LEGAL NOTICE NO. 142

THE PROCEEDS OF CRIME AND ANTI-MONEY LAUNDERING ACT, 2009

(No. 9 of 2009)

IN EXERCISE of the powers conferred by section 134 of the Proceeds of Crime and Anti-Money Laundering Act, 2009, the Cabinet Secretary for the National Treasury and Planning makes the following Regulations-

THE PROCEEDS OF CRIME AND ANTI-MONEY LAUNDERING (AMENDMENT) REGULATIONS, 2018

1. These Regulations may be cited as the Proceeds of Crime and Anti-Money Laundering (Amendment) Regulations, 2018.

2. The Proceeds of Crime and Anti-Money Laundering Regulations, 2013 (in these Regulations referred to as the "principal Regulations") are amended by inserting the following new regulation immediately after regulation 2 -

Application.

2A. These Regulations shall apply to all preventive measures that apply to anti-money laundering activities including measures for combating terrorism financing.

3. The principal Regulations are amended by inserting the following new regulation immediately after regulation 7 -

Policies and procedures.

7A. (1) A reporting institution shall have policies and procedures to address any money laundering or terrorism financing risks associated with non-face-to-face business relationships or transactions.

(2) The policies and procedures referred to in paragraph (1) shall apply when establishing customer relationships and when conducting on-going due diligence.

Dated the 14th June, 2018.

HENRY ROTICH,
Cabinet Secretary for the National Treasury and Planning.

LEGAL NOTICE NO. 143

THE AIR PASSENGER SERVICE CHARGE ACT

(Cap. 475)

IN EXERCISE of the powers conferred by section 3(3) of the Air Passenger Service Charge Act, the Cabinet Secretary for the National Treasury and Planning makes the following Order—
THE AIR PASSENGER SERVICE CHARGE ACT
(APPORTIONMENT) ORDER 2018

1. This Order may be referred to as the Air Passenger Service Charge (Apportionment) Order 2018.

2. The proceeds of the charge collected under section 3(1) of the Act shall be apportioned among the Kenya Airports Authority, the Kenya Civil Aviation Authority and the Tourism Promotion Fund as follows—

(a) in the case of the charge collected under paragraph (a) –
   (i) sixty percent thereof to the Kenya Airports Authority,
   (ii) twenty percent to the Kenya Civil Aviation Authority and
   (iii) twenty percent to the Tourism Promotion Fund; and
(b) in the case of the charge collected under paragraph (b) –
   (i) fifty percent thereof to the Kenya Airports Authority;
   (ii) thirty percent to the Kenya Civil Aviation Authority, and
   (iii) twenty percent to the Tourism Promotion Fund.

Dated the 14th June, 2018.

HENRY ROTICH,
Cabinet Secretary for the National Treasury and Planning.

LEGAL NOTICE NO. 144
THE RETIREMENT BENEFITS ACT
(No. 3 of 1997)

IN EXERCISE of the powers conferred by section 55 of the Retirement Benefits Act, 1997 the Cabinet Secretary for the National Treasury and Planning makes the following Regulations—

THE RETIREMENT BENEFITS (INDIVIDUAL RETIREMENT BENEFITS SCHEMES) (AMENDMENT) REGULATIONS, 2018

1. These Regulations may be cited as the Retirement Benefits (Individual Retirement Benefits Schemes) (Amendment) Regulations, 2018.

2. Regulation 9 of the Retirement Benefits (Occupational Retirement Benefits Schemes) Regulations, 2000 (in these Regulations referred to as the “principal Regulations”) is amended by adding the following new paragraph immediately after paragraph (4)—

(6) No trustee engaged in any profession or business shall be engaged in professional services done by him or his firm in connection to the scheme.