
KITUI COUNTY BUSINESS LICENCING BILL, 2014

THE KITUI COUNTY BUSINESS LICENCING BILL, 2014

A Bill for,

AN ACT of the Kitui County Assembly to provide for licensing of business and trade activities and for other related purposes

Enacted by the Kitui County Assembly as follows –

ARRANGEMENT OF SECTIONS

PART I - PRELIMINARY

Section

Short title

1. This Act may be cited as the Kitui County Business Licensing Act.

Interpretation

2. (1) In this Act-

"business activity" means a concern carrying on the occupation of -

(a) a regulated trade;

(b) importing or exporting goods;

(c) commission agent or indent agent;

(d) manufacturer's representatives;

(e) produce dealer or produce broker;

(f) business broker

(g) insurance agent;

(h) estate agent; or

(i) 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 and shall not include the hawking or selling of:

(i) Fish

(ii) Agricultural produce

(iii) Local articles

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Which are the produce of or articles of the county.

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

"trade" means carrying on the business of selling goods or services

"prohibited activity" means an activity prohibited by regulations;

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

"conditional business licence" means a licence granted under section 8;

"general business area" means an area declared under section 3 to be a general business area for the purposes of this Act;

"business licence" means a licence, other than a conditional business licence, granted under this Act;

"principal place of business" means the full postal and geographic address specified by a licensee or applicant in his application under section 22

"licensee" means holder of a business licence granted under this Act;

"Business licensing officer" means a person appointed by **County Executive Committee Member** to be a licensing officer under section 6;

"Business licence register" means the register of business licences established under section 24

"County Executive Committee Member" means the executive committee Member responsible for matters of trade, commerce and industries.

"Director" means Director responsible for Trade, commerce and industries appointed by the Kitui county public service board;

"Foreign investment registration certificate" means a foreign investment registration certificate issued by the Cabinet Secretary under any National legislation relating to foreign investment.

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“**Business person**” means any person carrying on any business activity for the purpose of generating revenue in trade, commerce or industry, and includes any trade, profession or calling.

"**manufacturer's representative**" means a person resident in Kitui County 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/shoe making;
- (g) Motor vehicle repairing and motor vehicle spares;
- (h) Cinematograph film exhibition, video shows;
- (i) Advertising; or
- (j) The sale by a manufacturer of goods manufactured by him;

"**Resident of Kitui County**", means;

(a) an individual, residing in Kitui, except for such temporary absences as the **County Executive Committee Member** may determine to be reasonable, and an individual shall be deemed to reside in Kitui county if he has a home in Kitui county and is present in Kitui county at anytime in that year;

(b) a corporation, means that the control and management of the affairs of the corporation were exercised in Kenya in that year;
(clarify)

"**Specified goods**" means any goods, or goods of any particular class, declared as such under section 4 for the purposes of this Act.

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(2) For the purposes of this Act -

(a) A person conducts a business if he is -

(i) The owner or a part-owner of the business; or

(ii) The person controlling or a person partly controlling the business:
or

(iii) a person interested in the business, but, subject to section 23 of the Penal Code, where a corporation conducts a business a person who is director or shareholder in that company does not by reason only of his directorship or shareholding conduct the business of that corporation;

(b) a corporation is a citizen of Kenya if more than one-half of its capital is held by or on behalf of persons who are citizens of Kenya; and a statutory declaration made by a director or other person responsible for the management of the corporation that to the best of his knowledge and belief more than one-half of its capital is so held shall be prima facie evidence that it is so held; and

(c) a partnership is a citizen of Kenya if all the partners therein are citizens of Kenya, and not otherwise.

PART II - REGULATION OF BUSINESS

General business Area

3. The **County Executive Committee Member** may, by order, declare the area, or any business part of the county to be a general business area for the purposes of this Act.

Specified goods

4. The **County Executive Committee Member** may, by order, declare any particular specified goods, or goods of any particular class, to be specified goods for the purposes of this Act.

Restrictions on carrying on business

5. (1) Every person in the county carrying on a business activity/trade shall hold a valid business licence.

