

**LEGAL NOTICE NO. ....**

**THE TOURISM ACT**

*(No. 28 of 2011)*

**TOURISM REGULATORY AUTHORITY (TOURISM ENTERPRISES)  
REGULATIONS, 2024**

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# THE TOURISM ACT

(No. 28 of 2011)

**IN EXERCISE** of the powers conferred by section 122 of the Tourism Act, 2011, the Cabinet Secretary for Tourism and Wildlife makes the following Regulations—

## THE TOURISM REGULATORY AUTHORITY (TOURISM ENTERPRISES) REGULATIONS, 2024

### PART I—PRELIMINARY

Citation.                    **1.** These Regulations may be cited as the Tourism Regulatory Authority (Tourism Enterprises) Regulations, 2024.

Interpretation.            **2.** In these Regulations, unless the context otherwise requires—

No. 28 of 2011.              “Act” means the Tourism Act, 2011;

“Authority” means the Tourism Regulatory Authority established under section 4 of the Act;

“agent” means a person appointed by or on behalf of a regulated tourism enterprise set out under the Ninth Schedule of the Act to manage the enterprise’s affairs on behalf of the proprietor;

“accreditation” means the process of assessing and officially recognizing licensed tourism or hospitality enterprises on the basis of conformity to the prescribed quality standards criteria as set out under regulation 6;

“Committee” means the Accreditation & Classification Committee by the Authority established under regulation 9;

“assessor” means a fully trained and certified official who is engaged by the Authority in the conduct of assessment, rating and grading tourism and hospitality enterprises;

“authorized officer” means a person appointed in accordance with section 115 of the Act;

“classification and grading” means the systematic process of categorizing, assessing and awarding star rating to accommodation and catering enterprises by the Authority as set out under regulation 7;

“licence” includes a provisional licence granted under the provisions of the Act;

“mark of quality” means an award of accolade issued by the Authority under regulation 12;

“minimum standards” means basic statutory and operational requirements set out by the Authority under regulation 4;

“quality audit” means continuous quality assessment and inspection on compliance conducted by the Authority;

“star rating” means a quality rating system determined and awarded to accommodation and catering facilities by the Authority on a scale of 1 to 5 signifying a level of quality and comfort accorded by a classified facility in accordance with regulation 7;

“tourism enterprise” means a tourism activity and service as set out under the Ninth Schedule of the Act;

“tourism sector” means both tourism and hospitality enterprises and activities in Kenya;

“tourist service vehicle” means any vehicle, including private hire vehicles, operated by a licensed tourism enterprise and used for the carriage of tourists; and

“Tribunal” means Tourism Tribunal as established under section 87 of the Act.

Application.

**3.** These Regulations shall apply to all tourism enterprises set out under the Ninth Schedule of the Act.

## **PART II—STANDARDIZATION OF TOURISM ENTERPRISES**

Minimum standards.

**4.** The Authority shall develop minimum standards covering hygiene, safety, security and operation requirements, guidelines and codes of practice for the registration and licensing of tourism enterprises.

Accreditation standards and classification schemes.

**5.(1)** Notwithstanding regulation 4, the Authority shall develop and establish accreditation standards criteria and procedures for accreditation, classification and grading of tourism enterprises.

(2) Accreditation and classification shall be undertaken by trained and certified assessors with a background in tourism and hospitality, environment, public health or architecture who shall be *Gazetted* by the Authority.

Accreditation.

**6.** (1) The Authority shall assess and accredit licensed tourism enterprises that comply with the specified quality standards criteria for accreditation every two years.

(2) Licensed tourism enterprises shall apply to the Authority for accreditation in a manner and form as may be specified by the Authority.

(3) Application for accreditation shall be accompanied by accreditation fees as prescribed in the First Schedule.

(4) The Authority shall, on assessment, award a mark of quality to signify and guarantee to consumers a degree of quality service delivery.

Classification and grading.

**7.** (1) The Authority shall assess, categorize, classify and grade accredited Class “A” and “B” tourism enterprises once in every five years.

(2) The classification referred to in sub-regulation (1), shall be based on specified criteria for classification to determine the level of product and service quality.

(3) Classified tourism enterprises under sub-regulation (1), shall be graded ranging from one star to five star, with five star being the highest.

(4) Licensees of accredited tourism enterprises shall apply to the Authority for the classification and grading in a manner and form as may be specified by the Authority.

(5) The application referred to under sub-regulation (4), shall be accompanied by classification fees as prescribed in the First Schedule.

(6) The Authority shall award a classification certificate and plaque to classified and graded tourism enterprises to signify and guarantee to consumers a degree of quality service delivery.

