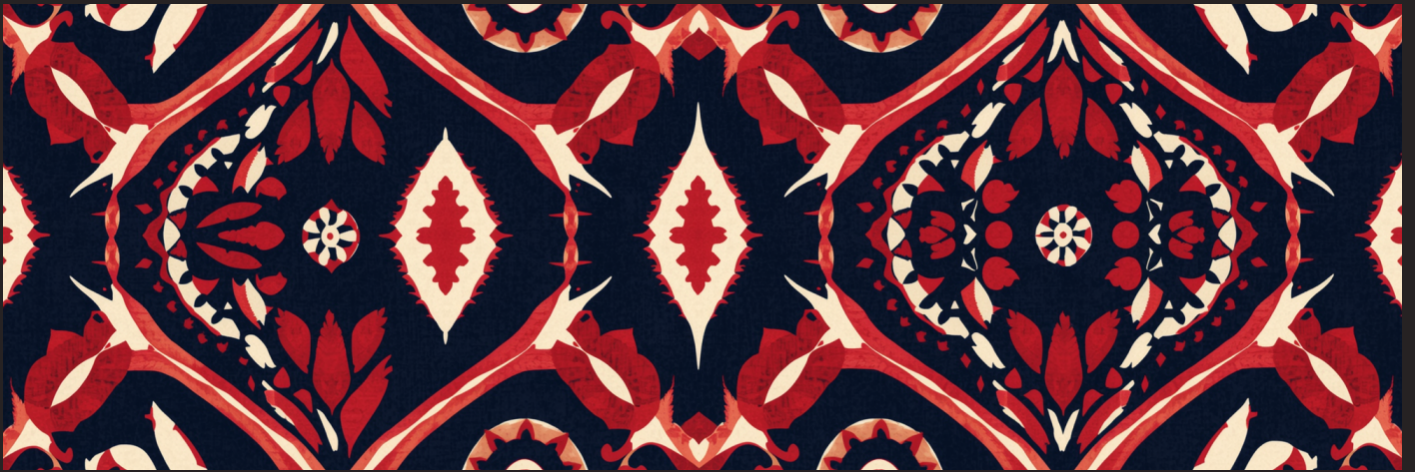


LEGISLATIVE BULLETIN



AUGUST 2026



LEGAL INSIGHTS

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1. LEGISLATIVE & REGULATORY HIGHLIGHTS

- The Virtual Asset Service Providers Regulations, 2026 and the Public Finance Management (e-Citizen System Management) Regulations, 2026, were published.
- The National Assembly considered approval motions on the National Energy Policy and the first standalone National Petroleum Policy.
- The President declined to assent to the Public Procurement and Asset Disposal (Amendment) Bill, 2024 and referred numerous clauses back for reconsideration.
- Ratification of the Inter-African Coffee Organisation New Agreement, 2020, was approved.
- The National Infrastructure Fund Investment Policy moved for approval subject to amendments.
- Kenya Revenue Authority (KRA) announces a tax amnesty period from 1 July to 31 December 2026.
- EAC customs and Common External Tariff changes.
- ODPC registration renewals.
- eTIMS/TIMS stock-management functionality.
- Virtual Asset Service Providers Regulations, 2026
- Revised telecommunications and postal licence conditions.
- Proposed standalone data-centre licence.
- Banking (Fees) Regulations, 2026.
- Electricity market, bulk-supply and open-access rules.