(2) A business licence shall not be issued to –

(i) A person carrying on a prohibited activity

(ii) An individual under the age of 18 (eighteen) years of age

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(iii) A partnership where one of the partners is under eighteen years of age

(iv) A foreign investor who does not hold a valid foreign investment certificate;

(3) No licensee shall enter into any business transaction unless the business with which the transaction is entered into is carried on under a licence.

(i) Manufacturer shall be licenced to sell their own products to and through appointed distributors/agents or licensed wholesalers only;

(ii) Wholesalers/distributors shall only be licenced to sell to other smaller wholesalers and retailers but not to carry on retail business;

(4) Any person who contravenes subsection (1), or (3) shall be guilty of an offence and liable to a fine not exceeding one hundred thousand shillings and in default of payment to imprisonment for term not exceeding eighteen months

(5) Where a person is convicted of an offence under this section, the **County Executive Committee Member** may -

(a) where he is the holder of a licence, in writing revoke the licence;

(b) in any case, in writing direct that no licence shall be granted to that person during such period not exceeding ten years as the **County Executive Committee Member** may think fit.

PART III - LICENSING OF BUSINESSES OTHER THAN THOSE PROVIDING PROFESSIONAL AND CONSULTANCY SERVICES

Licensing officers

6. (1) **County Executive Committee Member** shall appoint the Chief Officer responsible for Trade, commerce and industries to be "County business licencing officer" responsible for the issuing of business licences under the Act.

(2) The office of business licensing officer shall be an office in the Kitui county public service.

(3) The Chief Officer responsible for Trade, commerce and industries may delegate in writing any powers under this act to one or more officers in the county to issue business licences for the purposes of this Act and perform any other duty as may be necessary for the execution of this Act.

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Partnerships

7. (1) Every business licence or conditional business licence granted in respect of a partnership shall be in the joint names of all the partners.

(2) In the event of any change in the constitution of a partnership which is the holder of a business licence or a conditional business licence, the remaining partners shall, within seven days of such change, give written notice thereof to the business licensing officer.

(3) Notwithstanding any other provision of this Act, any business licence or conditional business licence held by a partnership shall, at the expiration of six months from the date of any change in the constitution of the partnership, or upon the issue of a business licence in respect of the business concerned to the reconstituted partnership, whichever is the earlier, become void and shall forthwith be surrendered to the business licensing officer for cancellation:

Provided that this subsection shall not apply in any case where -

(i) a change in the constitution of a partnership is occasioned by the death or retirement of a partner; and

(ii) no new partner is brought in to replace the deceased or retired partner; and

(iii) there are at least two partners remaining.

(4) In the event of any failure to give notice, or to surrender a business licence, as required by this section, each of the remaining partners shall be guilty of an offence.

(5) In this section "remaining partners" means the partner or partners named in a business licence or conditional business licence who remain in the partnership after any change in the constitution thereof.

Conditional licences

8. (1) A business licensing officer may grant a conditional business licence to a person who makes application therefor in the prescribed manner, and may attach any conditions thereto which he may think necessary.

(2) A conditional business licence shall not entitle the holder thereof to conduct any business but shall specify the kind of business and the premises in respect of which a business licence is to be granted under subsection (6).

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(3) The fee for the grant of a conditional business licence shall be one-half of the fee specified in the Schedule appropriate to the business and premises specified under subsection (2).

(4) A conditional business licence shall be valid for a period of twelve months from the date of the issue thereof.

(5) An application for a conditional business licence in continuation of one which is due to expire shall be made at least three months before the date of such expiration.

(6) At any time during the validity of a conditional business licence, the holder thereof may apply to the business licensing officer for a business licence in respect of the business and the premises specified in the conditional business licence, and if the licensing officer is satisfied that the conditions, if any, upon which such conditional business licence was issued have been fulfilled he shall, upon payment of the appropriate fee and notwithstanding any other provision of this Act, grant such business licence to the applicant.

(7) Where a licensing officer refuses to grant a conditional business licence or attaches conditions thereto he shall give to the applicant, if so requested, the reasons in writing for his action.