(7) Notwithstanding sub-regulation (1), the Authority may undertake re-classification of a tourism enterprise either upon request by the enterprise, non-conformity to classification standards or complaints from the public and upon payment of the fees prescribed in the First Schedule.

Quality audits for accreditation & classification schemes

**8.** (1) The Authority shall conduct routine quality audits to monitor adherence to the accreditation and classification standards and ensure consistency in quality service delivery.

(2) On determination of non-conformity, the Authority shall withdraw the mark of quality or classification certificate and plaques and the tourism activity and service shall be caused to apply for reassessment.

Establishment of Accreditation & Classification Committee.

**9** (1) The Authority shall establish a Committee to be known as the Accreditation & Classification Committee which shall consist of not less than five and not more than eleven members appointed by the Board of Authority from the Ministry for the time being responsible for matters relating to tourism, relevant lead agencies and the registered tourism sector associations.

(2) The Committee shall evaluate the conduct of accreditation and classification schemes to ensure fairness and credibility of the process.

(3) The Committee shall elect its chairperson from among its membership.

(4) The Director-General of the Authority shall designate a member of staff to be the Secretary and *ex-officio* member of the Committee.

(5) Save for the *ex-officio* member, all other members of the Committee shall be appointed at different times and shall hold office for a period of five years and shall be eligible for re-appointment for one further term of five years.

(6) Members appointed to the Committee shall be paid allowances approved by the relevant government agencies.

(7) Subject to the Act and these Regulations, the Committee shall regulate its own procedure of conducting meetings.

Outsourcing of classification of tourism enterprises. No. 33 of 2015.

**10.** (1) The Authority may outsource classification of tourism enterprises function in accordance with the provisions of the Public Procurement and Asset Disposal Act, 2015.

(2) Notwithstanding sub-regulation (1), where the exercise of classification of tourism enterprise has been outsourced, the Committee shall be responsible for the overall supervision and guidance of exercise and the outcome thereof.

Publication of accreditation and classification.

**11.** Upon completion of accreditation and classification exercise by the Committee and approval by the Board, the Authority shall cause to be published in the *Gazette*, within sixty days after conclusion of the exercise, a list of accredited and classified tourism enterprises.

Mark of Quality, Classification Certificate and Plaque.

**12.** (1) The Authority shall, within fourteen days, after publication of accreditation or classification results of a tourism enterprise, issue to the tourism enterprise a mark of quality or Classification Certificate and Plaque.

(2) A proprietor or agent of a licensed tourism enterprise which is accredited or classified under these Regulations shall ensure that the mark of quality or classification plaque is prominently displayed at the main entrance.

(3) The Authority may determine the design and colors of the mark of quality and the Classification Certificate and Plaque from time to time.

Accreditation  
and  
Classification  
registers.

**13.** (1) The Authority shall keep and maintain an accreditation and classification register in a form and manner suitable for the purpose.

(2) The register in sub-regulation (1), shall be open for inspection during working hours at the Authority's offices on payment of a prescribed fee as set out in the First Schedule.

Offences and  
penalties.

**14.** (1) A proprietor or an agent of a tourism enterprise who fails to subject themselves to the national accreditation or classification exercise commits an offence and is liable to a penalty provided for under section 112(2) of the Act.

(2) A person who, in publication, leaflet, brochure, broadcast or otherwise advertises or describes or holds out a tourism enterprise as accredited, classified or being of a star rating other than those published by the Authority under these Regulations commits an offence and is liable to a penalty provided for under section 112(2) of the Act.

(3) A proprietor or an agent of a tourism enterprise who fails to exhibit the classification plaque or mark of quality as required by regulation 12(2), commits an offence and is liable to a penalty provided for under section 112(2) of the Act.

### **PART III—LICENSING OF TOURISM ENTERPRISES**

Licence

**15.** (1) The Authority shall be responsible for issuance of licenses for the operation of all tourism enterprises.

(2) A person or their agent shall not undertake or engage in any tourism enterprise without a valid licence issued by the Authority under these Regulations.

(3) No licensing body under any written law in force in Kenya shall issue a trading or commercial permit or licence for any tourism enterprise unless the applicant produces to the licensing body a licence issued by the Authority under these Regulations.

Application  
for licence

**16.** A proprietor of a tourism enterprise, either by themselves or through an agent shall, subject to the provisions of the Act and these Regulations, apply to the Authority for a licence to operate a tourism enterprise.

Licensing  
requirements.

