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**THE KIAMBU COUNTY ALCOHOLIC DRINKS CONTROL ACT,
2024**

No. 6 of 2024

Date of Assent: 4th September, 2024

Date of Commencement: 10th December, 2024

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**THE KIAMBU COUNTY ALCOHOLIC DRINKS CONTROL ACT,
2024**

AN ACT of the County Assembly of Kiambu to establish a framework for the licensing and regulation of the production, sale, distribution, consumption and outdoor advertising of alcoholic drinks; and for connected purposes

ENACTED by the County Assembly of Kiambu, as follows—

PART I—PRELIMINARY

Short title

1. This Act may be cited as the Kiambu County Alcoholic Drinks Control Act, 2024.

Interpretation

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

“Alcohol” means the product known as ethyl alcohol or any product obtained by fermentation or distillation of any fermented alcoholic product, rectified either once or more often, whatever the origin, and shall include synthetic ethyl alcohol, but shall not include methyl alcohol and alcohol completely denatured in accordance with the prescribed formulas;

“Alcoholic drink” includes alcohol, spirit, wine, beer, liquor, traditional alcoholic drink, and any one or more of such varieties containing one-half of one per cent or more of alcohol by volume, including mixed alcoholic drinks, modified industrial alcohol blended for human consumption and every liquid or solid, patented or not, containing alcohol and capable of being consumed by a human being;

“Authorised officer” means an authorised officer within the meaning of section 57;

“Authority” means the National Authority for the Campaign Against Alcohol and Drug Abuse” established under the National Authority for the Campaign Against Alcohol and Drug Abuse Act, 2012;

“Bar area” in relation to a hotel premises means any part of the hotel in which alcoholic drink is ordinarily sold or supplied for consumption in the hotel and does not include a dining area of the hotel;

Cap. 222.

“Cinema” has the meaning assigned to it in the Films and Stage Plays Act;

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“County Committee” means the County Alcoholic Drinks Regulation Committee appointed under section 9;

“County Executive Member” means the County Executive Member responsible for alcohol control;

“Directorate” means the Alcoholic Drinks Control Directorate established under section 5;

“Dining area” in relation to licensed premises, means a part of the licensed premises used permanently and primarily for the consumption of meals at tables;

“Entity” includes a company, corporation, firm, partnership, association, society, trust or other organisation, whether incorporated or not;

“Fund” means the Alcoholic Drinks Control Fund established by section 9;

“Health institution” means a hospital, nursing home, convalescent home, maternity home, health centre, dispensary or other institution where health or other medical services are rendered free of charge or upon payment of a fee;

“Hotel” means any premises or commercial establishment classified as such under any written law or any licensed premises whose sole purpose is to sell bed occupancy as primary and core business;

“Illicit trade” means any practice or conduct prohibited by law and which relates to production, shipment, receipt, possession, distribution, sale or purchase of alcohol or its products, including any practice or conduct intended to facilitate such activity;

“Licensee” means a person who holds a licence granted under this Act;

“Locality” unless where context otherwise provides to the contrary, means a city, municipality, town, urban area, Ward or ward as the case may be;

“Manager” in relation to—

- (a) a cinema or theatre, includes an assistant manager, a person holding an office analogous to that of a manager or assistant manager of the cinema or theatre or any person in charge or in control of the cinema or theatre;
- (b) a health institution, includes the owner or a person in charge or in control of the health institution; and

- (c) a specified building, includes the owner, occupier, lessee or the person in charge or in control of the specified building;

“Manufacture” means the brewing, distilling, tapping or any processing or intermediate processing of an alcoholic drink and includes the packaging, labelling, distribution or importation of an alcoholic drink for sale in the county or anywhere in Kenya;

“Manufacturer” in respect of an alcoholic drink, includes any entity that is involved in its manufacture, including an entity that controls or is controlled by the manufacturer, or that is controlled by the same entity that controls the manufacturer;

“Package” means the container, receptacle or wrapper in which an alcoholic drink is sold or distributed and includes the carton in which multiple packages are stored;

“Retailer” means a person who is engaged in a business that includes the sale of any alcoholic drink to consumers;

“Restaurant” means a place, premises or commercial establishment (however described) where meals are prepared, served and sold to customers;

“Sell” includes—

- (a) barter or exchange without use of money;
- (b) offer or expose for sale, barter or exchange without use of money;
- (c) supply, or offer to supply, in circumstances in which the supplier derives or would derive, a direct or indirect pecuniary benefit; and
- (d) supply or offer to supply, gratuitously but with a view of gaining or maintaining custom, or otherwise with a view for commercial gain; and

“Ward Committee” means the Ward Alcoholic Drinks Regulation Committee appointed under section 11.

