



LAWS OF KENYA

THE IMMIGRATION ACT

CHAPTER 172

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SCHEDULE

CHAPTER 172

THE IMMIGRATION ACT

Commencement: 1st December 1967

25 of 1967,
6 of 1972,
13 of 1988,
4 of 1999,
5 of 2007.

An Act of Parliament to amend and consolidate the law relating to immigration into Kenya, and for matters incidental thereto and connected therewith

1. This Act may be cited as the Immigration Act.

Short title.

2. (1) In this Act, except where the context otherwise requires—

Interpretation.

“child” includes a child adopted under the Adoption Act, but does not include—

Cap. 143.

(a) a child adopted otherwise than under that Act, unless the Minister is satisfied that the circumstances of the adoption were such as substantially to satisfy the requirements of subsections (1), (2), (3) and (4) of section 4 of that Act;

(b) a married woman; or

(c) a person who has attained the age of eighteen years;

“entry permit” means an entry permit issued under section 5, or a provisional entry permit issued under section 20;

“immigration officer” means any person appointed to that office pursuant to section 10;

“medical practitioner” means a medical practitioner appointed for the purposes of this Act by the Minister for the time being responsible for health;

“pass” means a pass to enter and remain temporarily in, or to re-enter, Kenya, issued under regulations made under this Act, and includes any class or description of pass which may be so prescribed;

“passport” means a passport issued to a person by or on behalf of the government of the State of which he is a subject, or a valid passport or other valid travel document or document of identity issued to a person by an authority recognized by the Government of Kenya, such passport or document being complete and having endorsed thereon all particulars,

endorsements and visas required from time to time by the government or authority issuing the passport or document or by the Government of Kenya or by any written law;

“prescribed” means prescribed by regulations made under this Act;

“prohibited immigrant” has the meaning ascribed thereto in section 3;

“the repealed Acts” means the Acts repealed and the subsidiary legislation revoked by section 22.

(2) In this Act, except where the context otherwise requires, any reference to this Act includes a reference to regulations made thereunder.

Prohibited Immigrants

Prohibited
immigrants.

3. (1) In this Act, a prohibited immigrant means a person who is not a citizen of Kenya and who is—

(a) incapable of supporting himself and his dependants (if any) in Kenya;

(b) a mental defective or a person suffering from mental disorder;

(c) a person who—

(i) refuses to submit to examination by a medical practitioner after being required to do so under section 11 (1) (d); or

(ii) is certified by a medical practitioner to be suffering from a disease which makes his presence in Kenya undesirable for medical reasons;

(d) a person who, not having received a free pardon, has been convicted in any country, including Kenya, of murder or of any offence for which a sentence of imprisonment has been passed for any term and who, by reason of such conviction, is considered by the Minister to be an undesirable immigrant;

(e) a prostitute, or a person who is living on or receiving, or who before entering Kenya lived on or received, the proceeds of prostitution;

- (f) a person who, in consequence of information received from any government or from any other source considered by the Minister to be reliable, is considered by the Minister to be an undesirable immigrant;
- (g) a person, or a member of a class of persons, whose presence in Kenya is declared by the Minister to be contrary to the national interests;
- (h) a person who, upon entering or seeking to enter Kenya, fails to produce a valid passport to an immigration officer on demand or within such time as that officer may allow;
- (i) a person who was, immediately before the commencement of this Act, a prohibited immigrant within the meaning of the former Immigration Act (now repealed) by reason of paragraph (f) or paragraph (g) of section 7 (2) of that Act;
- (j) a person whose presence in or entry into Kenya is unlawful under any written law other than this Act;
- (k) a person in respect of whom there is in force an order made or deemed to be made under section 8 directing that such person shall be removed from and remain out of Kenya;
- (l) a dependant of any of the persons mentioned in the foregoing paragraphs of this subsection.

Cap. 172.

(2) Subject to subsection (3), the entry into and presence in Kenya of a prohibited immigrant shall be unlawful, and a person seeking to enter Kenya shall, if he is a prohibited immigrant, be refused permission to enter Kenya, whether or not he is in possession of any document which, were it not for this section, would entitle him to enter Kenya.

(3) An immigration officer may in his discretion issue a prohibited immigrant's pass to a prohibited immigrant, permitting him to enter and remain temporarily in Kenya for such period and subject to such conditions as may be specified in that pass.

Entry and Removal of Immigrants

4. (1) Subject to this section, no person who is not a citizen of Kenya shall enter Kenya unless he is in possession of a valid entry permit or a valid pass.

Prohibition on entry without permit or pass.

(2) Subject to this section, the presence in Kenya of any person who is not a citizen of Kenya shall, unless otherwise authorized under this Act, be unlawful, unless that person is in possession of a valid entry permit or a valid pass.

(3) This section shall not apply to—

- (a) the accredited representative to Kenya of the government of any Commonwealth country, and the wife and any child of that representative;
- (b) the accredited envoy to Kenya of a foreign sovereign State, and the wife and any child of that envoy;
- (c) a person upon whom the immunities and privileges set out in Part II of the Fourth Schedule to the Privileges and Immunities Act have been conferred under that Act, and the wife and any child of that person;
- (d) a person upon whom the immunities and privileges set out in Part III of the Fourth Schedule to the Privileges and Immunities Act have been conferred under that Act, and the wife and any child of that person;
- (e) the accredited diplomatic or consular staff of the persons referred to in paragraphs (a) and (b), and the wives and any children of the accredited diplomatic or consular staff;
- (f) the official staff of the persons referred to in paragraphs (a) and (b), and the wives and any children of the official staff;
- (g) the domestic staff of the persons referred to in paragraphs (a), (b) and (c), and the wives and any children of the domestic staff;
- (h) any person, or class or description of persons, exempted by the Minister from the provisions of this section by notice in the Gazette.

(4) Where any person ceases to be a person to whom subsection (3) refers, then, after the expiration of such reasonable period following that cessation as an immigration officer may in his discretion allow for the departure of that person from Kenya, his presence in Kenya shall, unless otherwise authorized under this Act, be unlawful.

5. (1) There shall be the classes of entry permits specified in the Schedule.

Issue of entry permits.
6 of 1972, s. 2.

(2) Where a person, other than a prohibited immigrant, has made application in the prescribed manner for an entry permit of a particular class, and has satisfied an immigration officer that he belongs to that class and that the conditions specified in the Schedule in relation to that class are fulfilled, the immigration officer may, in his discretion, issue an entry permit of that class to that person.

(3) Any person who has applied for an entry permit of any of the classes E to M (inclusive) and who is aggrieved by a decision refusing him an entry permit may, in the manner and within the time prescribed, appeal against that decision to the Minister, whose decision shall be final and shall not be questioned in any court.

6. (1) Where an entry permit, other than an entry permit of class K, L or M, has been issued to a person, and that person, without having obtained the written approval of an immigration officer—

Invalidation of entry permits.
6 of 1972, s. 3.

- (a) has failed to engage, within fourteen days of the date of issue of the entry permit or of that person's entry into Kenya, whichever is the later, in the employment, occupation, trade, business or profession in respect of which that entry permit was issued; or
- (b) has ceased to engage in the said employment, occupation, trade, business or profession; or
- (c) has engaged in any employment, occupation, trade, business or profession, whether or not for remuneration or profit, other than the employment, occupation, trade, business or profession referred to in paragraph (a),

that entry permit shall thereupon cease to be valid and the presence of that person in Kenya shall, unless otherwise authorized under this Act, be unlawful.

(2) Where an entry permit of class K or L has been issued to a person, and that person, without having obtained the written approval of an immigration officer, engages in any employment, occupation, trade, business or profession, whether or not for remuneration or profit, that entry permit shall thereupon cease to be valid and the presence of that person in Kenya shall, unless otherwise authorized under this Act, be unlawful.

(3) Notwithstanding any other provision of this Act, but subject to the provisions of any other written law, a person to whom an entry permit of class M is issued may engage in any occupation, trade, business or profession, and sections 4 and 5 shall not apply to a child under the age of fourteen years of that person.

Permits, etc., void for fraud, etc.

7. Any entry permit, pass, certificate or other authority, whether issued under this Act or under the repealed Acts, which has been obtained by or was issued in consequence of fraud or misrepresentation, or the concealment or non-disclosure, whether intentional or inadvertent, of any material fact or circumstance, shall be and be deemed always to have been void and of no effect.

Power to remove persons unlawfully in Kenya.
Cap. 63.

8. (1) The Minister may, by order in writing, direct that any person whose presence in Kenya was, immediately before the making of that order, unlawful under this Act, or in respect of whom a recommendation has been made to him under section 26A of the Penal Code, shall be removed from and remain out of Kenya either indefinitely or for such period as may be specified in the order.

(2) A person to whom an order made under this section relates shall—

- (a) be removed to the place from whence he came, or with the approval of the Minister, to a place in the country to which he belongs, or to any place to which he consents to be removed if the Government of that place consents to receive him;
- (b) if the Minister so directs, be kept in prison or in police custody until his departure from Kenya, and while so kept shall be deemed to be in lawful custody.

(3) Subject to this section, an order under this section shall be carried out in such manner as the Minister may direct.

(4) Any order made or directions given under this section may at any time be varied or revoked by the Minister by further order in writing.

(5) In the case of a person who arrives in Kenya as a stowaway, the powers of the Minister under this section may be exercised either by the Minister or by an immigration officer, and this section shall have effect accordingly.

(6) Any order made before the commencement of this Act under the repealed Acts directing that a person be removed or deported from Kenya and remain out of Kenya, whether indefinitely or for a specified

period, shall for all the purposes of this Act (including the exercise of the Minister's powers under subsections (2), (3) and (4) be deemed to be an order made under this section, and shall be enforced accordingly.

(7) An order made or deemed to have been made under this section shall, for so long as it provides that the person to whom it relates shall remain out of Kenya, continue to have effect as an order for the removal from Kenya of that person whenever he is found in Kenya, and may be enforced accordingly; but nothing in this subsection shall prevent the prosecution for an offence under this Act or any other written law of any person who returns to Kenya in contravention of such an order.

(8) Where a person is brought before a court as being unlawfully present in Kenya, and the court is informed that an application to the Minister for an order under this section has been made or is about to be made, the court may order that such person be detained in prison or in police custody for a period not exceeding fourteen days, pending a decision by the Minister.

9. (1) The master of a ship, the captain of an aircraft, the guard of a train or the person in charge of a vehicle arriving from or leaving for any place outside Kenya, or the owner of or agent for the ship, aircraft, train or vehicle, shall, if so required by an immigration officer, furnish a list in duplicate, signed by himself or by some person authorized to sign it on his behalf, of the names of all persons in the ship, aircraft, train or vehicle, and such other information as may be prescribed.

Duties and liabilities
of carriers.

(2) The master of a ship, the captain of an aircraft or the guard of a train about to call at any port or place outside Kenya, shall, if so required by an immigration officer, take into his custody any person in respect of whom an order has been made under section 8, or any person to whom section 12 (2) applies, and, on due payment, afford that person a passage to that port or place, and proper accommodation and maintenance during that passage.

(3) Where any person who is conveyed to Kenya in a ship or aircraft is refused permission to enter Kenya on the ground that he is a prohibited immigrant—

- (a) the master of the ship or the captain of the aircraft shall, if so required by an immigration officer, take that person into his custody and secure that he is removed from Kenya;
- (b) the master, the owner and the agent in Kenya of the ship, or the captain, the owner and the agent in Kenya of the aircraft, shall be jointly and severally liable to pay to the Government all expenses incurred by the Government in respect of the

transport and maintenance of that person and his removal from Kenya, and the amount of such expenses shall be a civil debt recoverable summarily at the suit of the Minister.

(4) Any person who is taken into the custody of the master of a ship, the captain of an aircraft or the guard of a train pursuant to this section shall be deemed to be in lawful custody while he is in Kenya.

Administration, Offences and Legal Proceedings

Immigration officers.

10. (1) There shall be such number of immigration officers as may be necessary for the purposes of this Act.

(2) In the performance of their functions under this Act, immigration officers shall act in accordance with such instructions as may be given by the Minister.

Powers of immigration officers.

11. (1) For the purposes of any of his functions under this Act, an immigration officer shall have power—

- (a) to board, or enter, and search any ship, aircraft, train or vehicle in Kenya;
- (b) to require any person seeking to enter Kenya to answer any question or to produce any document in his possession for the purpose of ascertaining whether that person is or is not a citizen of Kenya and, in the case of any person who is not a citizen of Kenya, for the purpose of determining whether that person should be permitted to enter Kenya under this Act;
- (c) to require any person seeking to enter or leave Kenya to produce to him a valid passport and any form of declaration that may be prescribed;
- (d) to require any person seeking to enter Kenya to submit to examination by a medical practitioner.