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2. SECTORAL LEGISLATIVE & REGULATORY UPDATES

2.1. FINANCIAL, FISCAL & FINTECH UPDATES

a) The Virtual Asset Service Providers Regulations, 2026 were tabled in the National Assembly.

b) The Banking (Fees) Regulations, 2026 were listed among the legislative supplements for the reporting period.

c) KRA reminded businesses using TIMS/eTIMS to maintain accurate stock records for purchases, receipts, sales, transfers, returns, adjustments and disposals.

d) KRA also announced a tax amnesty running from 1 July to 31 December 2026 for qualifying interest, penalties and fines relating to tax periods up to 31 December 2025.

e) A Petition on asset-financing practices by MOGO Auto Limited was presented on behalf of boda-boda riders alleging excessive interest and charges, inadequate disclosure of loan terms and concerns relating to repossession, logbooks, insurance, tracking and personal data in asset-finance arrangements.

f) A Member of the National Assembly requested clarification on the licensing, ownership and operation of QVSE, an online platform reportedly combining cryptocurrency payments with investment in United States equities, and on measures to protect the public from unregulated schemes.

g) The National Assembly passed the Trust Administration Bill, 2026 after Committee consideration.

2.2. AGRICULTURE SECTOR

a) The Tea (Registration and Licensing) Regulations, 2026 were listed among the legislative supplements for the reporting period.

b) The Interim Report of the Departmental Committee on Trade, Industry, and Co-operatives reported gaps and inconsistencies in the licensing, classification, origin, storage and monitoring of an imported raw-sugar consignment. The Committee recommended urgent stock verification, independent testing, capacity assessment, formalisation of the multi-agency team, bonding, market surveillance and regulations governing raw-sugar importation and refining.

c) The Sugar (Imports and Exports) (Amendment) Regulations, 2026 and Sugar (General) (Amendment) Regulations, 2026 were listed among the period's legislative supplements.

d) The National Assembly approved the ratification of the Inter-African Coffee Organisation New Agreement, 2020. The Agreement modernises continental coffee governance, expands participation to consuming and importing African countries, formally includes private-sector actors, establishes an African Coffee Development Fund and strengthens research and intra-African trade mechanisms.

e) The National Assembly approved the Plant Protection Bill with amendments.

f) The Senate sought a statement on the gaps in the regulation and enforcement of pesticide safety in Kenya, based on the Auditor General's audit report on the regulation of pesticides in Kenya.

g) The Senate sought action on deductions allegedly imposed on green-leaf deliveries despite a Tea Board circular of 9 July 2026 declaring surface or systematic moisture deductions unlawful and warning of enforcement.

h) The Senate considered concerns over unregulated commercial fish cages in Lake Victoria, a five per cent ad valorem levy on landed caged fish and disbursement under the Kenya Marine Fisheries and Socioeconomic Development (KEMFSED) project, including delayed boat procurement in coastal counties.

i) The National Assembly sought clarity on the ownership and future management of New KCC, particularly the Sotik plant, together with consultation, outstanding liabilities, protection of public assets and the regulatory framework for any transition.

2.3. Transport Logistics & Aviation

a) Bilateral Air Services Agreements involving Kenya and multiple states, including the United Kingdom, South Korea, Brazil, Oman, Algeria, Morocco and others, were tabled in the National Assembly for consideration.

b) The Civil Aviation (Fatigue Management) Regulations, 2025 were listed among the period's legislative supplements.

c) Kenya Civil Aviation Authority published decisions on air-service license applications previously notified in the Gazette, including grants, variations and refusals.

d) The Air Passenger Service Charge (Amendment) Bill, 2026 progressed from First Reading through Committee consideration and was passed by the National Assembly.

e) The National Assembly passed the Kenya Roads (Amendment) Bill, 2024 and advanced the National Transport and Safety Authority (Amendment) Bill. Separately, the Senate rejected the Kenya Roads (Amendment) (No. 3) Bill, 2025 at Second Reading.

f) The National Assembly sought information on performance-based road-maintenance contracts in Nairobi and on the utilisation, expansion, cargo capacity and surrounding infrastructure of Eldoret International Airport.

g) The Communications Authority (CA) issued licence conditions for Public Postal, International Courier, National Courier and Courier Hailing Service Provider categories under the revised postal market structure.

