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GAZETTE NOTICE NO. 3895

THE STATUTORY INSTRUMENTS ACT

(No. 23 of 2013)

NOTIFICATION OF REGULATORY IMPACT STATEMENT

PURSUANT to section 8 of the Statutory Instruments Act, 2013, the Cabinet Secretary for Lands and Physical Planning in consultation with the Cabinet Secretary for the National Treasury and Planning and the National Land Commission notifies the general public that a Regulatory Impact Statement on the proposed regulations to implement electronic land transactions has been prepared to assess the impact of the regulations on the community and businesses.

The proposed Statutory Instruments include the following:

1. Land Registration (Electronic Transactions) Regulations, 2020.
2. Survey (Electronic Cadastre Transactions) Regulations, 2020.
3. Survey (Amendment) Regulations, 2020.
4. Stamp Duty (Valuation) Regulations, 2020.
5. Stamp Duty (Amendment) Regulations, 2020.
6. Land (Amendment) Regulations, 2020.
7. Land (Extension and Renewal of Leases) (Amendment) Rules, 2020.
8. The Land (Allocation of Public Land) (Amendment) Rules, 2020.
9. Physical and Land Use Planning (Electronic Development Control and Enforcement System) Regulations, 2020.

The main objective of the proposed regulations is to facilitate the implementation of the National Land Information Management System (NLIMS) developed pursuant to section 6 (h) of the Land Act, 2012. Specifically, the regulations seek to—

- (a) provide for the operationalization of the NLIMS;
- (b) leverage on ICT to improve the way in which information is structured, stored, managed, delivered and used;
- (c) improve ease of doing business by cutting time for property registration;

- (d) provide the legislative framework and platform for facilitating cost effective and reliable paperless transactions in land and accessing land information in a timely manner;
- (e) establish an electronic payment system to improve revenue collection by eliminating revenue leakages;
- (f) reduce paper work and records that takes up lot of space and difficult to access, retrieve and store; delays; and
- (g) promote public confidence in the integrity and reliability of electronic records and electronic transactions.

This is therefore to request all persons likely to be affected by the proposed regulations to submit written memorandum on the proposed regulations to reach the undersigned within fourteen (14) days from the date of publication of this notice.

The draft Regulatory Impact Statement and the proposed regulations are available on the Ministry's website: <https://lands.go.ke>. The proposed regulations and the Regulatory Impact Statement are also available on request through the Ministry's email address at elandtransactions@gmail.com during normal working hours.

Due to the prevailing global health concerns, the Ministry also welcomes any stakeholder who would prefer virtual interaction on the subject matter to notify the Ministry through the email address given below in order for the Ministry to prepare for such meetings. The virtual meetings will be scheduled as public forums and will take place between Thursday, 11th June to Thursday, 18th June, 2020 starting from 10.00 a.m. to 4.00 p.m. to discuss the proposed Regulations and the Regulatory Impact Statement and comments received.

Please send your written comments to:

*The Principal Secretary,
Ministry of Lands and Physical Planning,
Ardhi House, 1st Ngong Avenue,
P.O. Box 30450-00100,
Nairobi*

or

Email: elandtransactions@gmail.com

Dated the 8th May, 2020.

FARIDA KARONEY,
Cabinet Secretary for Lands and Physical Planning.