

SPECIAL ISSUE

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REPUBLIC OF KENYA

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MANDERA COUNTY BILLS, 2026

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THE MANDERA COUNTY TRADE LICENSING BILL, 2026

A Bill for

AN ACT of the County Assembly of Mandera to provide for the grant of trade licenses within the County Government of Mandera and for connected purposes

ENACTED by the County Assembly of Mandera, as follows –

PART I—PRELIMINARY

Short title

1. This Act may be cited as the Mandera County Trade Licensing Act, 2026.

Interpretation

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

“Authorized Officer” means an officer designated as an authorized officer under section 33;

“Business” means—

- (a) trade, commerce or manufacture, profession, vocation or occupation;
- (b) any other activity in the nature of trade, commerce or manufacturing, profession, vocation or occupation;
- (c) any activity carried on by a person continuously or regularly, whether or not for gain or profit and which involves, in part or in whole, the supply of goods or services for consideration;

“Committee” means the Trade Licensing Appeals Committee established under section 30;

“County” means the County Government of Mandera;

“County Assembly” means the County Assembly of Mandera;

“Department” means the county department responsible for trade as established by the County Executive Committee;

“Executive Committee Member” means the County Executive Committee Member responsible for trade;

“License” means a license issued under this Act and includes a permit issued under this Act for the purposes of carrying out trade or business;

“Licensee” means a person licensed under this Act;

“Chief Licensing Officer” means a person appointed as a Chief Licensing Officer under section 8;

“Licensing Unit” means the County Trade Licensing Unit established under section 6;

“Person” means a natural or juristic person;

“trade” means a business, craft, profession or occupation for supply or sale of goods or services whether for monetary exchange, barter or exchange without use of money.

Application

3. This Act shall apply to any person conducting or intending to conduct a business or trade within the County.

Purpose of the Act

4. The purpose of this Act is to provide a legal framework for the implementation of section 7 of Part 2 of the Fourth Schedule to the Constitution and specifically to provide for the trade licensing process.

Requirement to obtain a License

5. (1) A person who intends to operate any business or trade within the County shall obtain a trade license.

(2) A person who operates a trade or business without a trade license commits an offence and shall be liable on conviction to a fine not exceeding Kenya shillings one hundred thousand or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

PART II—ADMINISTRATION

Establishment of a Licensing Unit

6. There is established a Unit in the Department to be known as County Trade Licensing Unit.

Functions of the Licensing Unit

7. The Licensing Unit shall be under the general direction of the Executive Committee Member and shall be responsible for—

- (a) issuing trade licenses;
- (b) advising the Executive Committee Member on the classification of businesses and trades for the purposes of this Act;
- (c) ensuring compliance with the requirements of this Act;
- (d) carrying out inspections for the purposes of this Act;

- (e) in collaboration with other stakeholders, facilitating the development of policies, strategies and plans for effective trade licensing;
- (f) advising the Executive Committee Member on the appropriate policy for promoting conducive business climate through trade licensing;
- (g) monitoring and evaluating the implementation of this Act; and
- (h) carrying out any other functions as may be assigned by the Executive Committee Member.

Chief Licensing Officer

8. (1) There shall be a Chief Licensing Officer who shall be appointed by the County Public Service Board in consultation with the Executive Committee Member.

(2) The Chief Licensing Officer shall be the head of the Licensing Unit

Powers of the Chief Licensing Officer

9. (1) The Chief Licensing Officer shall have powers under this Act or any other applicable legislation to—

- (a) issue a license;
- (b) suspend a license;
- (c) withdraw or cancel a license; and
- (d) impose such conditions as may be necessary on a license issued under this Act.

(2) The Chief Licensing Officer may by an instrument in writing, delegate all or any of the powers conferred under this Act or any other applicable legislation to a county public officer.

Staff

10. There shall be such licensing officers in the Licensing Unit as shall be appointed by the County Public Service Board in consultation with the Executive Committee Member.

PART III— LICENSING PROCESS

Application for License

11. (1) A person intending to carry out any trade or business in the county shall make an application to the Chief Licensing Officer for a license in the prescribed form under the First Schedule to this Act.