**17.** A person or an agent applying under regulation 16 and in addition to considerations set out in the Act, shall be required to meet the following requirements—

- (a) furnish the Authority with the following identification documents where applicable—
  - (i) the national identity cards, Kenya Revenue Authority Personal Identification Number Certificate and certificate of good conduct;
  - (ii) in the case of a company or a limited liability partnership, certificate of incorporation under the Companies Act, 2015, Kenya Revenue Authority Personal Identification Number Certificate, and particulars of the partners or directors & shareholders and their national identity cards;
  - (iii) in the case a general partnership or business, Business Registration Certificate and particulars of the proprietors and copies of their national identity card and the Kenya Revenue Authority Personal Identification Number Certificate;
  - (iv) in the case of any foreigner operating under the provisions of the Act either as proprietor, agent or employee of the proprietor of a tourism activity and service, entry or work permit or a sworn affidavit affirming that a proprietor does not reside in Kenya;
  - (v) lease agreement or proof of ownership of premises occupied by the tourism activity or service.
- (b) evidence of professional qualification as follows—
  - (i) relevant professional certificates for the proprietor or agent of a tourism activity or service with respect to which the license is sought;
  - (ii) letter of appointment of the agent responsible for overall supervision of the business where applicable; and
  - (iii) list of staff in employment and copies of their practicing certificates issued by the Authority.
- (c) adherence to the minimum standards developed and published by the Authority as set out in regulation 4; and
- (d) proof of payment of the requisite fees as set out in the First schedule.

Issuance of licence

**18.** (1) After considering an application made under these Regulations, the Authority may grant or refuse to grant a licence and may attach to a licence so granted, such conditions as the Authority may deem expedient.

(2) The licence issued under sub-regulation (1), shall be in Form 1 set out in the Second Schedule.

(3) Notwithstanding sub-regulation (1), the Authority may issue a provisional licence in Form 2 set out in the Second Schedule conditional on the requirement that the applicant meets all requirements under regulation 16 within a stipulated period failing which the provisional licence shall be withdrawn upon expiry of the stipulated period provided that this period shall not exceed three months from the date of issuance of the provisional licence.

(4) A licence issued under these Regulations shall expire on the 31<sup>st</sup> December of the year in respect of which it is issued.

(5) A proprietor or an agent of a licensed tourism enterprise shall ensure that the licence is prominently displayed within the premises of the tourism enterprise.

(6) A proprietor or an agent of a licensed tourism enterprise advertising their business or service online either on the enterprise's website, on digital marketing or online booking platforms shall prominently list their licence numbers at all times.

(7) A proprietor or an agent of a tourism enterprise who fails to exhibit the licence in accordance with sub-regulations 5 and 6, commits an offence and shall, on conviction, be liable to a penalty provided for under section 112(2) of the Act.

(8) Any license issued under these Regulations is applicable only to the physical address to which the application was made and in the event of change of physical address, the Authority shall be notified in writing.

Application for renewal of licence

**19.** (1) Applications for renewal of the licence issued under this Part shall be submitted within two months before the expiry date of the license.

(2) Any Application submitted after the expiry date of the license shall attract a penalty of ten percent of the fees payable for each month defaulted.

Revocation, suspension or cancellation of license.

**20.** (1) The Authority shall have the power to cancel, revoke or suspend any license issued under these Regulations where the holder of a license contravenes the provisions of the Act and these Regulations.

(2) The Authority shall, upon its intention to suspend, revoke or cancel the license under sub-regulation (1), notify the person concerned accordingly and give thirty days' notice of suspension, revocation or cancellation unless the person fulfills such conditions as may be specified in the notice.

(3) The Authority may vary, revoke or cancel a license for the tourism enterprise upon expiry of the period prescribed under sub-regulation (2).

(4) Where a licence issued under these Regulations is revoked, suspended or cancelled, the holder thereof shall cease operations of the tourism enterprise, the subject of which the license was issued, until a new license is issued by the Authority and shall surrender the license to the Authority within fourteen days of such suspension, cancellation or revocation.

Prohibition relating to licenses.

**21.** (1) A person or his agent shall not undertake any tourism activity or service specified in the Ninth Schedule of the Act unless that person has a license issued by the Authority

(2) A proprietor or agent of a tourism enterprise shall not—

- (a) unlawfully alter or endorse, or lend a license issued to him or her to any other person;
- (b) possess or attempt to operate pursuant to a license issued to another person;
- (c) having been disqualified from holding a license under the Act or these Regulations, apply for a license without disclosing to the Authority of the disqualification;
- (d) engage in any business transaction or enlist the services of an unlicensed tourism activity or service.