(2) An immigration officer investigating any offence or suspected offence under this Act shall have all the powers and immunities conferred by law on a police officer for the purpose of the investigation.

Power of arrest and search of persons.

12. (1) An immigration officer or a police officer who has reasonable cause to suspect that a person has committed an offence under this Act, or is unlawfully present in Kenya, may, if it appears to him to be necessary to do so in order to secure that the purposes of this Act shall not be defeated, arrest that person without warrant; and sections 33 and 36 of the Criminal Procedure Code shall apply to that

arrest as if the reference in section 33 of that Code to a police officer included a reference to an immigration officer.

(2) A person other than a citizen of Kenya who, having been ordered to be deported from any country, enters Kenya on his way to his final destination, may be arrested without warrant by an immigration officer or a police officer and may be detained in prison or in police custody for so long as is necessary for arrangements to be made for his departure from Kenya, and shall be deemed to be in lawful custody while so detained.

(3) A person who is not a citizen of Kenya shall, on being required to do so by an immigration officer or a police officer—

(a) declare whether or not he is carrying or conveying any documents;

(b) produce to the officer any documents which he is carrying or conveying;

and an immigration officer or a police officer may search that person, and any baggage belonging to him or under his control, in order to ascertain whether that person is carrying or conveying any documents, and may examine, and may detain for such time as he thinks proper for the purpose of examination, any documents produced to him or found on the search.

(4) An immigration officer may by summons in writing require any person other than a citizen of Kenya to attend at his office and to furnish to that officer such information, documents and other particulars as are necessary for the purposes of determining whether that person should be permitted to remain in Kenya.

13. (1) A person who—

(a) makes, whether within or outside Kenya, a false declaration or statement, which he knows or has reasonable cause to believe to be false or misleading, for the purpose of obtaining or assisting another person to obtain an entry permit, pass, written authority, consent or approval under this Act; or

(b) knowingly misleads an immigration officer seeking information material to the exercise of any of his powers under this Act; or

(c) alters or wilfully defaces an entry permit, pass, written authority, consent or approval, or a copy of an entry permit,

Offences.
4 of 1999, s. 53.

pass, written authority, consent or approval, or an entry or endorsement in or passport, issued, granted or made under this Act or under the repealed Acts; or

- (d) knowingly uses or has in his possession a forged passport, entry permit, pass, written authority, consent or approval, or a passport, entry permit, pass, written authority, consent or approval which has been altered or issued without lawful authority, or a passport or similar document in which an entry visa, or endorsement has been forged, or altered or issued without lawful authority; or
- (e) gives, sells or parts with the possession of a passport, entry permit, pass, written authority, consent or approval intending or knowing or having reasonable cause to believe that it may be used by any other person; or
- (f) uses as a passport, entry permit, pass, written authority, consent or approval issued to him, an entry permit, pass, written authority, consent or approval issued to another person; or
- (g) having left or been removed from Kenya in consequence of an order made or deemed to have been made under section 8, is found in Kenya while that order is still in force; or
- (h) being a prohibited immigrant and not having a valid prohibited immigrant's pass, fails to comply with an order of an immigration officer to leave Kenya; or
- (i) harbours any person whom he knows or has reasonable cause to believe to be a person who has committed an offence under paragraph (g) or paragraph (h),

shall be guilty of an offence and liable to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding three years or to both.

(2) A person who—

- (a) wilfully obstructs or impedes an immigration officer or a police officer in the exercise of any of his powers under this Act; or
- (b) refuses or neglects to answer any question, to furnish any information, to produce any document, to attend at any place or to submit to medical examination, when required to do so under this Act; or

- (c) unlawfully enters or is unlawfully present in Kenya in contravention of this Act; or
- (d) harbours any person whom he knows or has reasonable cause to believe to be a person who has committed an offence under paragraph (c); or
- (e) fails to comply with any term or condition imposed by an entry permit or pass, being a term or condition which he is required to comply with; or
- (f) not being a citizen of Kenya, engages in any employment, occupation, trade, business or profession, whether or not for profit or reward, without being authorized to do so by an entry permit, or exempted from this provision by regulations made under this Act; or
- (g) employs any person (whether or not for reward) whom he knows or has reasonable cause to believe is committing an offence under paragraph (f) by engaging in that employment,

shall be guilty of an offence and liable to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding one year or to both; but no person shall be guilty of an offence under paragraph (b) for refusing or neglecting to answer a question which tends to incriminate him.

(3) A reference in subsections (1) and (2) to an entry permit, pass, written authority, consent or approval includes a reference to any such document issued or purporting to have been issued under the repealed Acts.

(4) For the purposes of paragraphs (f) and (g) of subsection (2), a person who performs for the benefit of or at the request of another person any work or service of a kind which is commonly performed by a person in employment, shall be deemed to engage in an employment, and that other person shall be deemed to employ that person.

14. (1) In any legal proceedings under or for any of the purposes of this Act, a certificate purporting to be signed by a responsible minister or official, or duly accredited representative in Kenya, of the government of any country, and purporting to be authenticated under the hand of the Minister, shall be admissible as evidence of any of the following matters stated therein, namely—

Evidence.

- (a) the birth, and the date and place of the birth, and the parentage, of any person stated in such certificate to have been born in that country;
- (b) the death or marriage, and the date, place and circumstances of the death or marriage, and the parentage, of any person stated in such certificate to have died or been married in such country;
- (c) the relationship by blood, marriage or adoption of any such person as aforesaid to any other such person;
- (d) the true or the reputed name or names of any such person as aforesaid, or of either of the parents, or of the husband, wife or child, of any other relative by blood, marriage or adoption of any such person;
- (e) the adoption of any child stated in such certificate to have been adopted in such country, and the date, place and circumstances of any such adoption, and the true or the reputed name or names of any child so adopted and of either of his natural or adoptive parents.

(2) In any prosecution for an offence under this Act, in any civil proceedings whatsoever, and in any proceedings in the nature of *habeas corpus* or under section 84 of the Constitution (which relates to the enforcement of protective provisions), all answers to questions lawfully put to, and all documents lawfully obtained from, any person by an immigration officer in the exercise of his powers under this Act, shall be admissible in evidence.

(3) In any prosecution for an offence under this Act, a person shall be deemed to know the contents of any declaration or statement which he has signed or marked, whether or not he has read that declaration or statement, if he knows the nature of the document.

(4) A copy of an order purporting to be signed by the Minister and to be made for any of the purposes of section 8, or purporting to be signed by an immigration officer and to be made for any of the purposes of section 8 (5), shall be prima facie evidence of its contents in any court.

Burden of proof.

15. Whenever in any legal proceedings under or for any of the purposes of this Act any one or more of the following questions is in issue, namely—

- (a) whether or not a person is a citizen of Kenya;
- (b) whether or not a person is one of the persons mentioned in section 4 (3);
- (c) whether or not there has been issued or granted to any person a passport, certificate, entry permit, pass, authority, approval or consent, whether under this Act or under the repealed Acts;
- (d) whether or not any person was at any time entitled to any such issue or grant as is referred to in paragraph (c),

the burden of proof shall lie on the person contending that that person is a citizen of Kenya, or one of the persons mentioned in section 4 (3), or a person to whom such an issue or grant was made, or a person who was entitled to such an issue or grant, as the case may be.

16. A prosecution for an offence under this Act may, without prejudice to any other power in that behalf, be instituted by any immigration officer, and where the proceedings are instituted or brought in a subordinate court any immigration officer may prosecute or conduct the proceedings.

Institution and conduct of criminal proceedings.

Regulations

17. (1) The Minister may make regulations prescribing anything that may be prescribed under this Act, and generally for facilitating the implementation of this Act, including in particular, but without prejudice to the generality of the foregoing, regulations—

Regulations.
6 of 1972, s. 4.

- (a) prescribing the places and times at or between which persons may enter or depart from Kenya;
- (b) providing for the issue, periods of validity, terms and conditions of issue and cancellation of entry permits;
- (c) providing for classes of passes, and for the issue, periods of validity, terms and conditions of issue and cancellation thereof;
- (d) providing for passes in respect of wives and children to be endorsed on entry permits;
- (e) providing for registers to be kept of, and for identity documents to be issued to, persons issued with entry permits of class M;

- (f) prescribing the making of deposits or giving of security by persons issued with entry permits or passes, and the circumstances in which deposits and securities may be forfeited;
- (g) prescribing the information to be furnished and the returns to be made by employers with respect to the persons employed by them, including in particular information as to the citizenship, description of employment, remuneration, experience and qualifications of those persons, and as to training schemes;
- (h) providing for the exemption from any of the provisions of this Act of any person or class of persons, and for the period of validity, terms and conditions and termination of the exemption.

(2) Without prejudice to any specific power conferred by this Act, regulations made under this Act may—

- (a) prescribe the particulars, information, proof or evidence to be furnished as to any question or matter arising under this Act, including any question or matter relevant to the issue or cancellation of any entry permit or pass or the forfeiture of any deposit or security;
- (b) prescribe, in respect of any action required or permitted to be taken under this Act, the place, time and manner of taking that action, the procedure to be followed, the fees to be paid and the forms to be used;
- (c) prescribe penalties for any offence thereunder not exceeding the penalties specified in section 13 (2).

(3) Regulations made under this Act may make different provision with respect to different cases or classes of case and for different purposes of this Act, may impose conditions and make exceptions, and may contain such incidental or supplementary provisions as appear to the Minister to be expedient for the purposes of the regulations.

(4) A person who is registered and issued with an identity document under any regulations made pursuant to paragraph (e) of subsection (1) shall not be required to register under the Registration of Persons Act, and that identity document shall for all the purposes of that Act, be deemed to be an identity card issued under section 9 of that Act.

Transitional Provisions and Repeals

18. (1) Subject to section 19, any resident's certificate, certificate of exemption, entry permit or pass (including a re-entry pass) granted or issued, or deemed to have been granted or issued, under the repealed Acts shall have effect according to its terms as if it had been issued under this Act in pursuance of a power conferred by this Act, and the provisions of this Act relating to entry into and presence in Kenya, and to engaging in Kenya in any employment, occupation, trade, business or profession, shall be read and construed accordingly.

Temporary validity of permits and passes issued under repealed Act.

(2) For the purposes of this section, a person who immediately before the commencement of this Act would have been entitled upon application, under the repealed Acts, to be granted a resident's certificate shall be deemed to have been granted under the repealed Acts, immediately before the commencement of this Act, a resident's certificate of the appropriate period of validity.

19. (1) The Minister may at any time by notice in the Gazette require any person or class of persons whose presence in Kenya would, but for section 18 (1), be unlawful to apply to an immigration officer in the prescribed manner for an entry permit or pass.

Notice by Minister to apply for permits and passes.

(2) For the purposes of any notice under this section, a class of persons may be described as the persons employed by a specified employer, or as the persons engaged in a specified occupation, profession, trade or business, or as the persons who are or who are deemed to be the holders of a resident's certificate or of any specified class or description of entry permit or pass.

(3) After the expiration of the period of three months immediately following the date of publication of a notice under this section, section 18 shall cease to have effect in relation to any person to whom that notice relates, and any certificate, permit or pass granted or issued, or deemed to have been granted or issued, to that person under the repealed Acts shall cease to have effect.

20. (1) Upon application being made by any person to whom a notice under section 19 (1) applies, in the manner and within the time specified in that notice, an immigration officer may in his discretion issue to that person an entry permit of the appropriate class, a provisional entry permit of that class or a pass.

Issue of permits and passes after notice.

(2) A provisional entry permit of any class shall, for so long as it remains in force, have the same effect for the purposes of this Act as an entry permit of the same class.

(3) A provisional entry permit shall remain in force for the period of time specified therein, but if no period is specified it shall remain in force until it is revoked by an immigration officer and shall continue in force thereafter for three months after the date on which notice of its revocation is served on the person to whom the permit was issued, or is published in the Gazette, whichever date is the earlier, and shall then expire.

Transitional provisions regarding re-entry.

21. Notwithstanding section 19, any person, other than a prohibited immigrant, who would but for the repeal of the former immigration law, have been entitled to re-enter Kenya by virtue of the grant of a resident's certificate or of the issue of a re-entry pass, shall, at any time within the period of six months immediately following the commencement of this Act, be permitted to enter Kenya and to remain in Kenya for a period of ninety days, and shall be issued with a pass to that effect under this Act:

Provided that this section shall not apply to a person who has not at any time been resident in Kenya since the 12th December 1963.

6 of 1972, s. 5,
22 of 1987, Sch.,
13 of 1988, Sch.,
5 of 2007, s. 6.

SCHEDULE

(s. 5)

CLASSES OF ENTRY PERMITS

Class A:

(1) A person who is offered specific employment by a specific employer, who is qualified to undertake that employment, and whose engagement in that employment will be of benefit to Kenya.