(2) An applicant for a license under this section shall be required to meet the required conditions under this Act or any other written law.

(3) An application for license under this Act shall be accompanied by the prescribed information.

(4) Notwithstanding subsection (3), an applicant who was in possession of a license under this Act during the previous year shall not be required to submit the information related to the business that was already provided to the Unit or its predecessor which relates to new applicants.

(5) The Unit may levy such application fees as may be prescribed.

(6) The Chief Licensing Officer shall review and consider the application for a license within fourteen days of the application and shall ascertain that—

- (a) the application is in respect to the respective trade or business classification as may be prescribed;
- (b) the trade or business is a lawful;
- (c) the premises in respect of which the application is made meets the conditions related to occupational health, environmental health and sanitation and the building code; and
- (d) any other matter as may be prescribed.

(7) The Chief Licensing Officer may require an applicant to provide information related to compliance with written laws related to standards, manufacture, distribution or sale of certain products as may be prescribed.

Grant of License

12. (1) Where the Chief Licensing Officer is satisfied that an applicant meets the requirements of this Act, the officer shall, upon the applicant paying the license fee, grant the license in the prescribed form.

(2) Where the Chief Licensing Officer is not satisfied that the application meets the requirements of this Act, the officer shall reject the application and shall within fourteen days of such rejection communicate to the applicant in writing giving reasons for the rejection of the application.

(3) An applicant whose application for a license is rejected under subsection (2), may re-submit an application upon meeting the requirements of this Act.

License Fees

13. (1) An applicant shall, prior to the grant of a trade license and on direction of the licensing officer, pay the license fee prescribed in the Second Schedule.

(2) The County Executive Committee Member responsible for Finance may through the Annual County Finance Act amend the fees as prescribed in the Second Schedule to this Act.

(3) For the avoidance of doubt, the license fee shall not be calculated on a pro rata basis irrespective of the time of year the application for the trade license is made.

Conditions of a license

14. (1) The Chief Licensing Officer may impose such conditions on a license which shall be endorsed on the license as the Chief Licensing Officer deems necessary in order to ensure compliance with this Act or any other written law.

(2) The Chief Licensing Officer shall sufficiently specify on the license the conditions imposed under this section.

License to apply to only one business

15. A license granted under this Act shall apply only to the type of business activity classified under that license.

Validity of a license

16. (1) A license issued under this Act shall expire on the thirty first day of December in each year.

(2) Notwithstanding subsection (1), the Executive Committee Member may classify the licenses to be valid for one day, one week, one month, six months or one year depending on the nature of business or trade.

(3) Every license shall be authenticated by the Chief Licensing Officer or such other officer as the Chief Licensing Officer may designate.

Issuance of a duplicate license

17. A person whose license is lost, destroyed or defaced may, on application in a prescribed form and on payment of a prescribed fee, be issued with a duplicate license.

Cancellation or withdrawal of license

18. (1) The Chief Licensing Officer may withdraw or cancel a license issued under this Act where the licensee fails to comply with the requirements of this Act.

(2) Where a license is withdrawn or cancelled under this section, the Chief Licensing Officer shall issue a written notice to the holder of the license which shall contain the reasons for such withdrawal or cancellation.

Transfer of license

19. Where a licensee sells or leases or otherwise disposes of the premises or business specified in the license, the licensee may apply in writing to the Chief Licensing Officer for the transfer of the license to the purchaser or lessee or otherwise of such premises, and the licensing officer may, if the officer deems fit, grant a transfer of such license.

Register of Licenses

20. (1) The Chief Licensing Officer shall establish and maintain a register of trade licenses which shall be available for inspection by the public during government office hours.

(2) The register shall contain such information as is determined in writing by the Chief Licensing Officer in line with data protection laws and shall not contain commercial-in confidence information.

License to be displayed

21. (1) A licensee under this Act shall—

- (a) where a license is granted in respect to premises, prominently and conspicuously display on the premises to which it relates; or
- (b) where the license is granted in respect of an individual without premises, be in possession of the license at all times and shall produce the license to a licensing officer whenever required.

(2) A licensee who fails or neglects so to display the license commits an offence and shall be liable on conviction to a fine not exceeding five thousand shillings.