(3) An unlicensed enterprise shall not be listed on any digital marketing/booking platform.

(4) A person who contravenes this regulation commits an offence and is liable to a penalty provided for under section 112(2) of the Act.

Tourist Service Vehicle Sticker.

**22.** (1) Any person operating a tourist service vehicle shall obtain and display conspicuously on the vehicle a Tourist Service Vehicle Sticker in Form 3 or Form 4 set out in the First Schedule issued by the Authority.

(2) The sticker issued in respect of a tourist service vehicle owned by a licensed tourism enterprise registered in Kenya or a foreign tourist service

vehicle within the East African Community shall expire on the 31<sup>st</sup> December of the year in respect of which it is issued.

(3) Any other foreign registered vehicles' stickers shall be valid for a period of six months from the date of issue.

(4) All foreign tourist registered vehicles shall be required to produce motor vehicle ownership documents, a valid driver's license and entry permit where applicable.

(5) An application for issuance or renewal of a tourist vehicle sticker shall be submitted in a form specified by the Authority and accompanied by copy of the licence issued under the Act or a licence to carry out the business of tourism from the country of origin in the case of foreign tourist service vehicles and such fees as prescribed in the First Schedule.

(6) The Authority may grant or refuse to grant the sticker and may attach to any sticker so issued such conditions as the Authority may deem expedient.

(7) A suspension, revocation, cancellation of a sticker issued under the Act and this Regulations, shall result in an automatic suspension, revocation or cancellation of the sticker.

(8) The Authority may also withdraw at any time a sticker issued under this regulation where the proprietor or driver of the tourist service vehicle has breached any provisions of the Act and these Regulations.

(9) A person who fails to obtain and exhibit the sticker as required by sub-regulation (1), commits an offence and shall, on conviction, be liable to a penalty provided for under section 112(2) of the Act.

Records to be kept by licensed tourism enterprise.

**23.** (1) Every licensee shall keep record of personal details of every guest, employee and trainee and such other particulars as may be specified by the Authority for a period of not less than five years.

(2) Every licensee shall keep a record of all such particulars in relation to business operations, other than particulars prescribed in respect of the register required by sub-regulation (1) to be kept, or as may be specified by the Authority.

(3) Any person who fails to comply with this regulation, or who makes or causes or permits to be made in any record required by this regulation to be kept any entry which he or she knows or has reason to believe to be false, commits an offence and shall, on conviction, be liable to a penalty provided for under section 112(2) of the Act.

Requirement to provide data.

**24.** (1) The holder of a license issued under these Regulations shall submit at the end of every month, data in respect of the tourism enterprise in a format specified by the Authority, which shall include the following where applicable—

- (a) bed occupancy;
- (b) number of visitors by country of origin;
- (c) revenue earnings;
- (d) expenditure per visitor; and
- (e) number of employees both local and expatriates.

(2) Notwithstanding sub-regulation (1), the Authority may from time to time require additional information.

(3) A person who contravenes this regulation commits an offence and shall, on conviction, be liable to a penalty provided for under section 112(2) of the Act.

#### **PART IV—ENFORCEMENT PROVISIONS**

Production of licence or sticker.

**25.** Any licence or sticker issued pursuant to these Regulations shall, on demand, be produced to an authorized officer appointed in accordance with section 115 of the Act or any other written law.

Quality Audits.

**26.** (1) Quality audits of tourism enterprises shall be regularly carried out by an authorized officer when non-compliance with minimum standards is suspected or when required for the purpose of granting or renewal of a licence

(2) Quality audits done under sub-regulation (1), shall be carried out without prior notice.

(3) The Authority shall ensure that all authorized officers appointed under the Act and these Regulations are issued with official identity cards which shall be produced by such authorized officers at the request of any person responsible for any place to be audited.

(4) For the purpose of exercising, performing and discharging the powers, functions or duties of the Authority under the Act or these Regulations, an authorized officer may, by notice in writing, require any person –

- (a) to furnish him or her within such time and at such place as may be specified in the notice, any document specified or described in the notice which is in custody or control of such a person; or
- (b) to produce for audit any book, return, account or record in the person's possession or control.

(5) A proprietor or agent of a tourism enterprise shall allow authorized officers to access their facilities for the purpose of enabling the authorized officers to carry out quality audits, investigations and verification.

(6) An authorized officer may by notice in writing, require a tourism enterprise in default of any requirement of the provisions of this Act and regulations to comply therewith within the prescribed time and in a prescribed manner.

Closure of tourism enterprises.