Purpose of the Act

3. (1) The purpose of this Act is to provide for licensing of alcoholic drinks so as to control the production, sale, distribution, promotion and consumption of alcoholic drinks and the promotion of research, treatment and rehabilitation for persons dependent on alcoholic drinks in order to—

- (a) reduce and mitigate the negative health, social and economic impact and other costs on individuals and communities resulting

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from or associated with production, sale, supply, advertising and consumption of alcoholic drinks;

- (b) protect the health of the individual in light of the dangers of consumption of alcoholic drinks;
- (c) protect persons under the age of eighteen years from negative impact on social development as a result of exposure to advertisements of alcoholic drinks;
- (d) provide for coordination and collaboration with other government agencies and to support implementation of national policies on alcoholic drinks control in the County;
- (e) protect the health of persons under the age of eighteen years by preventing their access to alcoholic drinks;
- (f) provide a framework for provision of civic education;
- (g) facilitate and enhance community participation in alcoholic drinks control;
- (h) ensure fair and ethical business practices related to production, distribution, promotion and sale of alcoholic drinks; and
- (i) eliminate illicit brews, counterfeit adulterated and sub-standard alcoholic drink products in the County.

(2) For the avoidance of doubt, this Act shall not apply to any matter in respect of the functions of the National Government regarding the prescribing and enforcement of standards of production, manufacture, importation and exportation of alcoholic drinks and similar matters.

PART II—ADMINISTRATION

The role of the Executive Member

4.(1) The Executive Member shall be responsible for the implementation of the provisions of this Act and in particular, shall—

- (a) advice the County Government on all matters relating to alcoholic drinks control;
- (b) ensure that there is effective public participation in accordance with the framework for citizen participation established under county and national laws;
- (c) foster external collaborations, linkages and partnerships with other Counties including national bodies established to control alcoholic drinks;

- (d) promote the establishment of treatment and rehabilitation centers within the County; and
- (e) prepare or cause to be prepared a bi-annual report on the status of alcoholic control within the County and submit to the Executive Committee and the relevant County Assembly Committee.

Establishment of the Directorate

5. There is established in the County the Directorate of Alcoholic Drinks Control.

Functions of the Directorate

6. The functions of the Directorate shall include—

- (a) support and facilitate the committees established under this Act in carrying out their functions;
- (b) regulating alcohol production, distribution, advertisement, sale and consumption of alcohol in the County to ensure the realization of the objects of this Act;
- (c) licensing and enforcing the conditions of a licence granted under this Act;
- (d) coordinate the operations of the committees established under this Act;
- (e) coordinate the establishment, implementation and operations of alcohol treatment and rehabilitation facilities and programmes;
- (f) in collaboration with other institutions carry out research on alcohol related matters and disseminate findings;
- (g) undertake public education, training, sensitization or in any other manner, disseminate information on matters relating to alcohol to the public in order to influence positive social development and responsible drinking culture;
- (h) recommend to the Executive Member the formulation of policies, rules and regulations for better implementation of this Act;
- (i) advice the Executive Member on matters relating to alcohol;
- (j) propose to the Executive Member collaboration and linkages programmes for better implementation of this Act;
- (k) monitor and evaluate the impact of this Act on the community development and advice the Executive Member;

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- (l) monitoring and evaluating the implementation of this Act including the operations of the committees and advising the Executive Committee Member of the necessary measures to be adopted.
- (m) receive, review and submit to the Executive Member a bi-annual status report on licensing, impact of licensing, compliance with the licensing conditions and public awareness of alcoholic drinks control;
- (n) offer Secretariat services to the County Alcoholic Drinks Regulation and management committee;
- (o) withdraw or suspend licences issued under this Act temporarily pending the determination of the County Alcoholic Drinks Regulation and management committee; and
- (p) carry out any other functions as may be assigned by the Executive Member for better implementation of this Act.

Appointment of the Director

7. (1) The Directorate shall be headed by a Director who shall be appointed by the County Public Service Board through a competitive process.

(2) A person shall only be appointed as a Director under this Act if that person—

- (a) is a Kenyan Citizen;
- (b) possesses an academic degree from a university recognized in Kenya;
- (c) has at least five years post-graduation work experience at management level;
- (d) has no pecuniary interest or is associated in the alcohol industry; and
- (e) meets the requirements of the Constitution.

(3) The Director shall be responsible for the day-to-day operations of the Directorate, and in particular, shall ensure that the functions of the Directorate are undertaken.

Removal from Office

8. The Director may be removed from office on the following grounds—

- (a) for gross misconduct;

- (b) where adjudged bankrupt;
- (c) for abuse of office;
- (d) due to incompetence or neglect of duty;
- (e) due to inability to perform his or her duties arising out of physical or mental incapacity;
- (f) due to a breach of the code of ethics; or
- (g) due to a conviction of a crime under this Act or a traffic offence whose penalty exceeds an imprisonment term of six months.

Establishment of the County Alcoholic Drinks Regulation and management committee

9. (1) There is established a committee to be known as the County Alcoholic Drinks Regulation and management committee.

(2) The County Alcoholic Drinks Regulation and management committee shall be responsible for—

- (a) receive, review, and approve grant/denial of licences to the directorate in accordance with applications recommended by the Ward committees;
- (b) receive, review and hear appeals from decisions made by the Ward committees; and
- (c) carrying out any other function as may be assigned by the County Executive Member.