Principles for the setting license fees

22. The license fees payable under this Act shall be established on principles of equity and fairness and shall promote the establishment and operation of businesses in the county in line with section 120 of the County Governments Act.

Classification of licenses

23. The licenses applicable under this Act shall be as classified as prescribed and each category issued with a unique code.

Electronic system

24. (1) The Executive Committee Member shall adopt such an appropriate electronic system for the purposes of implementing this Act.

(2) Any transaction under this Act carried out through electronic system shall have legal effect in accordance with this Act.

(3) Where a transaction is carried out through an electronic system, the Executive Committee Member shall ensure that there is established sufficient record as evidence of the transaction.

Collaboration with government agencies

25. The Department shall collaborate with national government entities responsible for standardization, quality control and counterfeit control in the implementation of this Act.

Records

26. A person licensed under this Act shall maintain such records as may be prescribed for the purposes of complying with the requirements of this Act.

Misleading Statements

27. (1) A person shall not make any false or misleading statements in connection with an application for a license or in provision of any information required under this Act.

(2) A person who contravenes this section commits an offence and shall be liable on conviction to a fine not exceeding twenty thousand shillings.

Engagement with licensees

28. (1) The Unit shall facilitate participation of the licensees in—

- (a) development of policies, Regulations or administrative procedures related to the implementation of this Act;
- (b) identifying the challenges faced or gaps in the implementation of this Act to the extent that they relate to the licensees and development of measures to address the challenges; and
- (c) identifying and implementing measures of ensuring compliance with this Act.

(2) Subject to the approval by the Executive Committee Member, the unit may establish mechanisms for collaboration and partnership with the business community in order to ensure effective implementation of this Act.

Reporting

29. (1) The Chief Licensing Officer shall, not later than three months after the end each calendar year, cause to be prepared an annual report in respect to each financial year which shall consist of among others—

- (a) the number and type of licenses issued during the year classified under—

- (i) each sub county and wards; and
- (ii) each town or urban area;
- (b) the challenges faced in the implementation of this Act;
- (c) the proposed policy or legislative measures to be adopted in order to enhance the implementation of this Act;
- (d) the level of compliance with this Act by the licensees or potential licensees; and
- (e) any other matter as the Executive Committee Member may require.

(2) The Chief Licensing Officer shall submit the report prepared under this section to the Executive Committee Member.

(3) The Executive Committee Member shall, within fourteen days of receiving the report submit it to the County Executive Committee for consideration and adoption.

PART IV—APPEALS

Trade Licensing Committee

30. (1) There is established the Trade Licensing Appeals Committee Appeals comprising of the following persons—

- (a) the Director responsible for Trade who shall be the chairperson to the committee;
- (b) an officer designated by the County Executive Committee Member for the time being responsible for finance;
- (c) the Director of Revenue;
- (d) the County Attorney; and (e) the Director of Markets.

(2) The Members of the Committee shall be appointed on such terms and conditions as the Executive Committee Member may determine.

(3) The Executive Committee Member shall designate a member of the committee to be the secretary to the Committee.

(4) A person aggrieved by a decision of the Chief Licensing Officer shall within seven days appeal in writing to the Committee against the decision.

(5) The Committee may, where it entertains a notice of appeal, decide the appeal by—

- (a) confirming the decision of the Chief Licensing Officer;

- (b) varying the decision; or
- (c) quashing the decision.

Appeals Procedure

31. (1) A person aggrieved by a decision of the Chief Licensing Officer shall within fourteen days appeal in writing to the Executive Committee Member against the decision.

(2) Upon receipt of an appeal, the Executive Committee Member shall within fourteen days refer the appeal to the Committee for consideration.

(3) The Committee shall consider the appeal within thirty days after receipt and make recommendations to the Executive Committee Member.

(4) The Committee may, where it entertains an appeal, decide the appeal by—

- (a) confirming the decision of the Director of Trade Licensing;
- (b) varying the decision; or
- (c) quashing the decision.

(5) The Committee shall consider the appeal within thirty days after receipt of the appeal and make recommendations to the Executive Committee Member.

