

LEGAL NOTICE NO.

THE LAND ACT
(No. 6 of 2012)

IN EXERCISE of the powers conferred by section 12(11) of the Land Act, 2012, the National Land Commission makes the following regulations—

THE LAND (ALLOCATION OF PUBLIC LAND) (AMENDMENT) REGULATIONS 2020

- Citation.
- Amendment of Rule 2 of L. N. No. 284 of 2017.
- Amendment of Rule 6 of L. N. No. 284 of 2017.
1. These Regulations may be cited as the Land (Allocation of Public Land) (Amendment) Regulations, 2020.
 2. The Land (Allocation of Public Land) Regulations, 2017, hereinafter referred to as the "principal Regulations" is amended in Regulation 2 by inserting the following new definition in their proper alphabetical sequence—
 - (a) “electronic” has the same meaning assigned under the Kenya Information and Communication Act;
 - (b) “electronic form” has the same meaning assigned under the Kenya Information and Communication Act;
 - (c) “register” includes electronic form; and
 - (d) “system” means the National Land Information System developed under Section 6(h) of the Land Act.
 3. Regulation 6 of the principal Regulations is amended by –
 - (i) deleting sub-Regulation (3) and substituting therefor with the following sub-regulation;

(3)The winner of the bid shall, at the fall of the hammer, pay to the cabinet secretary the full amount of the bid or percentage specified in the notice.
 - (ii) in sub- Regulation (6) by inserting the word "to the Cabinet Secretary" appearing after the words "days".

Amendment of Rule 17 of L. N. No. 284 of 2017.

4. Regulation 17 of the principal Regulations is amended by deleting sub-Regulation (3) and substituting therefor with the following sub-regulation;

17. The successful bidder shall pay to the cabinet secretary the stand premium within ninety days of receipt of the Commission's letter of notification under regulation 16(1).

Amendment of Rule 6 of L. N. No. 284 of 2017.

5. Regulation 26 of the principal Regulations is amended in sub-Regulation (2) paragraph (c) by inserting the word "to the Cabinet Secretary" appearing after the word "payable".

Amendment of Rule 34 of L. N. No. 284 of 2017.

6. Regulation 34 of the principal Regulations is amended in sub-Regulation (2) paragraph (c) by inserting the following new sub-Regulation 34(A)

34A. A letter of allotment issued under the provisions of this Act and these regulations may be done in electronic form.

Amendment of Rule 35 of L. N. No. 284 of 2017.

7. Regulation 35 of the principal Regulations is amended by deleting and substituting therefor with the following new regulation;

35. An allottee shall make payment of the requisite fees within 90 days from date of issue of the letter of allotment for preparation of the lease to the Cabinet Secretary

Amendment of Rule 36 of L. N. No. 284 of 2017.

8. Regulation 36 of the principal Regulations is amended by deleting the Regulation and substituting therefor with the following new regulation-

36(1) The cabinet secretary shall prepare and execute leases emanating from allocation of public land.

(2) Without prejudice to the generality of sub-regulation (1), leases prepared may be done in electronic form.

(3) In order to facilitate the preparation of leases on public land, the cabinet secretary shall request for three copies of sealed cadastral plan and cadastral map in Form LA 12 set out in the Schedule from the office or authority responsible for surveys.

(4) Without prejudice to the generality of sub-regulation (3), cadastral plan and cadastral map may be requested in electronic form.

(5) Upon receipt of the sealed cadastral plan and cadastral map, a lease document in Form LA 13 set out in the Schedule and shall be executed by an officer designated by the Cabinet Secretary by notice in the *Gazette*.

(6) The executed Lease document and the cadastral map and plan shall be forwarded to the Chief Land Registrar for registration and issuance of Certificate of Lease to the proprietor.

(7) Without prejudice to the generality of sub-regulation (5), a lease document prepared and a certificate of lease may be executed in electronic form.

9. These regulations are amended by inserting two new regulations after regulation 36

36A. Any fees or payment e prescribed under these regulations may be paid through authorized electronic means as may be advised by the Cabinet Secretary from time to time.

36B. Any fees or payment e prescribed under these regulations may be paid through authorized electronic means as may be advised by the Cabinet Secretary from time to time.

Made on the, 2020

***Chairperson,
National Land Commission.***