

**SPECIAL ISSUE**

*Kenya Gazette Supplement No. 159 (Acts No. 16)*



REPUBLIC OF KENYA

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**KENYA GAZETTE SUPPLEMENT**

**ACTS, 2018**

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**NAIROBI, 4th January, 2019**

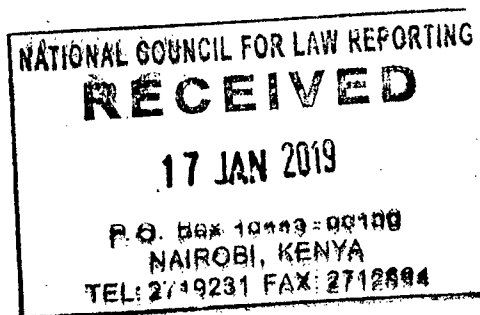
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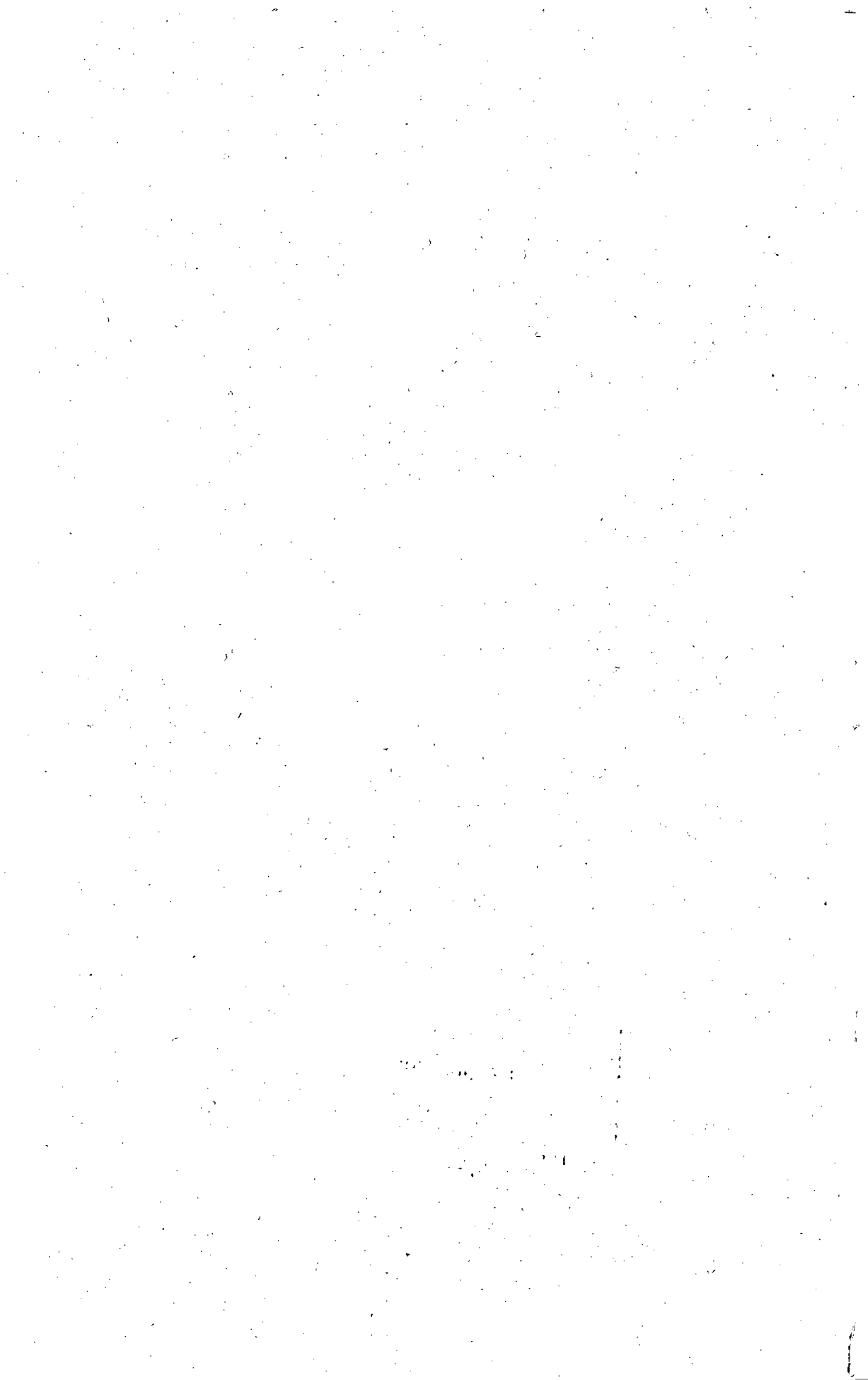
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**THE SACCO SOCIETIES (AMENDMENT) ACT,  
2018**