(2) A person may be granted a "Class A" interim permit which shall be valid for six months.

Class B:

A person who is offered specific employment by the Government of Kenya or any other person or authority under the control of the Government and whose engagement in that employment will be of benefit to Kenya.

Class C:

A person who is offered specific employment under an approved technical aid scheme under the United Nations Organisation or some other approved Agency (not being an exempted person under section 4 (3) and whose engagement in that employment will be of benefit to Kenya.

Class D:

A person, being the holder of a dependant's pass, who is offered specific employment by a specific employer, whose engagement in that employment will be of benefit to Kenya.

Class E:

A person who is a member of a missionary society approved by the Government of Kenya, and whose presence in Kenya will be of benefit to Kenya.

Class F:

A person who intends to engage, whether alone or in partnership, in the business of agriculture or animal husbandry in Kenya, and who-

(a) has acquired, or has received all permissions that may be necessary in order to acquire, an interest in land of sufficient size and suitability for the purpose; and

(b) has in his own right and at his full and free disposition sufficient capital and other resources for the purpose,

and whose engagement in that business will be of benefit to Kenya.

Class G:

A person who intends to engage, whether alone or in partnership, in prospecting for minerals or mining in Kenya, and who-

(a) has obtained, or is assured of obtaining, any prospecting or mining right or licence that may be necessary for the purpose; and

(b) has in his own right and at his full and free disposition sufficient capital and other resources for the purpose,

and whose engagement in that prospecting will be of benefit to Kenya.

Class H:

(1) A person who intends to engage, whether alone or in partnership, in a specific trade, business or profession (other than a prescribed profession) in Kenya, and who-

SCHEDULE—(Contd.)

(a) has obtained, or is assured of obtaining, any licence, registration or other authority or permission that may be necessary for the purpose; and

(b) has in his own right and at his full and free disposition sufficient capital and other resources for the purpose,

and whose engagement in that trade, business or profession will be to benefit of Kenya.

(2) A person may be granted a Class H an interim permit which shall be valid for six months.

Class I:

A person who intends to engage, whether alone or in partnership, in a specific manufacture in Kenya, and who—

(a) has obtained, or is assured of obtaining, any licence, registration or other authority or permission that may be necessary for the purpose; and

(b) has in his own right and at his full and free disposition sufficient capital and other resources for the purpose,

and whose engagement in that manufacture will be of benefit to Kenya.

Class J:

A member of a prescribed profession who intends to practise that profession, whether alone or in partnership, in Kenya, and who—

(a) possesses the prescribed qualifications; and

(b) has in his own right and at his full and free disposition sufficient capital and other resources for the purpose,

and whose practice of that profession will be of benefit to Kenya.

Class K:

A person who—

(a) is not less than thirty-five years of age; and

- (b) has in his own right and at his full and free disposition an assured annual income of not less than the prescribed amount, being an income that is assured, and that is derived from sources other than any such employment, occupation, trade, business or profession as is referred to in the description of any of the classes specified in this Schedule, and being an income that either—
- (i) is derived from sources outside, and will be remitted to Kenya; or
 - (ii) is derived from property situated, or a pension or annuity payable from, sources in Kenya; or
 - (iii) will be derived from a sufficient investment capital to produce such assured income that will be brought into and invested in Kenya; and
- (c) undertakes not to accept paid employment of any kind should he be granted an entry permit of his class,
- and whose presence in Kenya will be of benefit to Kenya.

Class L:

A person who is not in employment, whether paid or unpaid, and who under the repealed Acts was issued with a resident's certificate, or who would have on application been entitled to the issue of such certificate, or who has held an entry permit or entry permits (whether issued under this Act or the repealed Acts or both) of any of the foregoing classes of entry permit A—K for a continuous period of not less than ten years immediately before the date of application, and whose presence in Kenya will be of benefit to Kenya.

Class M:

A person who is a refugee, that is to say, is, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, unwilling to avail himself of the protection of the country of his nationality or who, not having a nationality and being outside the country of his former habitual residence for any particular reason, is unable or, owing to such fear, is unwilling to return to such country; and any wife or child over the age of thirteen years of such a refugee.

[Subsidiary]

SUBSIDIARY LEGISLATION**Regulations under section 17****THE IMMIGRATION REGULATIONS**

L.N. 235/1967,
 L.N. 38/1968,
 L.N. 155/1969,
 L.N. 75/1970,
 L.N. 67/1976,
 L.N. 109/1976,
 L.N. 176/1980,
 L.N. 23/1981,
 L.N. 106/1981,
 L.N. 172/1982,
 L.N. 63/1983,
 L.N. 238/1985,
 L.N. 310/1987,
 L.N. 298/1988,
 L.N. 253/1991,
 L.N. 129/1996,
 L.N. 74/1998,
 L.N. 71/1999,
 L.N. 20/2001,
 L.N. 379/2002,
 L.N. 18/2003,
 L.N. 28/2004,
 L.N. 61/2004,
 L.N. 30/2006,
 L.N. 165/2006,
 L.N. 12/2007,
 L.N. 165/2007,
 L.N. 185/2007,
 L.N. 101/2007,
 L.N. 12/2009.

1. These Regulations may be cited as the Immigration Regulations.

2. In these Regulations, except where the context otherwise requires-

“excluded person” means any person who, under Part VI of these Regulations, is excluded from the necessity of having to obtain an entry permit or pass;

“exempted person” means a person or a class or description of persons who is exempted by the Minister under section 17 (1) (g) of the Act from the provisions of the Act relating to the obtaining of an entry permit or pass or of reporting entry into or departure from Kenya;

“holder” in relation to a permit, pass or passport, means the person to or in respect of whom the same has been lawfully granted or issued and any other person to or in respect of whom the same applies in addition to the holder and in a like manner as to the holder, whether by reason of the terms thereof or by reason of any duly authorized endorsement or extension thereof;

“passenger” means any person (other than a member of the crew) travelling in a ship, aircraft, train or vehicle;

“precincts of the airport” means that part of the airport at which customs and immigration formalities are conducted.

PART I—REPORTS OF ENTRY AND DEPARTURE

3. (1) Every person, other than an excluded person, shall, immediately on his arrival in Kenya, report his arrival personally to the nearest immigration officer, complete an entry declaration form in Form 1 in the First Schedule and deliver the form personally to that officer.

(2) Where any ship enters Kenya, the person in charge of the ship or the agent thereof shall-

(a) immediately on arrival provide the nearest immigration officer with a list in duplicate of the names of every person disembarking; and

(b) prevent the disembarkation of every person to whom paragraph (1) applies until such time as an immigration officer may authorize disembarkation.

[Subsidiary]

(3) Where any aircraft enters Kenya, the person in charge of the aircraft or the agent thereof shall—

- (a) immediately on arrival provide the nearest immigration officer with a list in duplicate of the names of every person disembarking; and
- (b) prevent any person to whom paragraph (1) applies from leaving the precincts of the airport until authorized by an immigration officer.

(4) Where any train or vehicle enters Kenya, the person in charge or the agent thereof shall, if so required by an immigration officer, provide a list in duplicate of every person disembarking.

(5) Where any ship or aircraft enters Kenya carrying any person from outside Kenya whose destination is also outside Kenya but who fails to continue his journey in that ship or aircraft, in circumstances which raise a reasonable presumption that the person has remained in Kenya, the person in charge or agent of the ship or aircraft shall, as soon as possible, notify the nearest immigration officer of the failure of the person to continue his journey.

(6) Any person who fails to comply with this regulation shall be guilty of an offence.

4. (1) Every person, other than an excluded person, shall immediately before his departure from Kenya, report his intended departure personally to the nearest immigration officer, complete a departure declaration form in Form 2 in the First Schedule, and deliver the form personally to that officer.

(2) Where any ship or aircraft leaves Kenya, the person in charge or agent thereof shall, before its departure—

- (a) provide the nearest immigration officer with a list in duplicate of the names of every person embarking thereon and leaving Kenya; and
- (b) prevent the embarkation of any person who intends to leave Kenya in that ship or aircraft until he has complied with paragraph (1).

(3) Where any train or vehicle leaves or is about to leave Kenya, the person in charge or agent thereof shall, if so required by an immigration officer, provide a list in duplicate of the names of every person who leaves or is about to leave Kenya by means of that train or vehicle.

(4) Any person who fails to comply with this regulation shall be guilty of an offence.

PART II—PLACES OF ENTRY AND DEPARTURE

5. Any person, other than an exempted person, who enters or departs from, or attempts to enter or depart from Kenya—

[Subsidiary]

(a) at any place other than a place specified in the Third Schedule;
or

(b) at a place specified in the Third Schedule at any time other than the
time shown in relation to such place in that Schedule,

shall be guilty of an offence.

PART III—ENTRY PERMITS

6. (1) Every application for an entry permit shall be made to an immigration officer in Form 3 in the First Schedule.

(2) Every entry permit issued shall be in Form 4 in the First Schedule and the appropriate fee therefor specified in the Second Schedule shall be charged.

7. (1) An entry permit issued in respect of a person not present in Kenya at the time of issue shall cease to be valid if such person fails to enter Kenya thereunder within six months of the date of issue thereof:

Provided that an immigration officer may, in his discretion, extend for a further period of six months the validity of such entry permit.

(2) For the purposes of class K entry permits (referred to in the Schedule to the Act) the prescribed amounts of the assured annual income required of a person specified in the first column of the Fourth Schedule to these Regulations shall be those specified in relation thereto in the second column of that Schedule; and any class K entry permit issued shall remain valid for so long only as the holder thereof has in his own right and at his full and free disposition the appropriate assured annual income.

8. An immigration officer may, in his discretion, cancel an entry permit issued under the Act, or vary the terms and conditions thereof:

Provided that the cancellation of any entry permit shall be subject to confirmation by the Minister.

9. (1) Where the holder of an entry permit of any of the classes A to E (inclusive) ceases to engage in the employment in respect of which the entry permit was issued, the employer specified in the entry permit shall, within a period of seven days from the date on which the holder ceased to engage in the employment, report in writing to an immigration officer that the holder has ceased to engage in such employment.

(2) Any employer who fails to comply with this regulation shall be guilty of an offence.

10. (1) An immigration officer may require any person engaged in a business, profession or occupation to deliver a return, in Form 22 in the First Schedule of himself and of all persons in his employment.

[Subsidiary]

(2) A person who fails to deliver a return within thirty days of being required to do so, or who makes a return which he knows, or ought to know, is false in a material particular, shall be guilty of an offence.

(3) This regulation shall not apply to a person to whom diplomatic privileges and immunities have been afforded under the Privileges and Immunities Act. Cap. 179.

11. (1) The period of validity of an entry permit shall be at the discretion of an immigration officer but may be renewed for further periods on the payment of the renewal fee specified in the Second Schedule.

(2) No entry permit shall be issued or renewed under the Act for a period exceeding five years from the date of issue or renewal, as the case may be.

12. An applicant desiring to appeal to the Minister under section 5 (3) of the Act against a decision refusing him an entry permit of any of the classes E to L (inclusive) shall lodge with an immigration officer, within forty-two days after receiving notification of the refusal, a notice of appeal in duplicate in Form 5 in the First Schedule together with the appropriate fee specified in the Second Schedule.

13. For the purpose of class J entry permits (referred to in the Schedule to the Act) the prescribed professions and prescribed qualifications shall be those specified in the Fifth Schedule.

PART IV—PASSES OTHER THAN RE-ENTRY PASSES

14. (1) The following types of passes may be issued under this Part— L.N. 101/2007,
L.N. 185/2007.

- (a) a dependant's pass;
- (b) a pupil's pass;
- (c) a visitor's pass;
- (d) an in-transit pass;
- (e) an interstate pass;
- (f) a prohibited immigrant's pass;
- (g) a special pass.

(2) Subject to these Regulations, the issue of any pass under this Part shall be at the discretion of an immigration officer, and the pass may be issued subject to such terms and conditions as an immigration officer may specify in the pass.

(3) An immigration officer may, at any time cancel a pass issued under this Part and may vary any term or condition thereof:

[Subsidiary]

Provided that a dependant's pass shall not be cancelled without the prior approval of the Minister.

(4) The fees specified in the Second Schedule shall be paid before the issue of any pass under this Part.

L.N. 101/2007,
L.N. 185/2007.

15. (1) Any person, being lawfully in or entitled to enter Kenya, by virtue of—

- (a) being a citizen of Kenya;
- (b) having been issued with an entry permit;
- (c) being an exempted person; or
- (d) being a person to whom section 4 (3) of the Act applies,

may make an application to an immigration officer, in Form 6 in the First Schedule, for a dependant's pass.