**27.** An authorized officer may, in performance of his duties under the Act and these Regulations, with the written approval of the Director-General, order the immediate closure of a tourism enterprise where—

- (a) a tourism enterprise has failed to comply with the notice issued under regulation 26(6); or
- (b) a tourism enterprise's license has been suspended, cancelled or revoked under regulation 20.

Effect of conviction.

**28.** (1) The conviction of the holder of a license for any offence under the Act or these Regulations, unless the Board of the Authority in writing otherwise directs, has the effect of canceling the license and such instrument shall cease to be valid from the date of conviction.

(2) A person convicted of an offence under these Regulations shall, unless the Board of the Authority in writing otherwise directs, stand disqualified from holding a license related to the provisions under which he has been convicted, for a period of one year from the date of conviction.

(3) The holder of any license which is cancelled pursuant to sub-regulation (1), shall, within fourteen days from the date of conviction, surrender the licence to the Authority.

**PART V—APPEALS, REVOCATION, SAVINGS & TRANSITIONS**

Appeals to the Tribunal.

**29.** (1) Any person aggrieved by a decision of the Authority under the Act and these Regulations may, within twenty-eight days of communication

to him/her of such decision, appeal to the Tourism Tribunal established under the Act.

(2) The Tribunal may confirm, vary or reverse the decision and shall issue instructions as to its decision to the Authority.

Revocation of  
L.N. No. 128 of  
2014

**30.** (1) The Tourism Regulatory Authority Regulations, 2014 are revoked.

Savings and  
transitions.

**31.** Notwithstanding the provisions of regulation 30—

(a) any proceedings taken against or by the Authority or pending against the Authority or any other person immediately before the commencement of these Regulations may be continued by or against the Authority as if instituted under these Regulations:

Provided that criminal proceedings shall be regarded as pending if the person concerned had pleaded to the charge in question.

(b) any proceedings taken by the Committee in exercise of its functions under the revoked Regulations shall be deemed to be proceedings under these Regulations;

(c) a licence issued by the Authority under the revoked Regulations shall be deemed to be a licence under these Regulations;

(d) any administrative investigation or inquiry instituted in terms of the revoked Regulations which was pending before the commencement of these Regulations shall be continued or disposed of as if instituted under these Regulations;

(e) all disciplinary proceedings which immediately before the commencement of these Regulations were pending shall be continued or concluded as if instituted under these Regulations; and

(f) all appeal processes, which immediately before the commencement of these Regulations were pending, shall proceed as if instituted under these Regulations.

**FIRST SCHEDULE**

*(r. 6(3), 7(5), (7), 13(2), 17(1)(d), (2), 22(5))*

*1. Licence fees payable by various types of regulated tourism activities and services*

The license fees for regulated tourism activities and services are as follows—

*(a) Class “A” enterprises*

|    | <b>Enterprises</b> | <b>Description</b>                                                                                                                                            | <b>Licence Application Fee (Payable Once) (Kshs)</b> | <b>Annual License Fee (Kshs)</b> |
|----|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----------------------------------|
| 1. | <b>Hotels.</b>     | With bed capacity of one to ten beds or minimum total charge for accommodation per night is Kshs. 1,500 or less.                                              | 1,000                                                | 9,000                            |
|    |                    | With bed capacity of one to ten beds or minimum total charge for accommodation per night is over Kshs. 1,500.                                                 | 1,000                                                | 13,000                           |
|    |                    | With or without at least one restaurant or bed capacity of between 11 to 40 beds and minimum total charge for accommodation per night is Kshs. 1,500 or less. | 1,000                                                | 16,500                           |
|    |                    | With or without at least one restaurant or bed capacity of between 11 to 40 beds and minimum total charge for accommodation per night is over Kshs. 1,500.    | 1,000                                                | 24,000                           |
|    |                    | With more than one restaurant and bar outlets or bed capacity of between 41 to 80 beds in addition to function room facility.                                 | 1,000                                                | 31,500                           |
|    |                    | With at least three restaurants bar outlets swimming pool or bed capacity of between 81 to 120 beds in addition to function room facility with                | 1,000                                                | 39,000                           |

