



**THE REPUBLIC OF KENYA**

LAWS OF KENYA

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**AUCTIONEERS ACT**

NO. 5 OF 1996

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**NO. 5 OF 1996**

**AUCTIONEERS ACT**

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**NO. 5 OF 1996**  
**AUCTIONEERS ACT**

[Date of assent: 16th October, 1996.]

[Date of commencement: 15th August, 1997.]

**An Act of Parliament to consolidate and amend the law relating to auctioneers, to provide for the licensing and regulations of the business and practice of auctioneers, and for connected purposes**

[Act No. 5 of 1996, L.N. 146/1997, Act No. 2 of 2002, Act  
No. 7 of 2007, Act No. 57 of 2012, Act No. 11 of 2017.]

**1. Short title**

This Act may be cited as the Auctioneers Act, 1996.

**2. Interpretation**

(1) In this Act, unless the context otherwise requires—

“**advocate**” has the meaning assigned to it in section 2 of the Advocates Act (Cap. 16);

“**auctioneer**” means a person licensed under section 10;

“**Board**” means the Auctioneers Licensing Board established by section 3;

“**Council of the Law Society**” means the Council of the Law Society of Kenya elected under section 13 of Law Society of Kenya Act (Cap. 18);

“**court**” means any court of competent jurisdiction;

“**licence**” means a licence issued under this Act;

“**licensed auctioneer**” means an auctioneer licensed under this Act.

“**minister**” *deleted by Act No. 2 of 2002, sch.*

(2) Subject to subsection (3), any person who—

- (a) attaches for sale any movable or immovable property in execution of a court order made pursuant to the provisions of any written law or contract;
- (b) sells or offers for sale any movable or immovable property or any interest therein by auction or by any other mode of sale by competition;
- (c) levies distress for rent or distrains under the provisions of any written law;
- (d) carries out evictions under an order of a court;
- (e) repossesses goods from any person pursuant to the provisions of any written law or contract,

shall, for the purposes of this Act, be deemed to carry on the business of an auctioneer.

(3) The provisions of this Act shall not apply to an auction sale under the Coffee Act (Cap. 333) or the Tea Act (Cap. 343).

[Act No. 2 of 2002, Sch., Act No. 11 of 2017, Sch.]