Grant of licence

9. (1) A person desirous of obtaining a business licence shall make application therefor in the prescribed form in the regulations, and the business licensing officer may -

(a) grant a business licence accordingly, either without conditions or subject to such conditions as he may think fit, or refuse to grant a business licence;

(b) where he decides to grant a business licence and the applicant is not a citizen of Kenya, the applicant must produce a valid investment certificate to business licensing officer as authority to do business in Kenya under national legislation;

(2) Where a business licensing officer -

(a) refuses to grant a business licence; or

(b) imposes conditions in a business licence; or

(c) refuses to grant authority in a business licence for the purposes of section 5 (2),

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he shall give to the applicant, if the applicant so requests, the reasons in writing for his action.

(3) Except as otherwise expressly provided, the appropriate fee specified in the First Schedule shall be payable in respect of each business authorised by a licence.

(4) No business shall be conducted without a valid business licence. A business licence shall be valid for a period ending on the 31st December next following the date issued unless renewed:

Provided that the **County Executive Committee Member** may direct that any particular business licence or class of business licence, whether defined by class of business or area of application or both, shall be valid for such other period as he may specify, and in any such case the fee payable for any such business licence shall be varied proportionally.

(5) An application for the grant of a business licence which is in continuation of or substitution for an existing business licence shall be made at least three months before the expiry date of the existing business licence.

(6) A business licence shall specify the premises at which the licensee may conduct his business, and, where a business is conducted at more than one premises, a separate business licence shall be required for each of such premises:

Provided that where a business is conducted by one management in premises divided by walls but otherwise communicating internally with one another only one business licence shall be required for such business.

(7) The effect of a business licence shall be to authorize the licensee to conduct a business or businesses specified in the business licence at the premises so specified.

Amendment of licence

- 10.** (1) Subject to this Act, a business licence may be amended upon written application for amendment to the business licensing officer;
- (2) the licensee shall inform the business licensing officer in writing of any change within 30 days;
- (3) if a licensee fails to inform business the licensing officer under the subsection, the business licensing officer may impose penalty.
- (4) the business licensing officer may amend the business licence -

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(a) By substituting another kind of business for the kind of business specified in the business licence, or adding another kind of business; or

(b) By substituting other premises for the premises specified in the business licence,

by endorsing the business licence accordingly.

(5) Where a business licensing officer refuses to amend a business licence under subsection (1), he shall give to the applicant, if the applicant so requests, the reasons in writing for his action.

(6) A business licence amended under this section shall be valid for the remaining period of the amended business licence

(7) There shall be payable upon an amendment of a business licence under this section the appropriate fee specified in the Schedule in respect of each business authorized by such business licence as so amended.

Transfer of licences

11. (1) Save as hereinafter provided, no business licence shall be transferred to any person.

(2) Any licensee who lends, rents, transfers or assigns, or attempts or purports to lend, rent, transfer or assign, his business licence to any other person, and any person who borrows or makes use of a business licence granted to another and not lawfully transferred under subsection (3), shall be guilty of an offence. ...penalty?

(3) Notwithstanding the foregoing provisions of this section, a business licensing officer shall, if so requested, transfer a licence to any of the following persons in the appropriate event -

(a) in the case of the death of the business licensee, to surviving heirs or the legal personal representative of such licensee;

(b) in the case of the bankruptcy of the licensee or assignment for the benefit of his creditors generally, to the lawfully appointed trustee or assignee;

(c) in the case of a corporation in liquidation, to the lawfully appointed liquidator;

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(d) in any case where the licensee becomes subject to a legal disability, to any person lawfully appointed to administer his affairs, and any business licence so transferred shall, notwithstanding any other provision of this Act, continue to be valid for a period remaining of the so transferred business licence

(4) There shall be payable upon the transfer of a business licence under subsection (3) a fee of ten per centum of the fee paid for the issue of such business licence.

Display of licence and duplicates

12. (1) Every business licence shall, except when lodged with a licensing officer for any of the purposes of this Act, be displayed in a prominent /conspicuous position on the premises of licensee's principal place of business in respect of which it was issued and where any business licence is not so displayed the licensee shall be guilty of an offence and liable to a fine not exceeding hundred thousand shillings.