(2) An immigration officer may issue a dependant's pass if he is satisfied that—

- (a) the person, in respect of whom the application is made, is dependent for his maintenance upon the person making the application for a dependant's pass (in this regulation referred to as the "applicant");
- (b) the dependant is by reason of age, disability or any incapacity unable to maintain himself adequately or for some other reason relies upon the applicant for his maintenance; and
- (c) the applicant has an income sufficient to enable him to maintain and continue to maintain the dependant.

(3) Every dependant's pass shall be in Form 7 in the First Schedule or, where the applicant is the holder of an entry permit, the particulars of his wife and children (being dependants) may, at the discretion of an immigration officer, be endorsed on his entry permit.

L.N. 101/2007,
L.N. 185/2007.

16. (1) A dependant's pass shall, subject to the terms and conditions specified therein, entitle the dependant in respect of whom it is issued to enter Kenya within the period specified therein and to remain in Kenya thereafter during the validity of the pass.

(2) Where—

- (a) the dependent person is no longer dependent on the applicant;
- (b) the applicant fails or is unable to maintain the dependant;

[Subsidiary]

- (c) the applicant leaves Kenya in circumstances which raise a reasonable presumption that his absence will be other than temporary;
- (d) the dependant engages in employment; or
- (e) the applicant dies,

then with effect from the date of the dependant ceasing to be dependent or, as the case may be, with effect from the date of the applicant failing or being unable to maintain the dependant, leaving Kenya, entering into employment, or dying as aforesaid, the dependant's pass shall be deemed to have expired and to be of no further validity or effect:

Provided that nothing in this regulation shall render invalid a dependant's pass issued in respect of a married woman who is living with her husband and who has been issued with an entry permit of class D; and that dependant's pass shall, subject to the provisions of the Act, be of full force and effect for the unexpired period of its validity notwithstanding that such married woman engages in any employment under the aforesaid entry permit or has ceased to engage in such employment.

(3) In this regulation, "applicant" means the person on whose application the dependant's pass was issued.

17. (1) A person seeking to enter or remain in Kenya for the purposes of receiving education or training at an educational or training establishment within Kenya by which he has been accepted as a pupil, or the parent or guardian on his behalf, may make application to an immigration officer, in Form 8 in the First Schedule, for a pupil's pass. L.N. 379/2002.

1A. If a person seeking to enter or remain in Kenya under paragraph (1) is a citizen of Tanzania or Uganda, he shall be exempt from payment of the fee prescribed under regulation 6.

(2) An immigration officer may issue a pupil's pass if he is satisfied that—

- (a) the person seeking to enter or remain in Kenya has been accepted as a pupil by an approved educational or training establishment; and
- (b) there is adequate accommodation for the pupil at the educational or training establishment; and
- (c) that the issue of a pupil's pass will not deprive a suitable citizen of Kenya of that accommodation.

(3) Every pupil's pass shall be in Form 9 in the First Schedule.

18. (1) A pupil's pass shall, subject to the terms and conditions specified therein, entitle the holder thereof to enter Kenya within the period specified therein and to remain in Kenya for such period from the date of his entry into

[Subsidiary]

Kenya as may be specified therein and to re-enter Kenya from Tanzania or Uganda at any time during the latter period.

(2) Where the holder of a pupil's pass—

(a) fails, within a period of thirty days from the date of issue of such pass or from the date of the holder's entry there under into Kenya, whichever is the later, to enter as a pupil the educational or training establishment in respect of which the pass was issued; or

(b) having entered such establishment as a pupil at any time thereafter leaves or ceases to be retained as a pupil in such establishment,

then with effect from the expiration of the aforesaid period of thirty days or, as the case may be, with effect from the date on which the holder leaves or ceases to be a pupil in such establishment as aforesaid, the pupil's pass shall be deemed to have expired and to be of no further validity or effect.

(3) Any person, being in charge of an educational or training establishment, who allows a pupil who is required under this regulation to obtain a pupil's pass to attend such establishment before such pupil is in possession of a pupil's pass, shall be guilty of an offence.

L.N. 101/2007,
L.N. 185/2007.

19. (1) A person desiring to enter Kenya for the purpose of—

(a) a holiday; or

(b) temporarily conducting any business, trade or profession; or

(c) any other temporary purpose which an immigration officer may approve,

may make an application to an immigration officer, in Form 10 in the First Schedule or in such other Form as an immigration officer may require, for a visitor's pass.

(2) Every visitor's pass shall, unless endorsed in the holder's passport, be in Form 11 in the First Schedule.

L.N. 310/1987,
L.N. 101/2007,
L.N. 185/2007.

20. (1) A visitor's pass shall, subject to the terms and conditions specified therein, entitle the holder thereof to enter Kenya within the period specified therein and to remain in Kenya for such period, not exceeding six months from the date of his entry into Kenya, as may be specified in that behalf, and to re-enter Kenya from Tanzania or Uganda at any time during the latter period.

(2) An immigration officer may, from time to time, extend the validity of a visitor's pass for such further period or periods as he may determine and vary any term or condition thereof:

Provided that the aggregate period of validity of a visitor's pass shall in no case exceed one year from the date of the holder's entry into Kenya.

[Subsidiary]

(3) The holder of a visitor's pass shall not accept or engage in any form of employment in Kenya, whether paid or unpaid, without the written permission of an immigration officer, and if such holder accepts or engages in such employment without such permission as aforesaid, he commits an offence and his visitor's pass shall, with effect from the date of such acceptance or engagement, be deemed to have expired and to be of no further validity or effect.

21. (1) A person who—

- (a) desires to enter Kenya for the purpose of travelling to a destination outside Kenya; and
- (b) is in possession of such valid documents as may be required to permit him to enter the country of destination; and
- (c) is otherwise qualified under the law in force in the country of destination to enter that country,

may make application to an immigration officer, in Form 10 in the First Schedule or in such other form as an immigration officer may require, for an in-transit pass.

(2) Every in-transit pass shall be endorsed in the holder's passport.

22. An in-transit pass shall, subject to the terms and conditions specified therein, entitle the holder thereof to enter into and remain in Kenya for the purpose of travelling to a destination outside Kenya, and shall be valid for such period, not exceeding two days, as may be specified therein. L.N. 28/2004.

23. (1) Any person, being lawfully present in Kenya, who by reason of his profession, business, employment or other calling, is required to make frequent visits to Tanzania or Uganda may make application to an immigration officer, in Form 12 in the First Schedule, for an interstate pass.

(2) Every interstate pass shall be in Form 13 in the First Schedule.

24. (1) An interstate pass shall, subject to the terms and conditions specified therein, entitle the holder thereof to re-enter Kenya from Tanzania or Uganda at any time and from time to time during such period, not exceeding two years from the date of issue thereof, as may be specified therein:

Provided that an interstate pass shall not entitle the holder thereof to re-enter if his presence in Kenya or re-entry would for any reason be unlawful.

(2) An immigration officer may extend the validity of an interstate pass for such further period or periods as he may determine and may vary any term or condition thereof:

[Subsidiary]

Provided that the aggregate period of validity of an interstate pass shall in no case exceed four years from the date of issue thereof.

(3) Any interstate pass which is cancelled shall, on notice being given to the holder thereof, be returned to the nearest immigration officer within seven days of the receipt of the notice, and where any holder of a cancelled interstate pass fails to return the pass as aforesaid he shall be guilty of an offence.

25. (1) Every application by a prohibited immigrant (within the meaning of section 3 of the Act) for a prohibited immigrant's pass shall be in Form 10 in the First Schedule or in such other form as an immigration officer may require.

(2) Every prohibited immigrant's pass shall be in Form 14 in the First Schedule.

L.N. 101/2007,
L.N. 185/2007.

26. (1) Any person who desires to enter or remain in Kenya for a limited period for the purpose of conducting an appeal under regulation 12, or for applying for an entry permit or pass, or for any other purpose which an immigration officer considers suitable, may make application to an immigration officer, in Form 10 in the First Schedule or in such other form as an immigration officer may require, for a special pass.

(2) An immigration officer may issue a special pass for such period not exceeding three months as he may specify in the pass.

(3) Every special pass shall be in Form 15 in the First Schedule.

PART V—RE-ENTRY INTO KENYA AND RE-ENTRY PASSES

27. (1) Any person, being lawfully in Kenya, who proposes to leave Kenya temporarily or who, having left Kenya temporarily and having been at the time of his departure lawfully present in Kenya, failed for reasons which an immigration officer is satisfied are good and sufficient reasons, to apply for a re-entry pass before his departure, may make application to an immigration officer, in Form 16 in the First Schedule or in such other form as an immigration officer may require, for a re-entry pass.

(2) An immigration officer shall issue a re-entry pass if he is satisfied that the presence in Kenya of the applicant on re-entry would be lawful otherwise than by virtue of the re-entry pass applied for.

(3) Every re-entry pass shall be in Form 17 in the First Schedule and shall be endorsed in the holder's passport upon payment of the fee, if any, specified in the Second Schedule:

Provided that, where application for a re-entry pass is made by a person not present in Kenya, an immigration officer may, if he is satisfied that good and sufficient reason exists for such person's failure before his departure from Kenya to apply for a re-entry pass and to produce his passport for endorsement of a re-entry pass therein, issue a re-entry pass otherwise than by way of

[Subsidiary]

endorsement in the holder's passport upon payment of the fee, if any, specified in the Second Schedule.

(4) The normal period of validity of a re-entry pass shall be for the expected period of absence from Kenya but shall not in any case exceed two years from the date of issue thereof.

28. (1) A re-entry pass shall, subject to the terms and conditions specified therein, entitle the holder thereof to re-enter Kenya at any time and from time to time during the period of validity thereof:

Provided that—

- (i) a re-entry pass shall not entitle the holder thereof to re-enter Kenya if his presence in Kenya would for any reason be unlawful;
- (ii) the holder of an interstate pass, a pupil's pass or a visitor's pass shall, subject to the terms and conditions specified therein, be entitled to re-enter Kenya from Tanzania or Uganda at any time and from time to time during the validity of such pass notwithstanding that no re-entry pass has been issued to him.

(2) Except as is otherwise expressly provided in these Regulations, no person shall be entitled to re-enter Kenya after any period of absence therefrom, except under and by virtue of—

- (a) a re-entry pass; or
- (b) an entry permit or pass (other than a re-entry pass) issued to him since he left Kenya.

PART VI—EXCLUSIONS

29. (1) (a) Any person—

- (i) who is a passenger in, or a member of a crew of any ship, aircraft, train or vehicle; and
- (ii) whose name and particulars are included in the passenger list or crew manifest of the ship, aircraft, train or vehicle; and
- (iii) who is proceeding in such ship, aircraft, train or vehicle to a destination outside Kenya,

shall be excluded from the necessity of having to obtain an entry permit or pass under the Act.

[Subsidiary]

(b) Any exclusion arising by virtue of subparagraph (a) shall cease and be of no further effect if the person fails to continue his journey to a destination outside Kenya in the ship, aircraft, train or vehicle in which he entered Kenya or, being a member of the crew, in another ship, aircraft, train or vehicle in the same ownership as that in which he entered Kenya.

(2) An immigration officer may, in his discretion, terminate the exclusion of any person under this regulation.

(3) Where any exclusion under this regulation in respect of any person ceases or is terminated, it shall be unlawful for that person to remain in Kenya thereafter unless otherwise authorized in that behalf under the Act.

(4) This regulation shall not apply to any person who is a prohibited immigrant within the meaning of section 3 of the Act.

PART VII—PROHIBITED IMMIGRANTS AND RECOVERY OF EXPENSES

30. (1) There may be issued by an immigration officer to a person who is a prohibited immigrant and who enters or intends or attempts to enter Kenya by any means whatsoever, a notice, in Form 18 in the First Schedule.

(2) Every notice to a prohibited immigrant may, in the discretion of the immigration officer issuing the notice, require the prohibited immigrant-

- (a) to remain on the ship, aircraft, train or vehicle by which he entered, intended or attempted to enter Kenya;
- (b) to leave Kenya by such means and within such period as may be stated in the notice; and
- (c) to comply with such other requirements as to place of residence, occupation, security or reporting to a specified authority as may be specified in the notice.

(3) An immigration officer may, in his discretion, cancel any notice to a prohibited immigrant.

(4) Any prohibited immigrant to whom a notice under this regulation has been issued and who refuses or fails to comply with any requirements specified in the notice shall be guilty of an offence:

Provided that it shall be a defence to prove that the person to whom a notice was issued was at no time a prohibited immigrant within the meaning of the Act.

(5) Where an immigration officer issues a notice to a prohibited immigrant under this regulation, he may, if he deems it fit, issue a copy of such notice to the owner, person in charge or agents of the ship, aircraft, train or vehicle on or from which the prohibited immigrant entered, intended or attempted to enter

[Subsidiary]

Kenya, and thereafter the owner, person in charge or agents may take such steps as may be reasonable to ensure that the prohibited immigrant complies with the terms of the notice served on him.