(6) The Executive Committee Member may, on the recommendation of the Committee—

- (a) confirm or reverse a refusal to grant a trade licence;
- (b) confirm or reverse the suspension or cancellation of a licence; or
- (c) confirm or modify the conditions imposed on a licence.

(7) The Executive Committee Member shall give such directions to the Chief Licensing Officer as may be necessary to give effect to the decision.

(8) The Committee shall regulate its own procedure.

PART V—ENFORCEMENT

Principles of Enforcement

32. The enforcement of this Act shall be carried out in a manner that—

- (a) recognizes and respects the private nature of persons or businesses licensed under this Act;
- (b) supports and encourages compliance with this Act;

- (c) promotes trade and business operations; and
- (d) respects and observes the rule of law and fundamental rights.

Authorized Officers

33. (1) The Executive Committee Member shall designate such from the County Government to be Authorized Officers for the purposes of this Act.

Failure to produce information

34. A person who refuses to produce information as required by an authorized officer under section 36 commits an offence and is liable on conviction to a fine not exceeding five thousand shillings.

PART VI—GENERAL PROVISIONS**Regulations**

35. (1) The Executive Committee Member may make Regulations generally for the better carrying out of the objects of this Act.

(2) Without prejudice to the generality of subsection (1), the Regulations may—

- (a) prescribe the forms;
- (b) prescribe matters related to compliance with written laws in regard to application for license;
- (c) prescribe the form of certificate for authorized officers; and
- (d) prescribe the procedures for carrying out inspections.

Savings

36. A trade license or a business permit issued and is valid prior to the coming in to force of this Act, shall have effect at the coming into force of this Act as if granted under this Act and on such terms and conditions applicable at the time of issuing the trade license or the permit.

General Penalty

37. (1) A person who contravenes any provision of this Act where no penalty has been provided shall be guilty of an offence and liable on conviction to a fine of the sum not exceeding fifty thousand shillings or to imprisonment for a term not exceeding six months or to both.

(2) Any person who obstructs a licensing officer or an authorized officer from implementing the provisions of this Act shall be guilty of an offence and on conviction shall be liable to a fine of the sum not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding six months or to both.

FIRST SCHEDULE (s. 11)
APPLICATION FORM FOR LICENSES
FORMS
PART A

Form TL-0.....

**APPLICATION FOR THE GRANT / RENEWAL OF A LICENCE /
TRANSFER OF LICENCE / DUPLICATE LICENCE**

Applicant's name Tel..... P.O. Box.....

Resident..... Non-Resident

Description of business, profession, trade or occupation to be conducted.

.....

Name under which business, profession, trade or occupation is or is to be carried on.

.....

If business is a partnership, give full names and addresses of all partners.

(a) (b) (c)

Number of employees in the Business.....

Give any registration details of the business, profession, trade or occupation.

.....

.....

Address at which the business, profession, trade or occupation is or is to be carried on.

P.O. Box..... Tel..... E-mail.....

L.R. No.....

Sub county

Is the applicant an undischarged bankrupt?

State the date on which it is desired to begin conducting the business, profession, trade or occupation* or the number of the previous Licence.....

Please indicate the nature of application, that is, either for grant of licence, renewal or transfer. In case of transfer, state the details of the transferee and relation with the licensee.

Please provide the following additional information: [insert additional information required]

Application fee is attached* or no application fee applies

I, [...Name of Applicant...], hereby certify that the particulars given above herein are true and correct to the best of my knowledge and information.

DATED at [...Town...] **this** **day of**

Signature of applicant.....

CAUTION:

Section 27: A person who gives false or misleading information in connection with an application for the grant or renewal of a licence or providing any information required under this Act is guilty of an offence and is liable to a fine not exceeding two hundred and fifty thousand Kenya shillings or an imprisonment of a term of one year or to both.

Form TL-02

(s.12(1))

TRADE LICENCE

A licence to conduct [insert business, trade, profession or occupation to be conducted] at the premises at [insert location of the premises to which licence applies] is granted for the period starting on [insert initial date of grant of the licence] and ending on 31 December [insert year] *or is renewed for the period from 1 January to 31 December [insert year].