(2) The business licensing officer, any police officer or any administrator who has reason to believe that a business person is required to hold a business licence, after proper identification, may demand from the person carrying on the business activity the production of a business licence.

(3) if a person has been required under this section to produce a business licence for inspection does not-

- a) Produce a business licence within two working days; or
- b) Permit the officer to read and examine the business licence when produced,

The person commits an offence, and shall be liable on conviction to a fine not exceeding one hundred thousand shillings and in default of payment to imprisonment for a period not exceeding eighteen months;

(3) Where, upon application in the prescribed manner, it is shown to the satisfaction of the business licensing officer that a business licence has been lost, destroyed or defaced, such officer shall, upon payment of a fee of hundred shillings, issue a duplicate of such business licence to the licensee.

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Principles of licensing

13. In the performance of his functions under sections 8, 9 and 10 a business licensing officer shall –

(a) be guided by the principle that businesses carried on in any place which is not within a general business area ought, where practicable, to be controlled by citizens of Kenya, and that specified goods ought, where practicable, to be dealt in by citizens of Kenya, and in particular take into consideration -

(i) Whether the activities in respect of which the business licence is applied for ought to be and could be carried on by a business conducted by citizens of Kenya;

(ii) Whether the activity will be in the public interest; and

(iii) Any special programme of development in the area concerned; and

(b) Satisfy himself that the applicant and every other person who will conduct the business has not -

(i) Been adjudged bankrupt and not been discharged, or entered into a composition or a scheme of arrangement with his creditors which is still binding;

(ii) Within the five years immediately preceding the date of the application, been convicted of an offence under the law relating to bankruptcy; or;

(iii) Within the period specified in subparagraph (ii), been convicted of an offence under this Act, or the Weights and Measures Act or any other relevant law

(c) Satisfy himself that the applicant and every other person who will conduct the business -

(i) Has attained the age of eighteen years; and

(ii) Has complied or will comply with all laws applicable to the business and the premises;

(d) be at liberty to refuse a business licence, or attach conditions thereto, on the ground that the applicant or any person employed in the management of the business has used discriminatory or otherwise

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unfair or improper trading practices in respect of that or any other business:

Provided that a business licensing officer may grant a business licence notwithstanding the foregoing provisions of this section if he considers it just and reasonable to do so in all the circumstances of the case.

Revocation of licences

- 14.** (1) A business licensing officer may in writing revoke a business licence on the ground that;
- a) the licensee has used discriminatory or otherwise unfair or improper trading practices.
 - b) The application form contains any material misrepresentation or false statement
 - c) Any information given in the application for the business licence was materially incorrect so as to create a false impression of the ownership of the business or nature of its business activity;
 - d) The licensee carries on a prohibited activity;
 - e) A condition imposed on the business licence was breached
 - f) The licensee is convicted of an offence under the Act.

(2) Where, under subsection (1), a business licensing officer revokes a business licence he shall give to the licensee, if so requested, the reasons in writing for his action.

Appeals

15. (1) Subject to subsection (2), any person who is aggrieved by the action of a business licensing officer in -

(a) refusing to grant a business licence or conditional business licence or revoking a business licence; or

(b) imposing conditions in a business licence or conditional business licence; or

(c) refusing to grant authority in a business licence for the purposes of section 5 (2); or

(c) refusing to amend a business licence under section 10,

may within fourteen days of receipt by him of written notification of such action, appeal to the **County Executive Committee Member**, whose decision shall be final.

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(2) The **County Executive Committee Member** shall not dismiss an appeal under subsection (1) unless he has first referred it to an appeals advisory committee and considered the advice of that committee.

