

THE KPDA LEGISLATIVE TRACKER UPDATE AS AT FRIDAY 10TH JUNE 2022

Bill	Objective of the Bill	Impact of the Bill on the Property Sector if passed	Status of the Bill
Finance Bill, 2022	The bill is introduced annually in parliament to amend various tax laws to capture changes in the in tax laws each financial year	Taxes are a huge aspect of the cost of doing business, it is important for developers to lobby for tax rebates in light of Covid-19 business recovery, and keep track of any developments in the taxation regime for the new financial year.	At the Committee Stage as at 26 th May 2022
Land Control Bill, 2022	<p>The Principal object of the bill is to repeal and replace the Land Control Act Cap. 302 to align the law governing dealings in agricultural land with provisions of CoK 2010, the Environment & Land Act 2011, the Land Registration Act, 2012 and the Land Act, 2012.</p> <p>The bill proposes the establishment of the Land Control Committees in each constituency to replace the current Land Control Boards. It further proposes the establishment of the Land Control Appeals Committees to handle any appeals emanating from the land control committees</p>	<p>The Bill, if passed, will apply to transactions relating to dispositions of:</p> <ul style="list-style-type: none"> (i) land within an area that is not designated as a city or urban area by the Cabinet Secretary in charge of the Ministry of Devolution; (ii) land within an area designated for agricultural use under the Physical and Land Use Planning Act; and (iii) land used for agricultural purposes (“Controlled Transactions”). 	At the first Reading Stage as at 11 th May 2022.
The Valuers Bill, 2022	The principal object of the bill is to regulate the practice of valuation in Kenya.	It will ensure that the new law will be in line with the current practices of valuation and the Constitution of Kenya, 2010	At the first Reading Stage as at 11 th May 2022.
The National Rating Bill, 2022	The Bill seeks to provide for enhancement., certainty, uniformity and fairness in levying of property rates by the counties.	<p>The bill will harmonize legislation relating to property taxes by bringing together the rating act and the Valuation for rating act into one law</p> <p>It will provide guidance to county governments in preparing their</p>	At the first Reading Stage as at 11 th May 2022.



	<p>The Bill seeks to provide a buoyant source of revenue for county governments. The revenue is necessary to enable each county government perform the functions assigned to county governments as set in the Fourth Schedule to the Constitution and enable the county government realize its development agenda.</p> <p>The Bill also provides for establishment of the National Rating Tribunal responsible for resolution of disputes relating to property rating.</p>	<p>respective rating legislation in their capacities as rating authorities and thus ensure proper planning and harmonization across the country.</p> <p>It will help in updating the rating laws to conform the Constitution 2010 now that the particular laws were old and modelled on the former local authorities (municipal and county councils) being the rating authorities.</p> <p>It will promote the adoption of technology in conducting valuations for purposes of rating as well as rating itself.</p>	
<p>The Landlord and Tenant Bill, 2021</p>	<p>It seeks to consolidate the laws relating to the renting of business and residential premises; to regulate the relationship between the landlord and tenant in order to promote stability in the rental sector</p> <p>It creates a Tribunal which shall have powers to determine, assess or vary the rent payable and service charge in respect of any premises, and fix the date from which the rent is payable on the application of either the landlord or tenant.</p>	<p>It will apply to tenancy of tenancy of business premises which are written, and those that are written but for a period not exceeding five years.</p> <p>Landlords will not have an absolute autonomy to set the rent and service charge payable as the Tribunal will have powers to vary the same and set “fair rent”.</p> <p>Landlords shall not increase the rent payable unless they give the tenant at least 90 days’ written notice of the intention to do so. Further, it will bind landlords to only increase rent if twenty-four months have elapsed since the date of the last rent increase.</p> <p>Landlords shall only be entitled to terminate the tenancy of a business by giving 24 months’ notice, or if the tenant has defaulted in the payment of rent for three consecutive months following the last date such rent</p>	<p>The bill is currently awaiting the committee of the whole stage in the Senate.</p>



		<p>became due and payable. Tenants can terminate by giving two months' notice.</p> <p>Disputes between a landlord & tenant will be determined within a period of 3 months, as opposed to the lengthy court process that takes over a year or more. Appeals shall lie from the Tribunal to the High Court only on points of law.</p>	
The National Building Regulations, 2022	To protect public health, safety and general welfare as IT relates to the construction and occupancy of buildings and structures	Promoting the use of Modern Innovative building technologies. Benchmarking with lessons from other countries.	Validation stakeholder forum - Friday, 6th May 2022