|    |                         |                                                                                                                                                                                      |       |        |
|----|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|--------|
|    |                         | more than one syndicate rooms.                                                                                                                                                       |       |        |
|    |                         | With at least three restaurants, bar outlets swimming pool or bed capacity of between 121 to 160 beds in addition to banqueting department and sports facilities.                    | 1,000 | 46,000 |
|    |                         | With at least three restaurants, bar outlets swimming pool, banqueting department, sporting facilities or bed capacity of between 161 to 200 beds in addition to health club.        | 1,000 | 53,500 |
|    |                         | With at least three restaurant bar outlets, swimming pool, banqueting department, sporting facility, health club or bed capacity of between 201 to 300 beds in addition to casino.   | 1,000 | 61,000 |
|    |                         | With at least three restaurants, bar outlets swimming pool, banqueting, sporting facility health club, a casino or bed capacity of above 301 beds in addition to golf or racecourse. | 1,000 | 68,500 |
| 2. | Members Club.           |                                                                                                                                                                                      | 1,000 | 18,000 |
| 3. | Motels.                 |                                                                                                                                                                                      | 1,000 | 16,500 |
| 4. | Inns.                   |                                                                                                                                                                                      | 1,000 | 16,500 |
| 5. | Hostels.                |                                                                                                                                                                                      | 1,000 | 16,500 |
| 6. | Health and Spa Resorts. |                                                                                                                                                                                      | 1,000 | 39,000 |
| 7. | Retreat Lodges.         |                                                                                                                                                                                      | 1,000 | 39,000 |

|     |                                   |                                                                                                                                                              |       |        |
|-----|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|--------|
| 8.  | Eco lodges.                       |                                                                                                                                                              | 1,000 | 31,500 |
| 9.  | Tree houses.                      |                                                                                                                                                              | 1,000 | 31,500 |
| 10. | Floatels.                         |                                                                                                                                                              | 1,000 | 31,500 |
| 11. | Service flats/Service Apartments. | Studio apartment                                                                                                                                             | 1,000 | 9,000  |
|     |                                   | With a Capacity of between 1 to 2 units.                                                                                                                     | 1,000 | 16,500 |
|     |                                   | With a Capacity of between 3 to 5 units.                                                                                                                     | 1,000 | 30,000 |
|     |                                   | With a Capacity of between 6 to 15 units.                                                                                                                    | 1,000 | 40,000 |
|     |                                   | With a Capacity of 16 units and above.                                                                                                                       | 1,000 | 45,000 |
| 12. | Beach Cottages.                   |                                                                                                                                                              | 1,000 | 39,000 |
| 13. | Holiday cottages.                 |                                                                                                                                                              | 1,000 | 31,500 |
| 14. | Game Lodges.                      | Conventional game lodge with at least one restaurant, bar or bed capacity of between 1 to 20 beds.                                                           | 1,000 | 31,500 |
|     |                                   | Conventional game lodge with at least two restaurants, bar or bed capacity of between 21 to 60 beds in addition to swimming pool.                            | 1,000 | 39,000 |
|     |                                   | Conventional game lodge with at least two restaurants, bar, swimming pool or bed capacity of between 61 to 100 beds in addition to function room facilities. | 1,000 | 46,000 |
|     |                                   | Conventional game lodge with at least two restaurants, bar, swimming pool, function rooms and/or bed capacity of above 101 beds                              | 1,000 | 53,500 |

|     |                             |                                                                |       |        |
|-----|-----------------------------|----------------------------------------------------------------|-------|--------|
|     |                             | in addition to health clubs and any other sporting facilities. |       |        |
| 15. | Tented Camps.               |                                                                | 1,000 | 76,000 |
| 16. | Safari and mobile camps.    |                                                                | 1,000 | 76,000 |
| 17. | Bandas.                     |                                                                | 1,000 | 31,500 |
| 18. | Cultural homes and centres. |                                                                | 1,000 | 4,500  |
| 19. | Villas.                     | With between 1-10 beds.                                        | 1,000 | 39,000 |
|     |                             | With 10 beds and above.                                        | 1,000 | 46,000 |
| 20. | Homestays..                 | Economy.                                                       | 500   | 5,500  |
|     |                             | Standard.                                                      | 500   | 11,000 |
|     |                             | Executive.                                                     | 500   | 16,500 |
| 21. | Guest houses.               |                                                                | 1,000 | 16,500 |
| 22. | Time shares.                |                                                                | 1,000 | 39,000 |