(3) The appeals advisory committee provided for in subsection (2) shall consist of not less than -

(a) Three members of the committee responsible for trade, commerce and industry in the County Assembly of Kitui;

(b) Two advocates practicing in Kitui county; and

(c) Three persons who have experience in one of the occupations and are members of National chamber of commerce and industry Kitui chapter;

PART IV - ENFORCEMENT

Power to enter premises and require information

16. (1) A business licensing officer ,enforcement officer, administrative police officer, or a police officer of or above the rank of Inspector (listing administrative officer and then adding ‘police officer of or above the rank of Inspector brings some ambiguity. Are administrative officers excluded from the rank limit?) may, upon production of evidence of his authority to any person reasonably requiring it-

(a) at any reasonable time, enter any premises which he has reasonable grounds for believing to be occupied by a business, and inspect such premises and any book, document or other thing found therein for the purpose of ascertaining whether this Act is being complied with; and

(b) require any person appearing to be conducting the business or to be employed in it to give such information within his power as the officer may reasonably require to enable him to ascertain whether this Act is being complied with.

(2) Any person who hinders or obstructs an officer acting under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred thousand shillings and in default of payment to imprisonment for a period not exceeding eighteen months;

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Acts of agent or servant

17 For the purposes of this Act, a person conducting a business shall be responsible for the acts or omissions of any partner, agent or servant of his in so far as they concern his business, and if such partner, agent or servant commits any act or makes any omission which is an offence under this Act, or which would be an offence if committed by the person conducting the business, such person and his partner, his agent or his servant, as the case may be, shall each be guilty of the offence and is liable on conviction to a fine not exceeding one hundred thousand shillings and in default of payment to imprisonment for a period not exceeding eighteen months;

Provided that -

(i) where a person conducting a business is, by virtue of this section, charged with an offence under this Act, it shall be a defence to the charge to prove that he had reasonable ground to believe and did believe that a competent and reliable person was charged with the duty of seeing that the requirements of this Act were complied with and was in a position to discharge that duty; and

(ii) a person shall not be sentenced to imprisonment for such an offence unless, in the opinion of the court, the offence was committed wilfully.

False information

18. Any person who makes a false statement or a statement which he has reason to believe is untrue -

(a) in an application under this Act or otherwise to a licensing officer in connection with this Act; or

(b) to an officer acting under section 16, shall be guilty of an offence. ...penalty?

Presumptions

19. (1) Where, in a prosecution for an offence under section 5, it is alleged that a person is not a citizen of Kenya, it shall be presumed that that person is not a citizen of Kenya until the contrary is proved.

(2) Where, in a prosecution for an offence under section 5, it is alleged that a person does not hold a current **business** licence, it shall be presumed that that person does not hold a current **business** licence until the contrary is proved.

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(3) Single Business permit issued by any Local Authority existing in the county prior to enactment of this act shall be considered as business licence for the purposes of this Act and shall expire at 31st December the year it was issued.

General penalty

20. Any person who is guilty of an offence under this Act for which no penalty is specifically provided shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding five thousand shillings or to both.

PART V - SUPPLEMENTAL

Exemptions

21. The **County Executive Committee Member** may, by notice in the Kitui county Gazette, exempt any class of persons who are citizens of Kenya from any of the provisions of this Act.

Regulations

22. The **County Executive Committee Member** may make regulations for the better carrying out of the provisions and purposes of this Act, and, without prejudice to the generality of the foregoing, for -

(a) prescribing the forms to be used and the fees to be paid for anything done under this Act;

(b) prescribing the conditions subject to which licences are to be issued, with different conditions for different classes of cases where appropriate.

Acknowledgement of application

23. (1) Upon receipt of an application for a licence in continuation or substitution for an existing licence, the licensing officer shall issue to the applicant a written acknowledgement of such receipt which shall specify the name of the applicant and the business and the premises in respect of which the application is made.

(2) If, at the date of expiry of a licence, the licensing officer has not granted a new licence and has not notified the licensee that such new licence has been refused, the acknowledgement issued under subsection (1) shall, for the purposes of this Act, be deemed to be a licence authorizing the person specified therein to conduct the business, at the premises, so specified.

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(3) An acknowledgement which is deemed to be a licence under subsection (2) shall be valid as such until the date upon which the new licence applied for is granted or refused, and in the case of a refusal such acknowledgement shall be surrendered to the licensing officer.

(4) An applicant who fails to surrender an acknowledgement under subsection (3) within seven days after the receipt of a notification of refusal of a licence shall be guilty of an offence.