2.4. ENERGY, INFRASTRUCTURE & ICT



- a)** The National Assembly considered a report from the Departmental Committee on Energy on its consideration of the National Energy Policy, 2025. The Committee called for a costed implementation plan, affordable access, grid modernisation, consumer safeguards, county coordination, environmental protection, standards, cybersecurity and measurable local-content targets.
- b)** The National Assembly considered a report from the Departmental Committee on Energy on its consideration of the National Petroleum Policy. The Committee's concerns included the reported KSh68.2 billion implementation cost without a financing plan, transparency and beneficial-ownership disclosure, petroleum-data governance, local content, community consent, hazardous waste, decommissioning, strategic reserves and pricing oversight.
- c)** The National Assembly considered a report from the Departmental Committee on Finance and National Planning regarding the National Infrastructure Fund Investment Policy. The Committee found that the policy required clearer guardrails for eligible sectors, project selection, commercial viability, returns, capital mobilisation, portfolio allocation, exposure limits, leverage, risk, liquidity, governance and reporting.
- d)** The Electricity Market, Bulk Supply and Open Access Regulations, 2026 were listed among the period's legislative supplements.
- e)** The Senate sought clarification on the stoppage of transit-oil loading at Kenya Petroleum Refineries and on deductions or costs imposed on customers when prepaid electricity meters are replaced.
- f)** Parliament received the Framework Agreement establishing the International Solar Alliance and a memorandum on Kenya's accession to international nuclear-safety conventions.

2.5. Technology & Digital economy

- a)** Public Finance Management (e-Citizen System Management) Regulations, 2026 were tabled in the National Assembly as the public-finance framework for management of the e-Citizen system.
- b)** The National Cybersecurity Agency Order, 2026 was listed among the reporting period's legislative supplements.
- c)** CA issued licence conditions for Network Facilities Provider Tiers 2 and 3, Micro Network and Service Provider, Landing Rights, International Gateway Systems and Services, Public Communications Access Centres and Communications Equipment Vendors.
- d)** CA proposed regulating co-location data-centre services under a standalone licence rather than the Network Facilities Provider Tier 2 category.
- e)** A petition concerning Safaricom raised questions on notice before line deactivation or reassignment, access to M-PESA and other services, treatment of financial value, deceased customers and protection of personal data.
- f)** The ODPC reminded data controllers and processors with expired registration certificates to urgently regularise their status and stated that continued processing after expiry without renewal constitutes an offence.
- g)** The Technopolis Act, 2026 was listed among enacted laws, while the Creative Economy Bill was introduced in the National Assembly and referred to the relevant committee.

2.6. CONSUMER GOODS & PUBLIC HEALTH

a) The Social Health Insurance Act – Tariffs for Healthcare Services (Amendment), 2026 were listed among the period's legislative supplements.

b) The Blood, Cells, Tissues and Organs Bill, 2026 was introduced in the National Assembly for consideration.

c) The Senate advanced the Assisted Reproductive Technology Bill, which seeks to establish a legal framework around assisted reproductive technology.

d) Parliament received the national alcohol and drug-abuse control report and sought information on manufacture, distribution, testing, surveillance and enforcement against adulterated or substandard alcoholic drinks.

e) The National Assembly sought information on cancer prevalence, screening, diagnosis, treatment, specialised personnel, equipment, medicines, palliative care and county-level funding. A separate Motion called for stronger newborn screening and care for sickle cell and haemophilia.

2.7. Environment, Extractives & Water

a) The Senate passed the Environment Laws (Amendment) Bill with amendments and transmitted it to the National Assembly for consideration.

b) The Mining (Amendment) Bill, 2025 passed the second reading in the Senate, while the National Assembly passed the Gold Processing Bill without amendments at Committee stage.

c) The Senate raised concerns over residential estates established near industrial plants and over dust and particulate emissions from cement and steel facilities, including zoning, environmental assessments, continuous monitoring and community health.

d) The National Assembly sought details of contingency planning for anticipated El Niño, including disaster response, disease surveillance and continuity of education in vulnerable ASAL counties.