31. (1) Any magistrate, on being satisfied that any expenses have been or will be incurred by the Government in connexion with the detention, maintenance, medical treatment or removal from Kenya of any person under the Act and of his wife, children and other dependants, if any, may, on application being made in that behalf by an immigration officer, issue a warrant for the levy of the amount by distress and sale of any movable property belonging to such person.

(2) Any warrant issued under this regulation may be executed in the same manner as a warrant for the levy of the amount of a fine under section 334 of the Criminal Procedure Code.

Cap. 75.

(3) The partial recovery of expenses under this regulation shall not prejudice the liability of any surety for the balance, nor shall the issue or execution of a warrant under this regulation be a condition precedent to the liability of a surety.

PART VIII—SECURITY

32. (1) As a condition precedent to the issue of every entry permit or pass an immigration officer may, in his discretion, require a sum not exceeding one hundred thousand shillings to be deposited with him in respect of each entry permit or pass.

L.N. 238/1985,
L.N. 71/1999.

(2) Every deposit may, if necessary, be used to defray any expenses incurred or likely to be incurred by the Government in connexion with the detention, maintenance, medical treatment or removal from Kenya of the person in respect of whom the entry permit or pass was issued and of his wife, children and other dependants, if any.

(3) Every deposit shall, if not used as authorized by paragraph (2), be refunded to the depositor if an immigration officer is satisfied that—

- (a) the person in respect of whom the deposit was made and his wife and children and other dependants, if any, have left or are leaving Kenya permanently; or
- (b) the person in respect of whom the deposit was made and his wife, children and other dependants, if any, are all dead; or
- (c) retention of the deposit is for any other reason no longer necessary.

33. (1) An immigration officer, in lieu of requiring a deposit under regulation 32, permit the applicant for an entry permit or pass or some other person on his behalf, to enter into a bond to provide security, with or without sureties, in a sum not exceeding one hundred thousand shillings in respect of each entry permit or pass.

L.N. 238/1985,
L.N. 71/1999.

[Subsidiary]

Provided that an immigration officer may accept one composite bond in respect of any number of persons so long as the amount of the security provided by such bond does not exceed one hundred thousand shillings in respect of each person.

(2) Regulation 32 (2) shall apply *mutatis mutandis* in respect of any security provided under this regulation.

(3) Every security bond shall be in Form 19 in the First Schedule and shall be and remain enforceable until such time as an immigration officer is satisfied that—

- (a) the person in respect of whom the security was given and his wife, children and other dependants, if any, have left Kenya permanently; or
- (b) the person in respect of whom the security was given and his wife, children and other dependants, if any, are all dead; or
- (c) retention of the security is for any other reason no longer necessary.

L.N. 238/1985.

34. (1) Where any employer enters or intends to enter into contracts for the employment within Kenya of persons in respect of whom applications will be made under the Act for the appropriate entry permits and in respect of whose wives, children and other dependants, applications will be made for dependants passes, an immigration officer may, in lieu of a deposit or security bond in respect of each employee and his wife, children and other dependants, if any, permit the employer to enter into a covenant to provide general security in respect of all such employees and their wives, children and other dependants, if any, in a sum not exceeding fifteen thousand shillings in respect of each individual.

(3) Every general security covenant shall be in Form 20 in the First Schedule.

35. Where security has been provided under regulation 32, regulation 33, or regulation 34 whether by way of deposit, security bond or general security covenant, an immigration officer may at any time accept a security of an alternative nature.

36. (1) Any magistrate, on being satisfied that the security given under any security bond or general security covenant under regulation 33 or regulation 34 has been forfeited, may, on application being made to him in that behalf by an immigration officer, issue a warrant for the attachment and sale of the

movable property belonging to any person (or his estate, if such person died after the security was forfeited) bound by such security to pay the sum specified in the bond or covenant.

(2) Any warrant issued under this regulation shall be executed in the manner provided under subsections (2), (3) and (4) of section 131 of the Criminal Procedure Code and for the purpose of this regulation any reference to penalty in the said subsections (3) and (4) shall be construed as a reference to the sum payable under the bond or covenant.

Cap. 75.

[Subsidiary]

(3) All orders passed under this regulation shall be appealable to and may be revised by the High Court.

37. (1) Where an immigration officer is satisfied, by the production of a ticket or passage order in respect of a passage to a destination outside Kenya, that any person will permanently leave Kenya, he may stamp the ticket or passage order with a no-refund endorsement in Form 21 in the First Schedule, and if a deposit has been made under regulation 32, refund the deposit or the remaining balance thereof, as the case may be.

(2) Where any ticket or passage order has been stamped with a no-refund endorsement, no person shall, without first obtaining the permission of an immigration officer, cancel or vary the ticket or passage order, or transfer the same to any other person or pay or refund to any person any moneys in respect thereof.

(3) Any person who contravenes paragraph (2) shall be guilty of an offence and, in addition to any other penalty, may be ordered by the court by which he was convicted to pay an immigration officer a sum not exceeding the price of the ticket or passage order in respect of which the offence was committed.

(4) Any sum ordered to be paid to an immigration officer under paragraph (3) shall be used for the purpose of defraying any expenses incurred in removing from Kenya the person to whom the ticket or passage order was issued, and any unspent balance thereof shall be refunded to the convicted person.

PART IX — MISCELLANEOUS

38. The Minister may exempt any person or class of persons from any of the provisions of these Regulations requiring the payment of fees.

39. Where an immigration officer has given notification in writing that the issue of an entry permit or a pass has been approved, the approval shall cease to be valid if the requisite fee has not been paid within a period of ninety days from the date of such notification.

40. Any person convicted of an offence under these Regulations shall be liable to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding one year or to both.

41. A person to whom a certificate of exemption has been issued under regulation 28 of the Immigration Regulations (now revoked) shall be subject to the limitations imposed by regulations 27 (1) (b) and 29 of those Regulations until such time as he has been issued with an entry permit under the Act.

Cap. 172 (1962)
(Sub. Leg.).

[Subsidiary]

42. Every bond and general security covenant entered into under the Immigration Regulations (now revoked) and still valid and enforceable immediately before the commencement of these Regulations shall be deemed to be a security bond or general security covenant entered into under these Regulations and the provisions of these Regulations shall apply accordingly.

43. The Minister may amend a form contained in the First Schedule and that amendment need not be published in the Gazette.

[Subsidiary]

FIRST SCHEDULE

Form 1

(r. 3)

ENTRY DECLARATION FORM

FOR OFFICIAL USE ONLY

R. No.....

Immigration
Date Stamp

Code.....

Security.....

.....

Immigration Officer

SURNAME: Mr./Mrs./Miss
(in block letters)

OTHER NAMES IN FULL
(in block letters)

DATE AND COUNTRY OF BIRTH

PASSPORT NO.

DATE AND PLACE OF ISSUE

NATIONALITY

COUNTRY OF ORIGINAL DEPARTURE

NO. OF DEPENDANTS TRAVELLING ON YOUR PASSPORT (see reverse)

ADULTS: Female

CHILDREN: Male Female

METHOD OF TRAVEL (Please check √ where applicable)

Air .. Sea .. Rail .. Road .. Lake ..

REASON FOR ENTRY (Please check √ where applicable)

[Subsidiary]

FIRST SCHEDULE—(Contd.)

Form 1—(Contd.)

- 1. Kenya citizen returning Yes .. No ..
- Are you a Kenya graduate student? Yes .. No ..

2. Non-Citizens of Kenya:

- (a) Visitors .. On Holiday On Business

In Transit.

- (b) Others .. Returning from a visit outside Kenya.

Arriving to take up employment or study.

Arriving to live with relatives.

CONTACT ADDRESS IN KENYA

DECLARATION: I declare that the foregoing particulars are correct in every detail.

Date..... Signature

If entering Kenya other than on a visit please state full name of dependants, wife and children endorsed on your passport.

- 1. Mr./Mrs./Miss.....
- 2. Mr./Mrs./Miss.....
- 3. Mr./Mrs./Miss.....
- 4. Mr./Mrs./Miss.....

Form 2

(r.4)

DEPARTURE DECLARATION FORM

Immigration
Stamp

SURNAME: Mr./Mrs./Miss
(in block letters)

OTHER NAMES IN FULL
(in block letters)

[Subsidiary]

FIRST SCHEDULE—(Contd.)

Form 2—(Contd.)

PASSPORT NO. DATE AND PLACE OF ISSUE

NATIONALITY

COUNTRY OF FINAL DESTINATION

NO. OF DEPENDANTS TRAVELLING ON YOUR PASSPORT (see reverse)

ADULTS: FEMALES
CHILDREN : MALES..... FEMALES.....

METHOD OF TRAVEL (Please check ✓ where applicable)

Air .. □ Sea .. □ Rail .. □ Road .. □ Lake .. □

NOT APPLICABLE TO VISITORS AND PERSONS IN TRANSIT (Please check ✓ where applicable)

Have you been a resident of East Africa? Yes .. □ No .. □

If so (a) in which country were you resident last?

Kenya .. □ Tanzania .. □ Uganda .. □

(b) Are you leaving East Africa permanently?

Yes .. □ No .. □

(c) Are you leaving Kenya for further studies abroad?

Yes .. □ No .. □

VISITORS AND PERSONS IN TRANSIT

Are you leaving Kenya after a (a) Holiday Visit? ... □

(b) Business Visit? ... □

(c) Transit Stop? ... □

How long have you stayed in Kenya? Days

DECLARATION: I declare that the foregoing particulars are correct in every detail.

Date.....

Signature

[Subsidiary]

FIRST SCHEDULE—(Contd.)

Form 2—(Contd.)

If leaving Kenya other than from a visit, please state full name of dependants, wife and children endorsed on your passport.

- 1. Mr./Mrs./Miss.....
- 2. Mr./Mrs./Miss.....
- 3. Mr./Mrs./Miss.....
- 4. Mr./Mrs./Miss.....

Form 3

(r. 6)

APPLICATION FOR OR RENEWAL OF AN ENTRY PERMIT

(To be submitted in duplicate)

TO: THE PRINCIPAL IMMIGRATION OFFICER,
NAIROBI,
KENYA.

Note.— Personal particulars are required for all entry permits, for classes A to E (inclusive) Part I should be completed and for classes F to L (inclusive) Part II should be completed.

Photograph of person for whom an entry permit is required

Personal particulars of the person requiring an entry permit.

- 1. Full name: Mr./Mrs./Miss
- 2. Present address
- 3. Place of birth Date of birth
- 4. Nationality No. of passport
- Date and place of issue of passport
- 5. Full name of wife
- 6. Particulars of children, full names, sex, date and place of birth:
 - (a)
 - (b)
 - (c)
 - (d)
 - (e)

FIRST SCHEDULE—(Contd.)

[Subsidiary]

Form 3—(Contd.)

PART I

(To be completed in respect of entry permits classes A to E inclusive.)

I/We (name of employer)
of (postal address)
being engaged in (state profession or business).....
wish to employ the above named.

7. Place of employment (give full details)

8. Job title Job Category
(As in Form 22 Part I)

9. Job description

(Not required if already described in Form 22 Part III)

10. Employees qualifications (give full details)

- (a) General Educational
(b) Technical or Professional
(c) Previous experience (in full).

Name of employer Nature of employment Period so employed

- (a)
(b).....
(c)
(d).....
(e)
(f)

(If more space required give details separately)

11. Period of employment offered

12. Annual salary offered

13. Value of accommodation provided

14. Any other emoluments offered:

[Subsidiary]

FIRST SCHEDULE—(Contd.)

Form 3—(Contd.)

- (a) bonus
- (b) paid leave
- (c) free medical treatment
- (d) free passage
- (e) assisted school fees
- (f) any other emoluments.....

15. (A) What steps have you taken to employ a Kenya Citizen to fill this vacancy (*give full details*).....

(B) If you have a Kenya citizen training for this post, please indicate the following:

- (a) His name
- (b) Date training began
- (c) Date training will end

or

(C) If you do not have a Kenya citizen training for this post, fill in below:

- (a) Minimum entry requirements for trainee:
- (b) Steps taken to engage a trainee:

16. This post is newly created/was previously occupied by a non-citizen/was previously occupied by a citizen.

(Delete as appropriate.)

17. If this application is approved will the proposed employee be instrumental in training Kenya citizens, if so, give details.

DECLARATION: I declare that the foregoing particulars are correct in every detail.

Date Signature

Designation

FIRST SCHEDULE—(Contd.)

[Subsidiary]

Form 3—(Contd.)

EXPLANATORY NOTES

1. It is the Government policy that the economy of Kenya should be manned by trained and competent citizens. Entry Permits are issued to non-citizens with skills not available at present on the Kenya Labour Market, only on the understanding that effective training programmes are undertaken to produce trained citizens within a specified period.