Business Licence Register

24 (1) The Business Licensing Officer shall be responsible for establishing and maintaining in accordance with this Act and the Regulations, a register of business licences.

(2) The Business Licence Register shall be available for inspection by the public during business hours and copies of entries shall be provided, upon payment of the prescribed fee.

(3) The Business Licensing Officer shall within seven days record any amendments or changes made under section 10 and 11 on the register.

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Order under section 3

THE KITUI COUNTY BUSINESS LICENSING (GENERAL BUSINESS AREAS)

1. This Order may be cited as the Kitui County Business Licensing (General Business Areas) Order.
2. For the purposes of Part II of the Act the area specified in the first column of the Schedule hereto, except the parts thereof specified in relation thereto in the second column, are declared to be general business areas for the purpose of the Act.

SCHEDULE

<i>General business Area</i>	<i>Excluded Parts of Area</i>
1. The area within Kitui township surrounded by the following roads only : Mama Ngina, Mukuti Road, Biashara street, Kilungya street and Endau Road in the CBA	The area known as Kango (mosquito) Estate, Kalundu market, Kunda Kindu, Swahili Village and Majengo estate . All other areas are excluded
2. The area within Mwingi township- the roads from Mwingi makuti – Mwingi Musila Gardens and Kitui Millers.	All other areas are excluded

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Regulations under section 22

THE KITUI COUNTY BUSINESS LICENSING (FORMS) REGULATIONS

1. These Regulations may be cited as the Kitui County Business Licensing (forms)
2. All persons conducting businesses shall make application in the following forms:
 - a) Form A.- application for general businesses licence,
 - b) Form B.-application for manufacturing licence,
3. Business licences shall be issued in the following prescribed forms:
 - c) Form C.-Business licence for general business(regulated businesses),
 - d) Form D,-Business licence for manufacturing businesses

4. No person shall conduct business unless he is in the possession of a valid business licence granted in the appropriate form.
5. No business licence shall be issued unless a fee prescribed for that business is paid to the business licensing officer.
6. Prescribed business licence fee shall be published by County executive committee member in charge of finance and planning on approval by the Kitui county assembly and shall be applicable to all businesses under this Act.

FORM A

THE KITUI COUNTY BUSINESS LICENSING ACTS

APPLICATION FOR A GENERAL BUSINESS LICENCE

(A separate application form must be completed in respect of each separate business establishment)

1. Name of business/applicant
2. (a) Income Tax Personal Identification Number (s) (PIN)
.....
- (b) Postal addressPostal code.....Town.....
- (c) Location of business premises:
Plot No.

Street.....

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Market

Town.....

Ward.....

District.....

Constituency.....

3. Give full details of proprietors or partners owing business or director/
shareholders of the company, as the case may be.

Name.....
.....

Nationality.....by
birth/registration..... none citizen.....

No. of shares
held.....

4. Full description of the business/manufacturing for which a business licence is
required

.....
.....
.....

5. (a) Indicate the number and date of issue of any business licence previously held
under this Act or any other
Act.....

.....

(b) Give the date of commencement of the business and the period for which the
business licence is now being applied for

.....
.....
.....

6. State if you or any of the partners/directors is an undischarged bankrupt. (if so,
indicate the name.)

.....
.....

7. (a) Has any previous business licence been rejected under the Acts/ or any other
Act - (if so, give details)

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.....
.....
(b) Has any previous business licence been cancelled under the Act / or any other Act?

.....
.....
8. (a) Copies of the following documents should be submitted with the application for a business licence:

(i) If the applicant is a Kenya, a copy of both sides of ID/card or if a non-Kenya current work permits together with copies of pages 1 to 5 of the passport and copy of foreign investment registration certificate;

A non-Kenya shall produce a suitable identification document (for instance the ID card of his country or any other acceptable document in lieu of a work permit or passport);

(ii) Relevant entry permit (s) for non-citizen

(iii) Either-business name Registration Certificate; or

Certificate of Incorporation and Memorandum and articles of Association in case of a Company

(whichever is applicable)...and CR12 in case of company?

(iv) A copy of Title Deed, Lease agreement or letter from landlord confirming tenancy at business premise.