*(b) Class “B” Enterprises*

The License fee for Class “B” Enterprises is based on gross receipts as follows—

| <b>Gross Receipts</b>                                     | <b>Licence Application Fee (Kshs)</b> | <b>Annual Licence Fee (Kshs)</b> |
|-----------------------------------------------------------|---------------------------------------|----------------------------------|
| A restaurant, which has not previously traded.            | 1,000                                 | 13,000                           |
| Annual gross receipts less than Kshs. 5 million.          | 1,000                                 | 13,000                           |
| Over Kshs. 5 million but not more than Kshs. 8 million.   | 1,000                                 | 16,500                           |
| Over Kshs. 8 million but not more than Kshs. 12 million.  | 1,000                                 | 24,000                           |
| Over Kshs. 12 million but not more than Kshs. 16 million. | 1,000                                 | 31,500                           |

|                                                           |       |        |
|-----------------------------------------------------------|-------|--------|
|                                                           |       |        |
| Over Kshs. 16 million but not more than Kshs. 20 million. | 1,000 | 39,000 |
| Over Kshs. 20 million but not more than Kshs. 25 million. | 1,000 | 46,000 |
| Over Kshs. 25 million                                     | 1,000 | 68,500 |

(c) Class “C” Enterprises

|    | <i>Enterprise</i>             | <b>Licence Application Fee (Kshs)</b> | <b>Citizens Annual Licence Fee (Kshs)</b> | <b>Non-Citizens Application Fee (US \$)</b> | <b>Non-Citizens Annual Licence Fee (US \$)</b> |
|----|-------------------------------|---------------------------------------|-------------------------------------------|---------------------------------------------|------------------------------------------------|
| 1. | Tour or safari operators.     | 1,000                                 | 25,000                                    | 100                                         | 1,500                                          |
| 2. | Tourist service vehicle hire. | 1,000                                 | 25,000                                    | 100                                         | 1,500                                          |
| 3. | Local air charter.            | 1,000                                 | 49,500                                    | 100                                         | 1,500                                          |
| 4. | Travel agency.                | 1,000                                 | 25,000                                    | 100                                         | 1,500                                          |
| 5. | Water sports.                 | 1,000                                 | 20,000                                    | 100                                         | 1,500                                          |
| 6. | Balloon operators.            | 1,000                                 | 49,500                                    | 100                                         | 1,500                                          |
| 7. | Boat excursions.              | 1,000                                 | 10,000                                    | 100                                         | 1,500                                          |

|    | <b>Tourist Service Vehicle Sticker</b>            | <b>STICKER Application Fee</b> | <b>Six Months' Sticker Fee (Us \$)</b> |
|----|---------------------------------------------------|--------------------------------|----------------------------------------|
| 8. | Foreign Registered Tourist Vehicles (per vehicle) | -                              | 500                                    |
|    |                                                   |                                | <b>Annual Sticker Fees (Kshs.)</b>     |
| 9. | Local Registered Tourist Vehicle(per vehicle)     | -                              | 1,000                                  |

(d) Class “D” Enterprises

|    | <b>Enterprise</b>                                          | <b>Licence Application Fee (Kshs)</b> | <b>Citizens Annual Licence Fee (Kshs)</b> | <b>Non-Citizens Application Fee (US \$)</b> | <b>Non-Citizens Annual Licence Fee (US \$)</b> |
|----|------------------------------------------------------------|---------------------------------------|-------------------------------------------|---------------------------------------------|------------------------------------------------|
| 1. | Game fishing outfitters.                                   | 1,000                                 | 23,000                                    | 100                                         | 1000                                           |
| 2. | Enterprises offering camps and camping equipment for hire. | 1,000                                 | 23,000                                    | 100                                         | 1000                                           |
| 3. | Nature parks.                                              | 1,000                                 | 23,000                                    | -                                           | -                                              |
| 4. | Nature reserves.                                           | 1,000                                 | 23,000                                    | -                                           | -                                              |
| 5. | Nature trails.                                             | 1,000                                 | 23,000                                    | -                                           | -                                              |
| 6. | Conservancies/Game ranches.                                | 1,000                                 | 111,500                                   | 100                                         | 2000                                           |
| 7. | Amusement parks.                                           | 1,000                                 | 23,000                                    | 100                                         | 1000                                           |
| 8. | Non-citizen tour leaders or guides.                        | -                                     | -                                         | 100                                         | 200                                            |

(e) Class “E” Enterprises

|    | <b>Enterprise</b>                  | <b>Citizen Licence Application Fee (Kshs)</b> | <b>Citizen Annual Licence Fee (Kshs)</b> | <b>Non-Citizen Licence Application Fee (US\$)</b> | <b>Non-Citizens Annual Licence Fee (US \$)</b> |
|----|------------------------------------|-----------------------------------------------|------------------------------------------|---------------------------------------------------|------------------------------------------------|
| 1. | Local traditional boat operators.  | 500                                           | 4,500                                    |                                                   | -                                              |
| 2. | Professional safari photographers. | 500                                           | 4,500                                    | 100                                               | 200                                            |
| 3. | Curio vendors.                     | 500                                           | 4,500                                    | -                                                 | -                                              |
| 4. | Private zoos.                      | 500                                           | 20,000                                   | 100                                               | 500                                            |
| 5. | Citizen tour leaders or guides.    | 500                                           | 4,500                                    | -                                                 | -                                              |

|    |                  |     |       |   |   |
|----|------------------|-----|-------|---|---|
|    |                  |     |       |   |   |
| 6. | General vendors. | 500 | 4,500 | - | - |
| 7. | Beach operators  | 500 | 4,500 | - | - |