2. Item (8)—Insert the designation by which the job is known within the firm.

3. Item (9)—Job description. Describe what the individual holding this post is required to do. What staff does he supervise directly and what supervision does he himself receive? Estimate value of materials, equipment or money for which he is responsible.

4. Item (10)—State the educational, technical or professional qualifications of the applicant and his/her previous experience.

PART II

(To be completed in respect of entry permits classes F to L inclusive.)

I apply for an entry permit under Class

18. Proposed place of residence/business
.....
.....

19. Details of profession, trade, business or manufacture in which you wish to engage
.....

20. Qualifications to support application.....
.....

21. Previous experience
.....

22. Details of capital and income available, sources of income and present locality of capital
.....
.....
.....

[Subsidiary]

FIRST SCHEDULE—(Contd.)

Form 3—(Contd.)

23. Details of any licence and/or registration required to qualify for the class of entry permit for which you have applied and proof that you have obtained or will be able to obtain such licence and/ or registration

.....

.....

.....

.....

I certify that the foregoing particulars are correct in every detail.

Date Signature

Undertaking to be given in respect of applicants for permits under classes K and L.

I undertake, if I am issued with an entry permit, not to engage in any kind of employment whether paid or unpaid without the prior written authority of an Immigration Officer.

Date Signature

Form 4

(r. 6)

Original

No.

ENTRY PERMIT

..... of is authorized to enter and remain in Kenya under the provisions of this Class Entry Permit until (date) in accordance with the provisions of section 5 of the Immigration Act and Part III of the regulations for the purpose of

.....

.....

The holder will be accompanied by the following dependants (Reg. 15 (3)):

1. relationship to holder
2. relationship to holder
3. relationship to holder
4. relationship to holder

FIRST SCHEDULE—(Contd.)

[Subsidiary]

Form 4—(Contd.)

- 5. relationship to holder
- 6. relationship to holder

Date of issue.....

Receipt number..... Principal Immigration Officer

Note.—The holder must enter Kenya within six months from the date of issue.

Form 5

(r. 12)

[Page 1]

NOTICE OF APPEAL

(To be completed in duplicate)

TO: THE MINISTER RESPONSIBLE FOR IMMIGRATION,
THRO' THE PRINCIPAL IMMIGRATION OFFICER,
DEPARTMENT OF IMMIGRATION,
NAIROBI, KENYA.

Names of Appellant

Address of Appellant

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

Date

SIR,

The Principal Immigration Officer has advised me in his letter No. R..... dated of his decision to refuse my application for an Entry Permit under Class of the Schedule to the Immigration Act, and I wish to appeal against this decision.

My full particulars are as follows:

(a) Full name

(b) Type of pass or permit now held

[Subsidiary]

FIRST SCHEDULE—(Contd.)

Form 5—(Contd.)

(c) Married, single or divorced
Present address of wife

[Page 2]

(d) Number of children:

Males Ages Marital status

Females Ages Marital status

Present address of children.....
.....
.....

(e) The documents produced by me in support of my application to the
Principal Immigration Officer for a Class Entry Permit were—
.....
.....
.....

[Page 3]

PART II

My grounds for appeal are as set out below, and are clearly numbered
“1”, “2”, “3”, etc.

1. That
.....
.....

I declare that the foregoing particulars and statements are true.

Signature of Appellant

Witness.....

Note.— You are required to enclose with this appeal the fee of Sh. 200
for payment to the Principal Immigration Officer.

FIRST SCHEDULE—(Contd.)

[Subsidiary]

Form 5—(Contd.)

[Page 4]

FOR OFFICIAL USE

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

MINISTER’S DECISION

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

Form 6

(r. 15)

L.N. 101/2007,
L.N. 185/2007.

APPLICATION FOR A DEPENDANT’S PASS

(One form of application is to be completed in respect of each dependant for whom a pass is required)

To: THE PRINCIPAL IMMIGRATION OFFICER
P.O. Box 30191-00100,
NAIROBI,
KENYA.

I apply for a dependant’s pass in respect of *(name of dependant)*

.....

APPLICANT’S PARTICULARS

(All particulars to be in block capitals)

- 1. Full names: Mr./Mrs./Miss
- 2. Address
- 3. Particulars of entry permit held

[Subsidiary]

FIRST SCHEDULE—(Contd.)

Form 6—(Contd.)

- 4. Relationship to the dependant
- 5. Particulars of other dependants, whether in Kenya or elsewhere, including wife and children:

<i>Full names</i>	<i>Relationship</i>	<i>Age</i>	<i>Resident at</i>

DEPENDANT’S PARTICULARS

- 6. (a) Full names of dependant: Mr./Mrs./Miss
-
- (b) Present address
- (c) Sex (d) Marital status
- (e) Date and place of birth

(Proof of birth and/or marriage to be attached to this application)

- 7. Number, date and place of issue of passport
-

Nationality

- 8. Particulars of any change of dependant’s name by deed poll, marriage or otherwise
-

I the applicant, declare that the foregoing particulars are correct in every detail.

Date Signature of Applicant

FIRST SCHEDULE—(Contd.)

[Subsidiary]

Form 6—(Contd.)

Note.- This application cannot be considered unless all the required particulars are completed in full.

Form 7

(r. 15)

LN. 101/2007,

Original LN. 185/2007.

DEPENDANT’S PASS

.....of (address).....
age (in case of minors) is permitted to enter Kenya on
or before day of
and to remain therein subject to the Immigration Regulations.

Date of issue.....

Receipt Number.....

Principal Immigration Officer

Form 8

(r. 17)

APPLICATION FOR A PUPIL’S PASS

To: THE PRINCIPAL IMMIGRATION OFFICER,
NAIROBI,
KENYA.

I of
(address)
do make application for the issue of a pass to enable.....
aged at present residing at the
child of to enter Kenya for the purpose of entering the
undermentioned educational or training establishment

Date.....

Signed.....

Certificate to be completed by the Principal of the educational or
training establishment.

[Subsidiary] FIRST SCHEDULE—(Contd.)

Form 8—(Contd.)

I (full names) Principal of (educational or training establishment) hereby certify that the admittance of (full name of proposed pupil)

(a) has been accepted as a pupil in this establishment;

(b) that I have adequate accommodation for this pupil;

(c) that the issue of a pupil's pass to the above named applicant will not deprive a suitable citizen of Kenya of accommodation at the establishment of which I am Principal.

Date.....

Signed.....

Principal of.....

.....

.....

(Full name and address of educational or training establishment.)

Note.—This certificate must be signed by the Principal (for the time being) in person.

Form 9

(r. 17)

PUPIL'S PASS

R. No.

Original

Serial No.

..... the holder of this pass, is permitted to enter Kenya on or before the day of and to remain therein for a period not exceeding from the date of issue hereof for the purpose of entering the following educational or training establishment as a pupil, namely

Date of issue.....

.....

Principal Immigration Officer, Kenya.

Receipt number.....

FIRST SCHEDULE—(Contd.)

[Subsidiary]

Form 10

(rr. 19, 21, 25, 26)

APPLICATION FOR* VISITOR’S/ IN-TRANSIT/ PROHIBITED IMMIGRANT’S/SPECIAL PASS

L.N. 101/2007, L.N. 185/2007.

I make application for the issue to me of a *visitor’s pass/in-transit pass/prohibited immigrant’s pass/special pass.

I declare that the following particulars are correct in every detail.

PARTICULARS OF THE PERSON TO WHOM THE PASS IS TO BE ISSUED

1. Full names: Mr./Mrs./Miss.

2. Nationality

3. Date of birth Place of birth

4. Occupation

5. Address in country of residence

6. Passport or other travel document No. and place and date of issue

7. Reasons for visiting Kenya

8. Approximate date of arrival in Kenya

9. Approximate duration of stay in Kenya

10. Address in Kenya

11. If in Kenya at the time of making this application, particulars of any permit or pass issued to the applicant

12. Particulars and amount of money available for the purpose of visiting Kenya

Date..... Signature.....

NOTES

(i) A cash deposit up to £250 or security for a like amount may be required as a condition precedent to the issue of a pass.

[Subsidiary]

FIRST SCHEDULE—(Contd.)

Form 10—(Contd.)

(ii) This application cannot be considered unless all the required particulars are completed in full.

* Delete whichever is inapplicable.

Form 11

(r.19)

L.N. 101/2007,
L.N. 185/2007.

VISITOR'S PASS

..... of the holder of this pass is entitled to enter Kenya within from the date of issue of this pass and to remain in Kenya for from the date of entry into Kenya for the purposes of

Date of Issue.....
Principal Immigration Officer

Note.- The holder of this pass may not engage in or take up any form of employment within Kenya, whether paid or unpaid, other than such employment as may be authorized as a purpose for which this pass is issued without the written permission of the Principal Immigration Officer.

Form 12

(r. 23)

APPLICATION FOR INTERSTATE PASS OR EXTENSION THEREOF

(To be submitted in duplicate—all particulars to be in block capitals)

I apply for the *issue/extension of an interstate pass.

PARTICULARS

1. Full name of applicant:
Mr./Mrs./Miss
- Nationality
2. Address
3. Date of first entry into Kenya

FIRST SCHEDULE—(Contd.)

[Subsidiary]

Form 12—(Contd.)

4. Particulars of any valid permit or pass issued to the applicant

5. Particulars of profession, business, employment or other calling which necessitates the applicant's travelling within the East African States

6. Number of anticipated journeys per annum { Tanzania Uganda

7. Particulars of any previous interstate pass issued to the applicant

I, the applicant, declare that the foregoing particulars are correct in every detail.

Date Signature of Applicant

(Do not send any money with this application)

Note.—This application must be accompanied by—

(a) two unmounted photographs not exceeding two inches by three inches in dimension (not required in the case of an extension); and

(b) any previous interstate pass in the possession of the applicant.

*Delete whichever is inapplicable.

FOR OFFICIAL USE ONLY

Interstate Pass No. Issued on Valid/Renewed until

Date..... Signed.....



[Subsidiary]

Form 13

(r. 23)

INTERSTATE PASS

[Page 1]

This interstate pass entitles the holder thereof to re-enter Kenya from Tanzania or Uganda at any time and on any number of occasions within the period of validity of this pass.

[Page 2]

This pass is valid until day of 19.....

Date

Principal Immigration Officer

[Page 3]

Full names of holder

Full address in Kenya

Occupation

[Page 4]

Unmounted photograph of holder

Signature of Holder

[Page 5]

1ST RENEWAL

The period of validity of this pass is extended until

Date.....

Signature of Renewing Officer

[Subsidiary]

FIRST SCHEDULE—(Contd.)

Form 13—(Contd.)

2ND RENEWAL

The period of validity of this pass is extended until

Date.....

Signature of Renewing Officer

[Page 6]

This pass is issued subject to the conditions, if any, specified herein.

CONDITIONS

Form 14

(r. 25)

Original

R. No.

Serial No.

PROHIBITED IMMIGRANT'S PASS

..... of, a prohibited immigrant, is permitted to enter and remain in Kenya for a period of from the date of issue of this pass, for the purpose of

This pass may be cancelled at any time and is issued subject to the following conditions:

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

Date of issue.....

Receipt number.....

Principal Immigration Officer

[Subsidiary]
L.N. 101/2007,
L.N. 185/2007.

Form 15

(r. 20)

Serial No.

SPECIAL PASS

.....of, the holder of this
pass is permitted to enter Kenya and remain therein for a period of
..... from the date of issue of this pass, for the purpose of
.....
.....

This pass may be cancelled at any time and is issued subject to the
following conditions:
.....
.....

Date of issue.....

Receipt Number.....

Principal Immigration Officer

Form 16

(r. 27)

APPLICATION FOR A RE-ENTRY PASS

(All particulars to be in block capitals)

I apply for a re-entry pass and declare that the following particulars are
correct in every detail.

PARTICULARS

1. Full names of applicant: Mr./Mrs./Miss
2. Address
3. Particulars of the permit or pass issued to the applicant
4. Date of anticipated return to Kenya
5. Passport No. Date and place of issue

Date.....

.....

Signature of Applicant

[Subsidiary]

FIRST SCHEDULE—(Contd.)

Form 16—(Contd.)

FOR OFFICIAL USE ONLY

Re-entry Pass No. valid until

Issued

Official Receipt Number

Remarks:

Date..... Signature

NOTES

1. The normal period for which a re-entry pass is issued is for the expected period of absence but in no case will the validity be for more than two years.

2. A Re-entry Pass is stamped only in a valid passport, which must accompany this application.

3. If the applicant's presence in Kenya is subject to his being employed by a specified employer, this application must be accompanied by a letter from his employer stating that the applicant's departure is authorized and that he will be returning to the same employment.