The licensee is [insert name of person to whom the licence is granted or for whom it is renewed].

The licence is granted or renewed* subject to the Kiambu County Trade Licence Act, 2016 and the regulations made under Act, and the conditions set out below:

[Insert conditions relating to the particular business, trade, profession or occupation to which the licence relates]

Granted by the Mandera County Licensing Officer.

DATED at [...Town...] **this** **day of**

Signature.....

(Licensing Officer)

Form TL-03

(s. 9 & 18(1))

NOTICE OF CLOSURE OF BUSINESS / SUSPENSION OF A LICENCE / CANCELLATION OF A LICENCE TO:

(Particulars of licensee)

TAKE NOTICE that the licensing officer has on this day of ordered the closure of business located at / suspended / cancelled your licence number following your failure to comply with the notice of issued on the day of

TAKE FURTHER NOTICE THAT the notice takes effect immediately from the date of this notice.

Failure to comply with this Notice is an offence under the Section 16(4) of the Act.

Signature.....

Date

(Licensing Officer)

Form TL-04

AUTHORISED OFFICER’S REPORT

To: The Licensing Officer.

From:

Name.....

Employment No.....

PLEASE TAKE NOTE THAT on the day of
20..... at am/pm,

I, holder of
national identification card No....., being an
authorized officer, entered business premises known as
..... located at
building street and seized the
following goods/obtained the following documents/made the following
finding/observationsl:

.....
.....
.....
.....

The details of the licensee/business owner are as follows:

Name:

Postal address:

Physical address:

Telephone contacts:

The goods seized were the following:

Description	Quantity	Date of expiry	Place of custody

Signed dated

License Fees

Particulars	Measure	Approved (KSh.)
MARKETS		
MARKET STALLS RENT		
Market Stalls in Mandera Town		
Open Shade Tables	per month	500
Closed Market Shades	per month	700
Bus park Stalls	per month	1,500
Bulla Jamhuri market stalls	per month	1,000
Bus park Butcheries stalls	per month	2,200
Bus park Hotels	per month	3,500
Bus Park Kiosks	per month	600
Bus Park - Large stalls	per month	1,800
Market stalls in other sub-county Headquarters	per month	1,500
Elwak SME Park		
Closed stalls in Elwak SME park	per month	1,500
Open Shade stands in Elwak SME park	per month	500
Bulla Jamhuri Market		
Market Stalls	Per month	700
Inside Shade	Per month	500
Outside Shade	Per month	600
Tailors	Per month	500
Bus Park Market		
Large stalls	Per month	1,500
Medium Stalls	Per month	1,500
Kiosk	Per month	600
Market Shade	Per month	600
Bus Park Hotel	Per month	3,500
Bus Park Butcheries	Per month	2,200

Particulars	Measure	Approved (KSh.)
Hire of Open Space	Per day	7000
Mandera ESP/Miraa Market		
Large Stalls	Per month	3,500
Medium Stalls	Per month	1,000
Table Shade	Per month	500
Miraa Dashes	Per month	700
Khalalio Market		
Market Stalls	Per month	500
Table Shade	Per month	300
Market entry fees	Per day	50
Rhamu Market		
Market Stalls	Per month	800
Table Shade	Per month	500
Market entry fees	Per day	50
Rhamu Dimtu Market		
Market Stalls	Per month	500
Table Shade	Per month	300
Market entry fees	Per day	30
Ashabito Market		
Market Stalls	Per month	500
Table Shade	Per month	300
Market entry fees	Per day	30
Eymole Market		
Market Stalls	Per month	500
Table Shade	Per month	300
Banissa Market		
Market Stalls	Per month	800
Table Shade	Per month	500
Market entry fees	Per day	30
Lafey Market		

