up to 10 customers   | 4,000   |
| (m)  | 549  | Large Eating House; Snack Bar; Tea House "Hotel": No lodging and no alcohol served with capacity over 20 customers.  | 6,000   |

| S/No | Code |  |         |
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| (n)  | 552  | Medium Eating House; Snack Bar; Tea House "Hotel": No lodging and no alcohol served with capacity from 6 to 20 customers   | 4,000   |
| (o)  | 555  | Small Eating House; Snack Bar; Tea House "Hotel": No lodging and no alcohol served with capacity up to 5 customers.  | 2,800   |
| (p)  | 558  | Butchery with Roasted Meat and/or Soup Kitchen: Any size.  | 4,000   |
| (q)  | 561  | Large Bar/Traditional Beer Seller: Capacity over 50 customers.   | 6,000   |
| (r)  | 564  | Medium Bar/Traditional Beer Seller: Capacity from 16 to 50 customers.  | 4,800   |
| (s)  | 567  | Medium Bar/Traditional Beer Seller: Capacity up to 15 customers.   | 3,200   |
| (t)  | 571  | Large Night Club/Casino: Over 500 m <sup>2</sup>   | 20,000  |
| (u)  | 574  | Medium Night Club/Casino: From 101 to 500 m <sup>2</sup> .   | 12,000  |
| (v)  | 577  | Small Night Club/Casino: Up to 100 m <sup>2</sup>  | 8,000   |
| (w)  | 595  | Other Catering and Accommodation   | 2,800   |
| 6.   | 600  | Firms and/or individual offering services on legal issues, financial, management, engineering, architecture, valuing, surveying, accountancy, secretarial support, data processing, etc.; stock and insurance brokering, security-protection, customs clearing |         |
| (a)  | 605  | Large Professional Services Firm: Over 10 practitioners and/or International affiliation.  | 80,000  |
| (b)  | 610  | Medium Professional Services Firm: From 3 to 10 practitioners.   | 40,000  |
| (c)  | 615  | Small Professional Services Firm: Up to 2 practitioners.   | 20,000  |
| (d)  | 620  | Independent Technical Operator: One person acting individually (typist, accountant, bookkeeper, etc).  | 6,800   |
| (e)  | 625  | Large Financial Services: Over 25 employees or premises over 300 m <sup>2</sup> .  | 142,400 |
| (f)  | 630  | Medium Financial Services: From 6 to 25 employees  | 97,600  |
| (g)  | 635  | Small Financial Services: Up to 5 employees  | 67,200  |



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| S/No | Code |   |        |
|------|------|---|--------|
| (h)  | 695  | Other Professional and Technical Services   | 2,800  |
| 7.   | 700  | Private education institutions, including universities, museums, nurseries, primary and secondary schools, professional training Centre's /polytechnic institutes. private health clinics and doctor's surgeries; consulting offices of doctors, dentists |        |
| (a)  | 705  | Private Higher Education Institution: Any type of private college or higher education institution   | 30,000 |
| (b)  | 710  | Large Private Education Institution: Over 100 pupils or fees over KSh. 50,000 per year  | 20,000 |
| (c)  | 715  | Medium Private Education Institution: From 31 to 100 pupils or fees from KSh. 30,001 to kshs. 50,000 per year   | 10,000 |
| (d)  | 720  | Small Private Educational Facility: Up to 30 pupils or fees up to KSh. 30,000 per year  | 3,000  |
| (e)  | 725  | Large Private Health Facility: Hospital, Clinic, Nursing Home (providing overnight accommodation with capacity over 30 beds), Funeral Home.   | 30,000 |
| (f)  | 730  | Medium Private Health Facility: Providing overnight accommodation with capacity from 11 to 30 beds  | 20,000 |
| (g)  | 735  | Small Private Health Facility: Providing overnight accommodation with capacity up to 10 beds  | 10,000 |
| (h)  | 740  | Health Clinic/Doctor's Surgery: Doctor-Dentist-Physiotherapist-Psychologist-etc. Consult Office with no overnight accommodation available.  | 4,000  |
| (i)  | 745  | Traditional Health Services, Herbalist, etc.  | 3,000  |
| (j)  | 750  | Large Entertainment Facility: Cinema-Theatre-Video Show (over 100 seats), Amusement-Juke Box-Games Machines Arcades (over 10 machines), Sports Club-Gym (Over 50 members).  | 40,000 |
| (k)  |      | Medium Entertainment Facility: From 50 to 100 seats; from 4 to 10 machines; from 16 to 50 members   | 25,000 |
| (l)  |      | Small Entertainment Facility: Up to 50 seats; up to 3 machines; up to 15 members  | 6,000  |

|      |        |   |         |
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| (m)  |        | Other Education, Health, and Entertainment Services   | 3,000   |
| 8.   | 800    | Non- agricultural and non-mining Manufacture, process and assembly of products, vehicles, machinery and equipment, and workshops servicing and repairing products, vehicles, machinery and equipment; contractors of new building construction and old buildings, restoration, and service- |         |
| (a)  |        | Large Industrial Plant: over 75 employees or premises over 2,500 m <sup>2</sup> .   | 150,000 |
| (b)  |        | Medium Industrial Plant: from 16 to 75 employees or premises from 100 m <sup>2</sup> to 2,500 m <sup>2</sup> .  | 104,800 |
| (c)  |        | Small Industrial Plant: up to 15 employees or premises up to 100 m <sup>2</sup> .   | 60,000  |
| (d)  |        | Large Workshop/Service-Repair Contractor: over 20 employees or premises over 500 m <sup>2</sup> .   | 74,800  |
| (e)  |        | Medium Workshop/Service-Repair Contractor: from 6 to 20 employees or premises from 25 m <sup>2</sup> to 500 m <sup>2</sup> .  | 30,000  |
| (f)  |        | Small Workshop/Service-Repair Contractor: up to 5 employees or premises up to 25 m <sup>2</sup> .   | 10,500  |
| (g)  |        | Other Manufacturer, Workshop, Factory, Contractor   | 10,500  |
| 9    | others | Livestock trading   |         |
|      |        | Livestock trader, County bound  | 2,000   |
|      |        | Livestock trader, Trans-county bound  | 4,000   |

### PART B – TRAVELLING WHOLESALERS LICENCE

| Scope                | Annual |
|----------------------|--------|
| Operating countywide | Free   |

### PART C – HAWKERS LICENCE

| Period   | Amount |
|----------|--------|
| Monthly  | Free   |
| 6 months | Free   |
| Annual   | Free   |

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*The Kwale County Business Licensing***PART D- ADDITIONAL FEES**

| <i>S/No</i> | <i>Item Description</i>   | <i>Charges (Ksh.)</i> |
|-------------|---|-----------------------|
| (a)         | Annual Trade License Registration Fee   | 100                   |
| (c)         | Change of Business Ownership  | 1,000                 |
| (d)         | Change of Business Location   | 500                   |
| (e)         | Change of Business Name   | 1,000                 |
| (f)         | For a trader undertaking more than one business under one roof, the business license is charged on the business attracting the highest fee. |                       |
| (g)         | Duplicate license   | 2,000                 |