*(f) Class “F” Enterprises*

| <b>Enterprise</b>        | <b>Licence Application Fee<br/>(Kshs)</b> | <b>Annual Licence Fee<br/>(Kshs)</b> |
|--------------------------|-------------------------------------------|--------------------------------------|
| Entertainment facilities | 1,000                                     | 44,000                               |

*(g) Class “G” Enterprises*

| <b>Enterprise</b>             | <b>Licence Application Fee<br/>(Kshs)</b> | <b>Annual Licence Fee<br/>(Kshs)</b> |
|-------------------------------|-------------------------------------------|--------------------------------------|
| Conference and event services | 1,000                                     | 44,000                               |

*(i) Fees for Accreditation & Classification*

| <b>Enterprises</b>        | <b>Accreditation<br/>Fees<br/>(Kshs)</b> | <b>Classification/Reclassification<br/>Fees(Kshs)</b> |
|---------------------------|------------------------------------------|-------------------------------------------------------|
| Class “A” and “B”         | 70,000                                   | 150,000                                               |
| Other tourism enterprises | 70,000                                   | -                                                     |

*(ii) Fees for Inspection of Registers*

Anyone who wishes to inspect any register maintained by the Authority under the Act and these Regulations shall pay Kshs. 3,000 per register.

EAC citizens shall be given equal treatment as Kenyan citizens.

**SECOND SCHEDULE**  
*(r. 18(2), (3), 22(1))*

**FORM 1**

**LICENCE**

**Serial No:** .....

**Identification No:** .....

LICENCE is hereby granted to.....  
to carry on the following regulated tourism activity or service:

Name of regulated tourism activity and service  
.....  
Class of regulated tourism activity and service  
.....  
Designated area of business  
.....

on condition that the licensee shall—

- (a) adhere to the provisions of the Act and the Authority's Regulations.
- (b) report any occurrence which causes disruption of itinerary, death or injury to a client with which the licensee is concerned;
- (c) .....
- (d) .....

Fees Paid: .....

This Licence is valid up to 31<sup>st</sup> day of December .....

Date of issue: .....

.....  
*Director General*  
*Tourism Regulatory Authority*

Signature/Seal stamp

**FORM 2**

**PROVISIONAL LICENSE**

(r. 17(2))

Serial No: .....

Identification No: .....

LICENCE is hereby granted  
to.....  
to carry on the following regulated tourism activity or service:

Name of regulated tourism activity and service  
.....  
Class of regulated tourism activity and service  
.....

...  
Designated area of business  
.....

- .....  
on condition that the licensee shall—
- (i) adhere to the provisions of the Act and the Authority’s Regulations.
  - (ii) report any occurrence which causes disruption of itinerary, death or injury to a client with which the licensee is concerned;
  - (iii) .....
  - (iv) .....

Fees Paid: .....

This Licence is valid for three months

Date of issue: .....

.....  
*Director General*  
*Tourism Regulatory Authority*

*Signature/Seal stamp*

**FORM 3**

*(r. 22(1))*

**TOURIST SERVICE VEHICLE STICKER**

**Serial No:** .....

**Identification No:**.....

**Tourist Service Vehicle Reg No:** .....

**Name Of Company:** .....

**Class / Category:** .....

**TRA Licence No:** .....

**Date of Issue:** .....

**Expiry Date:** .....

.....  
**Director General**  
**Tourism Regulatory Authority**

**Stamp / Seal**

**FORM 4**

*(r 22 (1))*

**FOREIGN TOURIST SERVICE VEHICLE STICKER**

**Serial No: .....**

**Identification No:.....**

**Tourist Service Vehicle Reg No: .....**

**Name Of Company: .....**

**Class / Category: .....**

**TRA Licence No: .....**

**Date of Issue: .....**

**Expiry Date: .....**

.....  
**Director General  
Tourism Regulatory Authority**

**Stamp / Seal**

**Made on the ....., 2024.**

**Hon. Dr. Alfred N. Mutua, EGH**  
*Cabinet Secretary for Tourism & Wildlife.*