2.8. Trade, Industry and Cooperatives

- a) The Competition (Amendment) Bill, 2026 was read a second time and committed to the Committee of the Whole House.
- b) The Business Laws (Amendment) Bill, 2024, which originated from the Senate was read a third time in the National Assembly and passed.
- c) The Standards (Market Surveillance) Regulations, 2026 was listed among the reporting period's legislative supplements in the Kenya Gazette.
- d) New specifications and codes of practice were declared for food, textiles and leather, mechanical and civil engineering, services, agriculture, chemicals, electrotechnical products and ICT by the National Standards Council.
- e) The Government outlined the leather industry livestock base, tanning capacity and historical effect of export duties on local processing, against concerns arising from the reduction of export duty from 80 per cent to 50 per cent.
- f) The East Africa Community Council approved changes to East African Community Customs Management Act, 2004 ("EACCMA") and the Common External Tariff, including country-specific stays and duty remissions intended in part to promote local manufacturing.
- g) The Special Economic Zones (Amendment) Act, 2026 was enacted during the reporting period.

2.9. Employment & Labour

- a) The Employment (Amendment) Bill, 2023 passed second reading and was committed to the Committee of the Whole in the National Assembly. The Bill seeks to require notice before transfers of public officers and to reduce disruptive or punitive transfers that separate employees from their families.
- b) The National Policy on Women Economic Empowerment was tabled in the National Assembly from the Ministry of Gender, Culture, the Arts, and Heritage.
- c) The National Assembly Committee on National Cohesion and Equal Opportunity tabled an employment-diversity audit covering various public institutions.
- d) Parliament raised concerns about Export Processing Zones (EPZ) worker welfare, security, transport, housing and labour conditions and indicated continued engagement with labour authorities, EPZ and affected companies.
- e) The National Assembly sought measures to address the harmonisation of maternity leave and to consider alignment with the International Labour Organisation minimum period of 14 weeks.
- f) A petition sought the harmonisation of salaries and risk, non-practice, call, hardship and internship allowances for veterinary doctors and interns with comparable medical roles.
- g) The Senate sought county-by-county information on implementation of the 2017 healthcare collective bargaining agreement, including salary harmonisation, grading, promotions, arrears and absorption into permanent and pensionable terms.

2.10. Public Sector

- a) The National Assembly approved the Public Participation Bill, 2025, with amendments after Committee consideration and passed it at Third Reading.
- b) The President declined to assent to the Public Procurement and Asset Disposal (Amendment) Bill and raised reservations on numerous clauses, including the proposed definitions of local and foreign firms and their consistency with investment and business-environment objectives. The Bill was referred to the Finance Committee for reconsideration.
- c) The National Assembly passed the County Governments Additional Allocations Bill, advanced the Equalisation Fund Appropriation Bill as well as received county budget-implementation reporting.
- d) The Senate took note of the County Fiscal Performance Measurement Index (CFPMI) Report which benchmarks counties using indicators including budget implementation, development expenditure and audit opinions, with scoring and ranking across counties.
- e) The Senate passed the County Oversight and Accountability and Statutory Instruments (Amendment) Bills and amended the Public Audit Bill.
- f) Legal Notice No. 142 of 2026 on election campaign financing was tabled in the National Assembly.
- g) The Independent Electoral and Boundaries Commission (IEBC) notified 10 August 2027 as the General Election date and stated that the campaign period will run from 29 May to 7 August 2027.
- h) The National Assembly passed a Bill criminalising sports and match manipulation. A separate Senate Bill proposing county sports academies and protection of minors in sports was transmitted to the National Assembly for consideration.
- i) The Government reported ongoing digitisation and review of community-based organisations (CBO) registration and the operationalisation of the Community Development Management Information System (CDMIS) as the official platform for registration of CBOs.
- j) The National Assembly sought a statement on the alleged delays and unofficial facilitation payments affecting Electronic Travel Authorisations, together with an audit of applications, fees and processing controls.



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