

SPECIAL ISSUE

**NATIONAL COUNCIL FOR
LAW REPORTING
LIBRARY**

Kenya Gazette Supplement No. 28 (National Assembly Bills No. 10)



REPUBLIC OF KENYA

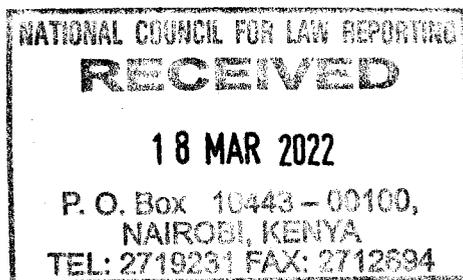
KENYA GAZETTE SUPPLEMENT

NATIONAL ASSEMBLY BILLS, 2022

NAIROBI, 28th February, 2022

CONTENT

| Bill for Introduction into the National Assembly— | PAGE |
|---|------|
| The National Rating Bill, 2022 | 297 |



PRINTED AND PUBLISHED BY THE GOVERNMENT PRINTER, NAIROBI

THE NATIONAL RATING BILL, 2022
ARRANGEMENT OF CLAUSES

Clause

PART I—PRELIMINARY

- 1—Short title.
- 2—Interpretation
- 3—Purpose and objects of the Act.
- 4—Guiding Principles.
- 5—Application of the Act.
- 6—Use of technology.

PART II—RATING

- 7—Duty to levy rates.
- 8—Rateable owner.
- 9—Forms of rating.
- 10—Notice of rating.
- 11—Publication of rating area.
- 12—Annual rental value rating.
- 13—Area rating.
- 14—Setting of rate struck.
- 15—Notice of rate.
- 16—Payment of rates.
- 17—Remission of rates.
- 18—Discounts and waivers.
- 19—Enforcement of payment of rates.
- 20—Contribution in lieu of rates.

**PART III—APPOINTMENT AND POWERS OF
VALUERS**

- 21—Criteria to be a valuer.
- 22—Appointment of valuer.

23—Responsibilities of a valuer.

24—Powers of valuer.

25—Responsibilities of the Chief Government Valuer.

PART IV—VALUATION FOR RATING

26—General basis of valuation.

27—Declaration of rateable areas.

28—Methods of valuation.

29—Preparation of valuation rolls and supplementary valuation rolls.

30—Contents of draft valuation roll and draft supplementary valuation roll.

31—Alterations of the valuation roll and supplementary valuation roll.

32—Deposit of draft valuation roll and draft supplementary valuation roll.

33—Publication of the Roll.

34—Objections.

35—Uncontested draft valuation rolls and draft supplementary valuation rolls.

36—Exemptions.

PART V—NATIONAL RATING TRIBUNAL

37—Establishment of National Rating Tribunal.

38—Composition of the Tribunal.

39—Jurisdiction of the Tribunal.

40—Proceedings of the Tribunal.

41—Oath of office.

42—Quorum.

43—Disclosure of interest

44—Tenure.

45—Technical advice.

46—Arrangement of business.

- 47—Powers of the Tribunal.
- 48—Remuneration of members of the Tribunal.
- 49—Staff of the Tribunal.
- 50—Vacancy of the Tribunal.
- 51—Evidence.
- 52—Penalty for failure to comply with Tribunal's lawful order.
- 53—Appeals.

PART VI—MISCELLANEOUS

- 54—Notices.
- 55—Repeal.

PART VII—PROVISIONS ON DELEGATED LEGISLATION

- 56—Regulations.
- 57—Savings and transition.

SCHEDULES

FIRST SCHEDULE—Application For Remission of the Whole or Part of the Rate Payable by the Owner a Ratable Property.

FIRST SCHEDULE—Contribution in lieu of rates forms.

THIRD SCHEDULE—Rates Objection Form.

THIRD SCHEDULE—Oath or Solemn Affirmation of Allegiance of the Chairperson/Member of the Tribunal.

THE NATIONAL RATING BILL, 2022

A Bill for

AN ACT of Parliament to provide a comprehensive framework for imposition of rates on land and buildings by county governments; to provide for then valuation of rateable property; to provide for the appointment and powers of valuers; to provide for the establishment, powers and functions of the National Rating Tribunal and for connected purposes

ENACTED by the Parliament of Kenya, as follows—

PART 1— PRELIMINARY

1. This Act may be cited as the National Rating Act, 2022. Short title.

2. In this Act, unless the context otherwise requires— Interpretation.

“annual rental value” means the amount of annual rental value arrived at based on the—

- (a) actual annual rent realisable on the rateable property; or
- (b) annual equivalent of comparable rents or annual rent paid on leased land or would be payable were the land to be leased in the open market;

“area rate” includes a flat rate, graduated rate or differential rate adopted by the county government for purposes of this Act;

“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters relating to land;

“Chief Government Valuer” means the principal advisor to the National Government and county governments on valuation;

“County Executive Committee member” means the county executive committee member for the time being responsible for matters relating to land in a county;

“contribution in lieu of rates” means the amount of rates payable to a county government by the National