4. If the applicant is lawfully present in Kenya by virtue of a dependant's pass, this application must be accompanied by a letter from the person upon whom the applicant is dependant confirming that the applicant's departure is authorized and that the applicant will on returning to Kenya resume the status of a dependant.

Form 17 (r. 27)

KENYA RE-ENTRY PASS

Valid until

Date of issue

Principal Immigration Officer

Note.—This pass is issued subject to the provisions of the Immigration Regulations.

[Subsidiary]

Form 18

(r. 30)

NOTICE TO PROHIBITED IMMIGRANT

To:

*(1) the exclusion under regulation 29 of the Immigration Regulations excluding you from the necessity of having to obtain an entry permit or pass, is hereby terminated; and

(2) you are a prohibited immigrant within the meaning of section 3 of the Immigration Act.

YOU ARE HEREBY REQUIRED TO—

*(a) leave Kenya withindays by

*(b) remain on the ship, aircraft, train or other vehicle by which you entered Kenya, and to leave Kenya on that ship, aircraft, train or vehicle;

*(c) comply with the following requirements
.....
.....

Date.....
Principal Immigration Officer

*Delete if necessary.

Note.—The refusal or failure to comply with the requirements of this notice is an offence.

Form 19

(r. 33)

SECURITY BOND

KNOW ALL MEN BY THESE PRESENTS THAT WE (1)*
.....
of

(hereinafter referred to as the obligor) and (2) †
of

and (3)†
of

FIRST SCHEDULE—(Contd.)

Form 16—Contd.)

(hereinafter referred to as the sureties) are jointly and severally held and firmly bound unto the Government of Kenya in the sum of

 of good and lawful money of Kenya to be paid to the said Government, for which payment well and truly to be made we bind ourselves and each and every one of us jointly and severally for and in the whole, our heirs, executors, and administrators and every one of them firmly by these presents.

Dated the, 19

NOW THE ABOVE WRITTEN OBLIGATION is conditioned to be void if the said sureties or any of them shall on demand pay forthwith to the said Government any expenses which may, within from the date hereof, be incurred by the said Government in connexion with the detention, maintenance, medical treatment or removal from Kenya of ‡

SIGNED by the above bounden obligor in
 the presence of: (Obligor)

(Witness)

(Address of Witness)

.....

SIGNED by the above bounden first surety
 in the presence of: (First Surety)

(Witness)

(Address of Witness)

.....

SIGNED by the above bounden second surety.....
 in the presence of: (Second Surety)

(Witness)

(Address of Witness)

.....

*Name of immigrant, or some person on his behalf.

†Names of sureties, if required.

‡Name of immigrant.

[Subsidiary]

Form 20

(r. 34)

GENERAL SECURITY COVENANT

WHEREAS WE, the said of (hereinafter referred to as the Employer) from time to time enter into contracts for the employment within Kenya of persons (hereinafter referred to as the employees) who require entry permits:

AND WHEREAS the wives, children and other dependants of the said employees, from time to time, require dependants' passes:

AND WHEREAS an Immigration Officer, as a condition precedent to the issue of any entry permit or dependant's pass, has required that we the said Employer shall give a general security in respect of all such employees and their wives, children and other dependants, if any:

AND WHEREAS we the said Employer desire to give such a general security in order to enable entry permits and dependants' passes to be issued:

NOW THESE PRESENTS WITNESS that in consideration of the issue from time to time of entry permits and dependants' passes to the said employees, their wives, children and other dependants, we the said Employer do hereby Covenant with the Government of Kenya that we the said Employer will on demand forthwith pay to the said Government any expenses incurred or likely to be incurred by the said Government in connexion with the detention, maintenance, medical treatment or removal from Kenya of each such employee, his wife, children or other dependants, but in no case exceeding five thousand shillings in respect of each such employee, wife, child or dependant.

IN WITNESS WHEREOF the said Employer has set his hand the , 19.....

SIGNED by the said Employer:

..... (Employer)

in the presence of:

(Witness)

(Address of Witness)

.....

Form 21

(r.37)

NO REFUND ENDORSEMENT

This ticket or passage order shall not be cancelled, varied or transferred to another person, nor shall any moneys paid in respect hereof be refunded, without the permission of the Principal Immigration Officer.

--	--	--	--	--	--

Social Security Fund No.

EMPLOYMENT

JOB CATEGORY	CITIZENS			NON-CITIZENS			Total Employment
	African	Asian	European	African	Asian	European	
A. PROFESSIONAL, TECHNICAL, ADMINISTRATIVE, EXECUTIVE AND MANAGERIAL							
1. Directors and top level administrators.							
2. Professional ...							
3. Executive and Managerial.							
4. Technicians, works managers, shop foremen and other supervising tradesmen							
B. TEACHERS....							
C. CLERICAL							
1. Secretaries, stenographers and typists							
2. Clerks ...							
3. Book-keepers, cashiers and Book-keeping clerks							
4. Office Machine Operators.							
D. SALES							
1. Technical representatives and brokers							
2. Shop assistants ..							
E. Skilled and semi-skilled wage or salary earners not included above.							
F. Unskilled labourers ...							
TOTAL-ALL EMPLOYEES							
G. SELF-EMPLOYED AND UNPAID WORKERS INCLUDED ABOVE							
1. Self-employed..							
2. Unpaid Workers ..							

[Subsidiary]

To: Principal Immigration Officer.

Returned herewith is Form 22, Parts I, II and III. (Employers: Tick the appropriate box below.)

- (a) Since all of my employees are citizens, I am returning the form without any entries.
- (b) Since I employ non-citizens, I have completed the form as required.

Name in Block Letters _____ Signature _____
 Designation _____ Date _____

- 1. If the name of employer does not appear on a label at the left or is not correct, please fill in (a) and (b)-
- (a) Employer (Business name in full)
- (b) Postal address
- 2. Branch (if any)
- 3. Location of business
- 4. Person to contact in event of inquiries on this form-
 Name _____
 Telephone number _____
- 5. Nature of business _____
- 6. Employment as at _____

PART II — REPORT ON KENYANIZATION

NON-CITIZEN EMPLOYEES AND CITIZEN TRAINEES

Job Category	NON-CITIZEN EMPLOYEES				CITIZENS IN TRAINING					
	INSTRUCTIONS FOR PART II OF FORM 22	Job Title	Names (in full)	Entry Permit No.	Permit Expiry Date	Names (in full)	Race	Qualifications	TRAINING DURATION	
	<p><i>Job Category:</i> List the job categories shown on Part I, in which there are non-citizens employed.</p> <p><i>Job Title:</i> Next to each Job Category, list all Job Titles in that Job Category in which there are non-citizens employed. The Job Titles should be those used by the company.</p>								Beginning Date	Ending Date
	<p><i>Non-citizens employees:</i> Next to each Job Title, list the names of all non-citizens with that Job Title. List his Entry Permit number, if he has one, and the date it expires. After the names of citizens of Uganda and Tanzania indicate "(U)" and "(T)" respectively. Full names must be given, i.e. John James Smith or Jetambhai Maganbhai Patel.</p> <p><i>Citizens in training:</i> For each Job Title, indicate the names of citizens in training, if any, their race and</p>									

(CONTINUE ON PLAIN PAPER OR SEPARATE "CONTINUATION SHEETS" WHICH ARE AVAILABLE IF REQUIRED)

[Subsidiary]

FORM 22

PART III — REPORT ON KENYANIZATION

JOBS HELD BY NON-CITIZENS, TRAINING AND EXPERIENCE SCHEMES FOR CITIZENS

INSTRUCTIONS FOR PART III OF FORM 22 <i>Jobs held by non-citizens—</i> <i>Job Title and Salary Scale:</i> List the Job Title and salary scale for each Job Title listed in Part II. <i>Job Description:</i> 1. Indicate the position of this job in relation to others in the establishment, stating to whom the holder is responsible and the posts under his supervision. 2. Describe briefly the functions he personally performs. <i>Minimum Entry Requirements:</i> 1. The qualifications required should be minimum necessary for carrying out the job. The qualifications quoted should not simply be a state-	ment of the qualifications of the present non-citizen post holder. The qualifications (education, training and experience) should not exceed those possessed by non-citizens at the date <i>when he was engaged</i> . The description of the Training and Experience Schemes covered below should, in effect, describe the experience required as a part of the training for this job. <i>Training and Experience Schemes for Citizens:</i> The term "Training and Experience Schemes", as used here, refers to informal or formal training on-the-job, or experience in related jobs or both. In general, a scheme should be reported for each Job Title in which a non-citizen is employed, whether or not the training has actually begun. The only exception is a post not requiring any experience or on-the-job training.	The description should include information on- (a) The type of training, for example, training on-the-job, special training courses within the firm, attendance of formal educational or technical institutions, or any combination of such methods. (b) Posts the trainee should hold in the firm before reaching the post held by a non-citizen, and the time he should occupy each of them. (c) Duration of the training and experience. The description of the scheme and minimum entry requirements for trainees, when considered together, should indicate that a qualified trainee will, in fact, be prepared eventually to replace the non-citizen job holder..	JOBS HELD BY NON-CITIZENS	TRAINING AND EXPERIENCE SCHEMES FOR CITIZENS
Job Title and Salary Scale	Minimum Entry Requirements and Job Description	Minimum Entry Requirements and Description of Training and Experience Schemes		

(CONTINUE ON NEXT PAGE)

[Subsidiary]

PART III—(Contd.)

TRAINING AND EXPERIENCE SCHEMES FOR CITIZENS

JOBS HELD BY NON-CITIZENS

Job Title and Salary Scale	Minimum Entry Requirements and Job Description	Minimum Entry Requirements and Description of Training and Experience Schemes

(CONTINUE ON PLAIN PAPER OR SEPARATE "CONTINUATION SHEETS" WHICH ARE AVAILABLE IF REQUIRED)

SECOND SCHEDULE

FEEES

PART A—PERMITS

[Subsidiary]
 L.N. 298/1988,
 (r. 6) L.N. 129/1996,
 L.N. 74/1998,
 L.N. 71/1999,
 L.N. 165/2006,
 L.N. 12/2007.

<i>Matter for which fee is payable</i>	<i>Fee Payable</i>
On the issue or renewal of entry permit under classes	
A	Shs. 100,000 for each year of validity or part thereof. Provided a reduced fee of KShs. 10,000 shall be charged for unskilled workers of all descriptions.
B and C	No fee (Gratis)
D	Shs. 50,000 for each year of validity or part thereof.
E	Shs. 2,000 for each year of validity or part thereof.
F	Shs. 50,000 for each year of validity or part thereof.
G	Shs. 50,000 for each year of validity or part thereof.
H	Shs. 50,000 for each year of validity or part thereof.
I	Shs. 50,000 for each year of validity or part thereof.
J	Shs. 50,000 for each year of validity or part thereof.
K and L	Shs. 25,000 for each year of validity or part thereof.
M	No fee (Gratis)

[Subsidiary]

PART B—PASSES

<i>Matter for which fee is payable</i>	<i>Fee Payable</i>
(a) On the issue of a dependant's pass (for wife and children).	Shs. 1,000.
(b) On the issue of a dependant's pass (for other dependants).	Shs. 5,000.
On the issue or renewal of a pupil's pass	Shs.2,000 for each year of validity or part thereof.
On the issue or renewal of a visitor's pass up to three months.	No fee (Gratis).
On the issue of a Kenya visitor's pass beyond three months up to an aggregate of six months.	Shs. 200 per three months or part thereof.
On the issue of a Kenya In-Transit pass.	No fee (Gratis).
(a) On the issue of an interstate pass.	Shs. 3,000.
(b) On the renewal of an interstate pass.	Shs. 1,500 for each year of validity or part thereof.
On the issue of a prohibited immigrant's pass.	Shs.10,000.
On the issue of a special pass.	Shs. 12,500 per issue.
On the issue of a special pass for filming crews.	Shs. 2,000 per issue.
On the issue of a re-entry pass	KShs. 200 for each year of validity or part thereof.
On the issue of a duplicate or replacement of an entry permit.	Shs. 1000.
On the issue of a duplicate or replacement of a dependant's pass or pupil's pass.	Shs. 250.
On the collection of a passport and entry permit forms.	KShs. 40.