Particulars	Measure	Approved (KSh.)
Market Stalls	Per month	700
Takaba Market		
Market Stalls	Per month	800
Table Shade	Per month	500
Market entry fees	Per day	30
Kutulo Market		
Market Stalls	Per month	800
Table Shade	Per month	300
Market entry fees	Per day	30
Elwak Regional Market		
Large Stalls	Per month	1,500
Table Shade	Per month	500
Parking Fees	Per day	50
Borehole 11		
Market Stalls	Per month	600
Table Shade	Per month	300
Market entry fees	Per day	50
Mandera Youth Market		
Market Stalls	Per month	500
EL-DANABA MARKET		
M/Stalls	Per month	500
Table shade	Per month	100
Hotels	Per month	3.000
Market Transit		
Store movement (Mixed goods)	Per 7 tones tracks	3,000
MARKET ENTRY		
MARKET/MARKET GATE FESS		
CONSUMEABLE PRODUCT		
Miraa/Transportation per track	Per trip	20,000

Particulars	Measure	Approved (KSh.)
Miraa/Transportation per Land Cruiser	Per trip	10,000
Miraa from Ethiopia per vehicle		5,000
Miraa from Ethiopia-boda-boda	Per trip	500
White flour per sack/50 bag		50
Sugar per bag 50kg		100
Onions 7 tonnes per track		2,000
Potatoes 7 tonnes per track		5,000
Potatoes 10-20 tones	Per vehicle	5,000
Potatoes 20 tones and above	Per vehicle	5,000
Potatoes per bag	Per bag	100
Honey per 3 liters		50
Honey per 20 litres		500
Cement from Ethiopia per bag		50
Lintels (per bag)		100
Wheat flour (per bag)		50
Particulars	Measure	Approved
Watermelon (per vehicle)		(5,000KSh.)
Salt (per bag)		50
Beans (per bag)		50
Soya beans (per bag)		50
Simsim (per 20litres)		50
Mangoes (per bag)		50
paw paw (per bag)		50
Bananas (per bag)		50
Rice (per bag)		50
Other non-Consumable Product		
Malmal Cum/Arabic	Per 100kg	100
Scrap Metal	Per 7 tonnes truck	10,000
Scrap Metal	Per above 7 tonnes	15,000

Particulars	Measure	Approved (KSh.)
Second Hand Cloths	Truck Per tonne	500
MARKET CESS		
Market entry fees(m/gate)-daily consumables	Per day	50
CO-OPERATIVES		
Registration of new society		2,500
Change of name		2,000
Official search		300
Certification of documents		1,500
Amendment of regulations/rules		2,000
Request of inspection by a creditor		2,000
Request of inspection by a member		5,000
Refusal to allow inspection		10,000
Penalty for Failure to register charges		5,000
Audit fee by the department		8,000
Use of word “co-operative” without approval		10,000
Supervision fee of accounts audited by external auditors		10% of fees
Renewal of certificate of registration		charged-
Registration of charge		3,000
Approval of audit firms		10,000
Appeals to County Executive		3,000
Consultancy services	Per consultancy	2.5% of the
Locally sourced material for construction	Per award	contract 2.5% of the sum
Fire extinguisher services(airstrip)	Per trip	tender 10,000valu e

MEMORANDUM OF OBJECTS AND REASONS

Firstly, this Bill seeks to partly implement section 7 of Part 2 of the Fourth Schedule to the Constitution on trade development and regulation of trade.

PART I of the Bill provides for preliminary matters such as interpretation and the object of the Bill.

PART II of the Bill provides for administration matters. The Part establishes a Licensing Unit responsible for issuing licenses, advising the Executive Committee Member on classification of businesses and ensuring implementation of the Act among others. The Part also provides for the office of the Chief Licensing Officer.

PART III of the Bill provides for the trade licensing process. The Part also provides for process for application for a license, requirements thereof as well as grant of trade licenses and consequential matters.

PART IV of the Bill provides for an appeals mechanism on licensing decisions by establishing a Trade Licensing Appeals Committee.

PART V of the Bill provides for enforcement provisions. It provides for the principles to be adopted in enforcing the law, for appointment of authorized officers and the process of carrying out inspections.

PART V of the Bill provides for general provisions. It provides for the powers of the Executive Committee Member to make Regulations and provides for savings provision on the licenses and permits issued prior to the coming into force of the Act.

Dated the 26th February, 2026.

ADAN HUSSEIN RAHOY,
*Chairperson, Trade,
Investments and Cooperative Development Committee.*