(b) an applicant for the renewal of a licence shall submit only a photocopy of the current business licence.

Declaration

I/We hereby certify that the information give in this application is true and correct. I/We understand that it is an offence under section 18 of the Business Licencing Act to give false information in support of any application.

Name of applicant.....

Signature

Company seal (in case of company).....

Designation

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Date

FORM B

THE KITUI COUNTY BUSINESS LICENSING ACTS

APPLICATION FOR A MANUFACTURING BUSINESS LICENCE

(A separate application form must be completed in respect of each separate business establishment)

1. Name of business/applicant

2. (a) Income Tax Personal Identification Number (s)
(PIN)..... VAT No.....
Registration/incorporation/certificate No.....

(b) Postal addresscode.....Town.....

(c) Location of business premises:

Plot No.

Street.....

Market.....

Town.....

Ward.....

District.....

Constituency.....

3. Give full details of proprietors or partners owning business or director/ shareholders of the company, as the case may be.

Name:-----

Nationality:-----

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(Where applicable)

No. of shares held: -----

CR12 in case of company.....

(any additional information should be submitted on a separate sheer of paper)

4. Full description of the business/manufacturing for which a business licence is required
.....
.....

5. (a) Indicate the number and date of issue of any business licence previously held under this Act/ or any other Act.....
.....

(b) Give the date of commencement of the business and the period for which the business licence is now being applied for
.....
.....
.....

6. State if you or any of the partners/directors is an undischarged bankrupt. (if so, indicate the name.)
.....
.....

7. (a) Has any previous business licence been rejected under the Acts/ or any other Act? (if so, give details)
.....
.....

(b) Has any previous business licence been cancelled under the Act/ or any other Act?
.....
.....
.....

8. (a) Copies of the following documents should be submitted with the application for a business licence:

(i) If the applicant is Kenya, a copy of both sides of ID/card or if a non-Kenya current work permits together with copies of pages 1 to 5 of the passport;

A non-Kenya shall produce a suitable identification document (for instance the ID card of his country or any other acceptable document in lieu of a work permit or passport);

(ii) Relevant entry permit (s) for non-citizen

(iii) Either-business name Registration Certificate; or

KITUI COUNTY BUSINESS LICENCING BILL,2014

Certificate of Incorporation and Memorandum and articles of Association in case of a Company (whichever is applicable)...CR12

(iv) Title Deed, Lease agreement or letter from landlord confirming tenancy in business premise.

(b) an applicant for the renewal of a licence shall submit only a photocopy of the current licence.

Declaration

I/We hereby certify that the information give in this application is true and correct. I/We understand that it is an offence under section 18 of the Business Licencing Act to give false information in support of any application.

Name of applicant.....

Signature

Company Seal (in case of company)

Designation

Date

THE KITUI COUNTY BUSINESS LICENSING ACTS

FORM C

GENERAL BUSINESS LICENCE

(under section 9 of the Act)

.....(*Name of licensee*)

is hereby licensed to carry on the following business occupations):

.....

.....

.....

on premises situated at:

Plot No.

KITUI COUNTY BUSINESS LICENCING BILL,2014

Street.....

Market.....

Town.....

Ward.....

District.....

Constituency.....

This licence expires on 31st December, 20.....

Fee paid (in words):

.....
.....

KSh.

Place of IssueSub-
County.....

.....

Licensing Officer

Date

FORM D

THE KITUI COUNTY BUSINESS LICENSING ACTS

MANUFACTURER'S BUSINESS LICENCE

(under section 9 of the Act)

.....
(name of licensee)

is hereby licensed to carry on the following business occupations):

.....

..... on premises

situated at:

Plot No.

Street.....

KITUI COUNTY BUSINESS LICENCING BILL,2014

Market.....

Town.....

Ward.....

District.....

Constituency.....

This licence expires on 31st December,

Fee paid (in words):

.....
.....

KSh.

Place of IssueSub-
County.....

.....

Licensing Officer

Date

DANIEL M, KIMANZI
Chairman
Trade, Industry, ICT and Cooperatives Committee