

**SPECIAL ISSUE**

*Nairobi City County Gazette Supplement No. 10 (Acts No. 5)*



REPUBLIC OF KENYA

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**NAIROBI CITY COUNTY GAZETTE  
SUPPLEMENT**

**ACTS, 2014**

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**NAIROBI, 19th May, 2014**

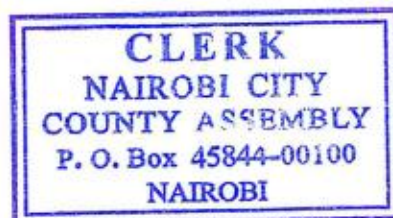
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No. 5 *Nairobi City County Betting, Lotteries and Gaming* 2014

**THE NAIROBI CITY COUNTY BETTING, LOTTERIES AND  
GAMING ACT, 2014**

**No. 5 of 2014**

*Date of Assent: 15th May, 2014*

*Date of Commencement: See Section 1*

**PART— PRELIMINARY**

- 1—Short title and commencement.
- 2—Interpretation.
- 3—Application of the Act restricted to the county.
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- 5—Objects of the Act.

**PART II— NAIROBI CITY COUNTY BETTING, LOTTERIES  
AND GAMING LICENSING AND REGULATION BOARD**

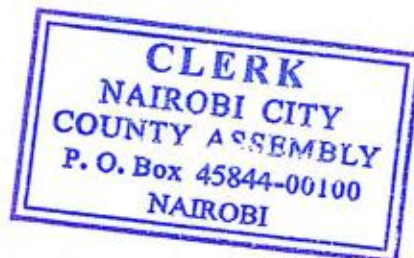
- 6—Establishment of the betting control board.
- 7—Functions of the Board.
- 8—Powers of the Board.

**PART III – BETTING, ETC. REGULATION AND LICENSING**

- 9—Application for licences and permits.
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- (a) offences created under that national legislation and the punishment prescribed for such offences in such national legislation;
- (b) prohibitions against certain types of activities;
- (c) the regulation of certain activities, except that such regulation shall be carried out solely by the institutions of the Nairobi City County where such activities fall within the boundaries of county.

**5. The objects of this Act are to—**

Objects of the Act.

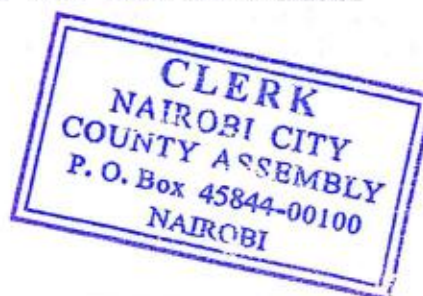
- (a) give further effect to paragraph 4 of the Fourth Schedule to the Constitution which mandates the county government with the function of betting, lotteries and gaming regulation and licensing;
- (b) to ensure that the national government policy on the regulation of betting, lotteries and gaming as set out in the national legislation is implemented at the county level in accordance with the requirements of the Constitution to the effect that Government at either shall among other things, as appropriate, implement the legislation of the other level of government; and
- (c) to provide for the county institutions and for procedures applicable to the regulation and licensing of betting, lotteries and gaming within the county.

**PART II— COUNTY BETTING LICENSING AND REGULATION BOARD**

**6. (1)** There is established the Nairobi City County Betting Licensing and Regulation Board.

Establishment of the betting, etc. board.

- (2) The Board shall comprise—
  - (a) a chairperson, appointed by the Governor;
  - (b) the chief officer responsible for trade;
  - (c) the head of the county inspectorate services;
  - (d) six persons appointed by the Governor who shall be persons conversant with trade and financial matters respectively.



salaries, remuneration and allowances, if any, as the executive committee member may determine in consultation with the Governor.

(13) All permits and licences issued under this Act and all communications from the Board shall be under the hand of the chairperson or of some person duly authorized by the chairperson, notification of that authorization being published in the *Gazette* under the hand of the chairperson.

(14) The chairperson shall submit to the Governor for publication a quarterly report of the proceedings of the Board containing particulars with respect to such matters as the Governor may direct.

(15) No member of the Board, nor any officer or servant thereof, shall be personally liable for any act or default done or omitted to be done in good faith in the course of his duties under this Act.

7. (1) The functions of the Board shall be to—

Functions of the Board.

- (a) advise the Governor generally and the executive committee member on betting, lotteries and gaming regulation and licensing policy within the Nairobi City County;
- (b) liaise with the county inspectorate and the Kenya Police Service to ensure the enforcement of the law as contained in this Act;
- (c) generally administer this Act and any relevant provision on betting, lotteries and gaming regulation and licensing;
- (d) perform any other function given by this Act or by any other written law.

8. (1) The Board shall have power—

Powers of the Board.

- (a) to issue licences and permits in accordance with this Act and any regulations made thereunder;
- (b) during the subsistence of a licence or permit, to vary, or for good cause to suspend or cancel it; but the Board shall not suspend a licence or permit for more than fourteen days and shall not vary or cancel a licence or permit without giving the licensee or permit-holder opportunity to show cause against the variation or cancellation; and

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NAIROBI

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2014

(2) Where the Board has no objection the application under section 9, it shall, within twenty days of the application, grant a licence to the applicant upon payment of the prescribed fee.

(3) The licence issued shall be in such form as may be prescribed and subject to such conditions as the Board may consider fit.

(4) Where the Board is not satisfied with the application under subsection (1), it may —

(a) reject the application giving reasons and notify the applicant accordingly within twenty-one days of the decision to reject; or

(b) make comments and recommendations thereon and return it to the applicant within thirty days.

(5) The applicant to whom the application is returned under subsection (4)(b) may re-submit a revised application within six months of the date of notification.

(6) On receipt of any revised application under subsection (5), the Board shall, within one month determine the application in accordance with this Act and upon such determination, if satisfied, issue a licence.

(7) Where the Board grants a licence under this section it shall, publish the grant in the Gazette.

11. (1) Where premises are about to be constructed or reconstructed or are in course of construction or reconstruction for the purpose of being used for betting on such premises, any person having an interest in the premises may apply in the prescribed form to the Board for an assurance that, on the completion of the construction or reconstruction, a licence of the type to be specified in the application will be granted in respect of such premises.

(2) The provisions of sections 9 and 10 shall apply to such applications, which shall be accompanied by a signed copy of the plans of such premises.

(3) The Board may, subject to such reasonable conditions as it may therein include, give to the applicant an assurance in the prescribed form that, on the completion of the premises, a licence of the type specified therein will be granted or it may refuse to give such an assurance.

Provisional licence.