THIRD SCHEDULE

(r. 5)

[Subsidiary]
L.N. 20/2001,
L.N. 18/2003,
L.N. 61/2004,
L.N. 30/2006,
L.N. 165/2006,
L.N. 12/2009.
L.N. 175/2009

PLACES AND TIMES OF ARRIVAL INTO AND DEPARTURE
FROM KENYA

(a) FOR PERSONS ARRIVING BY AIR:

- (i) Jomo Kenyatta Airport, Nairobi, at any time.
- (ii) Wilson Airport, Nairobi, between the hours of 6.00 a.m. and 8.30 p.m.
- (iii) Moi Airport, Mombasa, at any time.
- (iv) Kisumu Airport between the hours of 6.30 a.m. and 6.30 p.m.
- (v) Malindi Airport between the hours of 6.30 a.m. and 6.30 p.m.
- (vi) Lamu Airport between the hours of 6.30 a.m. and 6.30 p.m.
- (vii) Nanyuki Airport between the hours of 6.30 a.m. 6.30 p.m.
- (viii) Kitale Airport between the hours of 6.30 a.m. and 6.30 p.m.
- (ix) Eldoret International Airport, at any time, effective from 18th August, 1997.
- (x) Garissa Airstrip between 6.30 a.m. and 6.30 p.m. operated by the United Nations Common Air Services (UNCAS) and the European Commission Humanitarian Office (ECHO) for humanitarian assistance to Somalia.
- (xi) Lokichogio Airport between the hours of 6.00 a.m. and 8.30 p.m.

(b) PERSONS ARRIVING BY SHIP:

- (i) Mombasa, at any time.
- (ii) Lamu between the hours of 6.30 a.m. and 6.30 p.m.
- (iii) Malindi between the hours of 6.30 a.m. and 6.30 p.m.
- (iv) Kisumu between the hours of 6.30 a.m. and 6.30 p.m.
- (v) Shimoni Immigration Control between the hours of 6.30 a.m. and 6.30 p.m. effective from September, 2000.
- (vi) Muhuru Bay between the hours of 6.30 a.m. and 6.30 p.m.
- (vii) Mbita point between the hours of 6.30 a.m. and 6.30 p.m.

[Subsidiary]

- (viii) Sio Port between the hours of 6.30 a.m. and 6.30 p.m.
- (ix) Vanga between the hours of 6.30 a.m. and 6.30 p.m.
- (x) Ngomeni between the hours of 6.30 a.m. and 6.30 p.m.
- (xi) Kilifi between the hours of 6.30 a.m. and 6.30 p.m.

(c) PERSONS ARRIVING BY ROAD:

- (i) Lungalunga Immigration Control at any time.
 - (ii) Taveta Immigration Control at any time.
 - (iii) Namanga Immigration Control at any time.
 - (iv) Isebania Immigration Control at any time.
 - (v) Busia Immigration Control at any time.
 - (vi) Malaba Immigration Control at any time.
 - (vii) Loitokitok Immigration Control between the hours of 6.30 a.m. and 6.30 p.m.
 - (viii) Keekorok Immigration Control between the hours of 6.30 a.m. and 6.30 p.m.
 - (ix) Todenyong Control
 - (x) Moyale
 - (xi) Mandera
- } Entry during hours of 6.30 a.m. to 6.00 p.m. subject to prior possession of a pass under the Outlying Districts Act (Cap. 104)
- (xii) Lokichogio Immigration control at any time.
 - (xiii) Suam Immigration Control between 6.30 a.m. and 6.30 p.m. effective 24th June, 1999.
 - (xiv) Lwakhaka Immigration Control at any time.
 - (xv) Liboi Immigration Control between the hours of 6 a.m. and 6 p.m.
 - (xvi) Kiunga Immigration Control between the hours of 6 a.m. and 6 p.m.
 - (xvii) Suam Immigration Control, at any time.
 - (xviii) Sand River Gate, at any time.
 - (xix) Muhuru Bay Immigration Control between the hours of

[Subsidiary]

6.30 am. and 6.30 pm.

(xviii) Nadapal, at any time.

(xix) Buteba immigration control between the hours of 6.30 am and 6.30 pm;

(xx) Elwak immigration control between the hours of 6.30 am and 6.30 pm;

(xxi) Amuma immigration control between the hours of 6.30 am and 6.30 pm;

(xxii) Rhamu immigration control between the hours of 6.30 am and 6.30 pm;

(xxiii) Lokiriama immigration control between the hours of 6.30 am and 6.30 pm;

(xxiv) Kolbio immigration control between the hours of 6.30 am and 6.30 pm;

(xxv) Malkamari immigration control between the hours of 6.30 am and 6.30 pm;

(xxvi) Banya Fort immigration control between the hours of 6.30 am and 6.30 pm;

(xxvii) Kibish immigration control between the hours of 6.30 am and 6.30 pm;

(xxviii) Dif immigration control between the hours of 6.30 am and 6.30 pm;

(d) PERSONS ARRIVING BY TRAIN:

(i) Taveta Railway Station at any time.

(ii) Malaba Railway Station at any time.

FOURTH SCHEDULE

(r. 7) L.N. 238/1985.

PRESCRIBED AMOUNT OF ASSURED ANNUAL INCOME

Status

Assured Annual Income

£

(a) For a man or woman with dependant children 4,000

(b) For a man or woman without dependant children 2,000

[Subsidiary]

FIFTH SCHEDULE

(r. 13)

PRESCRIBED PROFESSIONS AND QUALIFICATIONS

(1) Profession	(2) Qualifications
1. Medical profession	Any person who would be entitled to registration as a medical practitioner under the Medical Practitioners and Dentists Act (Cap. 253).
2. Dentists	Any person who would be entitled to registration as a dentist under the Medical Practitioners and Dentists Act (Cap. 253).
3. Legal profession	Any person who is an Advocate within the meaning of the Advocates Act (Cap. 16).
4. Surveyors:	
(a) Land Surveyor	Any person licensed as a surveyor under the Survey Act (Cap. 299).
(b) Surveyor	Any person who is a Fellow or Professional Associate of the Royal Institution of Chartered Surveyors.
(c) Estate Agent, Valuer and Land Agent	Any person who is a Fellow of the Royal Institute of Chartered Surveyors.
5. Architects or Quantity Surveyors.	Any person who would be entitled to registration as an architect or quantity surveyor under the Architects and Quantity Surveyors Act (Cap. 525).
6. Pharmacists	Any person who would be entitled to registration as a pharmacist under the Pharmacy and Poisons Act (Cap. 244).
7. Veterinary Surgeons	Any person who would be entitled to be registered or licensed as a veterinary surgeon under the Veterinary Surgeons Act (Cap. 366).
8. Engineers	(a) Member or Associate Member of the Institution of Mining Engineers. (b) Member or Associate Member of the Institution of Civil Engineers.

[Subsidiary]

FIFTH SCHEDULE—(Contd.)

(1) Profession	(2) Profession Qualifications
9. Nursing profession	<p>(c) Member or Associate Member of Royal Institute of Naval Architects.</p> <p>(d) Member or Associate Member of the Institution of Municipal and County Engineers.</p> <p>(e) Member or Associate Member of the Institution of Structural Engineers.</p> <p>(f) Member or Associate Member of the Institution of Mechanical Engineers.</p> <p>(g) Member or Associate Member of the Institution of Electrical Engineers.</p> <p>(h) Member or Associate Member of the Institution of Mining and Metallurgy.</p> <p>(i) Member or Associate Member of the Institution of Electronic and Radio Engineers.</p> <p>(j) Member or Associate Member of the Institution of Gas Engineers.</p> <p>(k) Associate Fellow or Associate of the Institution of Aeronautical Engineers or Royal Aeronautical Society.</p> <p>(l) Member or Associate Member of the Institution of Chemical Engineers.</p> <p>(m) Member or Associate Member of the Institution of Marine Engineers, or an equivalent qualification.</p> <p>Any person who would be entitled to registration under the Nurses, Midwives and Health Visitors Act (Cap. 257).</p>

[Subsidiary]

FIFTH SCHEDULE—(Contd.)

(1) Profession	(2) Profession Qualifications
10. Physiotherapists	Any person holding the qualification of the Chartered Society of Physiotherapy or an equivalent qualification.
11. Accountants	Members of— (a) the Institute of Chartered Accountants of Scotland; (b) the Institute of Chartered Accountants in England and Wales; (c) the Institute of Chartered Accountants in Ireland; (d) the Society of Incorporated Accountants; (e) the Association of Certified and Corporate Accountants; (f) the Societies of Chartered Accountants in South Africa; (g) the Institute of Chartered Accountants in Australia; (h) the Institute of Chartered Accountants of India; (i) the Institute of Municipal Treasurers and Accountants; (j) the Institute of Cost and Works Accountants, or an equivalent qualification.
12. Chartered Secretaries....	(a) Fellows and Associates of the Chartered Institute of Secretaries. (b) Fellows and Associates of the Corporation of Certified Secretaries or an equivalent qualification.

Persons and classes of persons required to apply for an entry permit or

[Subsidiary]

pass under Section 19

These are not included in the Laws of Kenya, as they are of a transitory nature. They may be found in—

L.Ns. 253 /1967, 38 /1969, 87/1969, 151/1969, 232/1969, 264 /1969, 219 /1971, 220/1971, 221/ 1971, 222 /1971, 223 /1971, 224 /1971, 1/1972, 2 / 1972, 41/1972, 42 / 1972, 43/1972, 148 /1972, 159/ 1972, 195 /1972, 3/1973, 106 / 1980.

EXEMPTION

IN EXERCISE of the powers conferred by section 4 (3) (h) of the Immigration Act, the Vice-President and Minister for Home Affairs exempts from the provisions of that section—

- (a) all persons who are in the employ of Nest Children's Home Charitable Trust and who are not engaged in any other employment, occupation, trade, business or profession (whether or not for remuneration or profit);
- (b) any wife or child of such persons who is not engaged in any employment, occupation, trade, business or profession (whether or not for remuneration or profit).

Dated the 15th October, 2004.
MOODY AWORI,
Vice-President and Minister for Home Affairs.

EXEMPTION

L.N. 124/2004.

IN EXERCISE of the powers conferred by section 4 (3) (h) of the Immigration Act, the Vice-President and Minister for Home Affairs responsible for matters relating to Immigration exempts from the provisions of that section—

- (a) a person who is in the employment of the Friedrich-Egbert Stiftung and who is not engaged in any other employment, occupation, trade, business or profession (whether or not for profit);
- (b) a person who is in the employment of the Hanns-Seidel Stiftung and who is not engaged in any other employment, occupation, trade, business or profession (whether or not for profit);
- (c) a person who is in the employment of the Heinrich-Boll Stiftung and who is not engaged in any other employment, occupation, trade, business or profession (whether or not for profit);
- (d) a person who is in the employment of the Konrad-Adenauer Stiftung and who is not engaged in any other employment,

[Subsidiary]

occupation, trade, business or profession (whether or not for profit).

Dated the 10th November, 2004.

L.N.177/1989.

EXEMPTION

IN EXERCISE of the powers conferred by section 4 (3) (h) of the Immigration Act, the Minister of State responsible for matters relating to immigration exempts from the provisions of section 4 of the Act—

- (a) all persons who are in the employment of the organisations listed in the Schedule and who are not engaged in any other employment, occupation, trade, business or profession (whether or not for remuneration or profit); and
- (b) the wife or child of such person who is not engaged in any other employment, occupation, trade, business or profession (whether or not for remuneration or profit).

SCHEDULE

Nanyuki Cottage Hospital.
Lions Nursery School and Primary School, Nakuru.
Crescent Medical Aid, Kenya.
Action Aid, Kenya.
Outward Bound Trust of Kenya.

Made on the 17th May, 1989.

L.N. 93/2008.

EXEMPTION

IN EXERCISE of the powers conferred by section 4 (3) (h) of the Immigration Act, the Minister of State for Immigration and Registration of Persons exempts from the provisions of that section—

- (a) Japanese Teachers who are in the employment of Nairobi Japanese School;
- (b) any spouse or child or the person referred to in (a) who is not engaged in any employment, occupation, trade, business or profession (whether or not for remuneration or profit).

Dated the 10th June, 2008

L.N. 152/2008.

EXEMPTION

IN EXERCISE of the powers conferred by regulation 38 of the Immigration Regulations, the Minister for State for Immigration and Registration of Persons exempts the following classes of persons from paying fees on entry permits

[Subsidiary]

issued to them:–

- (a) Spouses of diplomatic and consular officers of the Government of the Netherlands based in Kenya;
- (b) Dependant children (below twenty two years) of diplomatic and consular officers of the Government of the Netherlands based in Kenya.

Dated the 15th October, 2008.

EXEMPTION

IN EXERCISE of the powers conferred by sections 4(3) (h) of the Immigration Act, the Minister of State for Immigration and Registration of Person exempts from the provisions of the said section 4–

All citizens of Rwanda seeking to reside, engage in any employment, Occupation, Trade, Business or profession in Kenya.

Dated the 17th December, 2008

EXEMPTION

L.N. 9/2008.

IN EXERCISE of the powers conferred by section 4(3)(h) of the Immigration Act, the Minister of State for Immigration and Registration of Persons exempts from the provisions of the said section 4–

All persons who are in the employment of the ViewFinders EPZ Limited for purposes of shooting the “Big Cat Film”, for a period of two (2) years commencing from August, 2008 to December, 2010.

Dated the 17th December, 2008.