**No. 16 of 2018**

*Date of Assent: 31st December, 2018*

*Date of Commencement: 18th January, 2019*

**AN ACT of the Parliament to amend the Sacco Societies Act, 2008**

**ENACTED** by the Parliament of Kenya, as follows—

1. This Act may be cited as the Sacco Societies (Amendment) Act, 2018.

Short title.

2. The Sacco Societies Act, (in this Act referred to as the “principal Act”), is amended by deleting the word “Minister” wherever it appears and substituting therefor the words “Cabinet Secretary”.

Amendment of No. 14 of 2008.

3. Section 6 of the principal Act is amended in subsection (4) by deleting paragraph (a) and substituting therefor the following new paragraphs—

Amendment of section 6 of No. 14 of 2008.

“(a) a Member of Parliament or a County Assembly;

“(aa) one who does not meet the requirements of Chapter Six of the Constitution”

4. Section 20 of the principal Act is amended—

Amendment of section 20 of No. 14 of 2008.

(a) in subsection (2) by deleting the words “Controller and”;

(b) in subsection (3) by deleting the expression “2003, (No. 12 of 2003)” and substituting therefor the expression “2015, (No. 34 of 2015).”

5. Section 24 of the principal Act is amended in subsection (2) by deleting the words “Second Schedule” appearing in paragraph (b) and substituting therefor the word “regulations”.

Amendment of section 24 of No. 14 of 2008.

6. Section 27 of the principal Act is amended—

Amendment of section 27 of No. 14 of 2008.

(a) in subsection (1), by deleting the words “prescribed in section 30 and the Second Schedule” appearing in paragraph (d) and substituting therefor the words “as may be prescribed in the regulations”;

- (b) in subsection (7), by deleting the word “Tribunal” and substituting therefor the words “Cabinet Secretary”; and
- (c) by inserting the following new subsection immediately after subsection (7)—

(8) The registration of a Sacco Society, the license of which is revoked under the provisions of this Act, shall be cancelled in accordance with section 62 of the Co-operative Societies Act.”

7. Section 45 of the principal Act is amended in paragraph (a) by deleting the expression ““(No. 17 of 2015)” appearing in the marginal note.

Amendment of section 45 of No. 14 of 2008.

8. Section 51 of the principal Act is amended—

Amendment of section 51 of No. 14 of 2008.

- (a) by inserting the following words “or any officer, director, committee member, employee or agent of the Society in such amounts as may be prescribed through regulations” immediately after the word “society” appearing in paragraph (m); and
- (b) by deleting the word “and” appearing at the end of paragraph (p) and substituting therefor the word “or”.

9. The principal Act is amended by inserting the following new section immediately after section 53—

Amendment of section 53 of No. 14 of 2008.

Application of Information and Communications Technology.

**53A (1)** The Authority may establish and operate an electronic filing system for the purposes of electronic filing of the statutory returns and documents or other information required to be furnished to Authority under the Act or any other written law.

(2) The Authority shall, in establishing an electronic filing system, issue general or specific guidelines and directions on the use and procedure of the system, including—

- (a) the registration of Sacco Societies to participate in the electronic filing system;
- (b) the issuing and cancellation of authentication of codes to the

registered users of the electronic system;

- (c) statutory returns, documents or other information that may be transmitted through the electronic filing system;
- (d) the correction of errors in, or amendments to, statutory returns, documents or other information filed in the electronic filing system;
- (e) the use of the electronic filing system, including the procedure applicable if there is a breakdown or other interruption in the system;
- (f) the use, in any electronic transmission or filing, of symbols, codes, abbreviations or other notations to represent any particulars or information required under the Act or any other written law; and
- (g) any other matters for the better use and provision of the electronic filing system.

(3) A Sacco Society shall, subject to any directions or guidelines issued by the Authority, furnish any return, document or other information required to be furnished under the Act, these Regulations or any other written law through the use of the electronic filing system established by the Authority.

(4) The Authority may, in accordance with the directions or guidelines issued under subsection (3), serve a notice or any other document to the registered computer account of the Sacco Society.