(3) The County Alcoholic Drinks Regulation and management committee shall consist of—

- (a) the Chairperson, who shall be appointed by the Governor with the approval of the County Assembly;
- (b) Chief Officer responsible for Alcoholic Drinks Control;
- (c) the Director of the County Alcoholic Drinks Control directorate who shall be an *ex-officio* and the secretary;
- (d) the County Police Commander or his representative;
- (e) the County Director of public health and sanitation;
- (f) the officer responsible for coordinating national government functions in the county or their representative;
- (g) the Director for the time being responsible for physical and land use planning in the county;

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- (h) one person designated by Kenya Bureau of Standards;
- (i) County head of enforcement;
- (j) an advocate of the high court from the office of the County Attorney; and
- (k) subject to the two-thirds gender rule prescribed by Article 27(8) of the Constitution, Four residents of the county appointed by the Governor—
 - (i) one of whom shall be a youth representative;
 - (ii) one of whom shall be nominated by an association of traders operating in the County who shall be an *ex-officio* member;
 - (iii) one of whom shall represent faith-based organisations in the county; and
 - (iv) one of whom shall be nominated by an accredited organization working to provide support for alcoholic addiction, prevention and treatment in the County.

(4) A person is qualified for appointment as a chairperson of the management committee under section 3(a) if that person;

- (a) is a citizen of Kenya;
- (b) holds a bachelor's degree or its equivalent from a university recognized in Kenya;
- (c) has knowledge and relevant experience in community service in social work; and
- (d) meets the requirement of leadership and integrity set out under chapter 6 of the constitution.

(5) The conduct of business and affairs of the Alcoholic Drinks Regulation and management committee shall be as prescribed in the First schedule.

(6) The committee may co-opt such other persons whose knowledge and skills are necessary for the proper performance of its function under this Act.

(7) The members appointed under subsection (3) (k) shall be eligible for appointment if they possess at least a certificate from a tertiary institution recognised in Kenya.

(8) The members appointed under section 3a and 3 (k) shall serve a term of Three (3) years which is renewable once.

Vacation and Filling of Vacancy of Office

10. (1) The Chairperson or member of the Management Committee may—

- (a) at any time resign from office by notice in writing to the appointing authority; or
- (b) be removed from office by the appointing authority on the following grounds—
 - (i) absent for five consecutive meetings of the Management committee without the permission of the Chairperson or the appointing authority.
 - (ii) convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months;
 - (iii) adjudged bankrupt;
 - (iv) Gross Misconduct; or
 - (v) convicted of a crime under the Leadership and Integrity Act or Public Officers Ethics Act.

(2) Where a vacancy occurs in the Management Committee, the appointed replacement shall hold office for the remainder of the term of office of that member, and shall be deemed to have served a full term as a member if, at the date on which the person assumed office, more than one year remain before the date of the end of the term of the Committee.

Establishment of Ward Alcoholic Drinks Regulation Committee

11. (1) There shall be, for every Ward, a committee to be known as the Ward Alcoholic Drinks Regulatory Committee which shall—

- (a) receive, review and recommend for approval to the County Committee, applications for licence in accordance with this Act;
- (b) monitor the general compliance with the provisions of this Act and make recommendations to the County Committee, including recommending the suspension or cancelation of a license;
- (c) hear the views or objections from the public and make recommendations to the management committee; and
- (d) perform such other functions as may be assigned by the Executive Member.

(2) The Ward Alcoholic Drinks Regulatory Committee may, in the discharge of its functions under this Act, conduct inspections or other visits to licensed premises at such times as it may deem appropriate.

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- (3) The Ward committee shall consist of—
- (a) the Ward administrator who shall be the chairperson;
 - (b) the Ward public health officer;
 - (c) the Deputy County Commissioner or his or her delegate;
 - (d) the Officer Commanding Police Division of that area from the Kenya Police Service, or his or her delegate;
 - (e) the area Ward Environment Officer
 - (f) the officer for the time being responsible for physical planning in the Ward;
 - (g) a representative of association of the traders for the respective ward;
 - (h) a resident representing the area ward appointed by the Governor with the approval of the County Assembly; and
 - (i) a licensing officer or his or her delegate who shall be the secretary.

(4) The members appointed under sub-section (g) and (h) shall be eligible for appointment if they possess at least an academic certificate from a Secondary School recognized in Kenya.

Vacation and Filling of Vacancy of Office for the Ward Committes

- 12.** (1) A member of the Ward Committee Shall—
- (a) at any time resign from office by notice in writing to the appointing authority; or
 - (b) be removed from office by the appointing authority on the following grounds—
 - (i) absent for five consecutive meetings of the Ward;
 - (ii) convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months;
 - (iii) adjudged bankrupt;
 - (iv) Gross misconduct; or
 - (v) convicted of a crime under the leadership Integrity Act or the Public Officers Ethics Act.

(2) Where a vacancy occurs in the Ward Committee, the appointed replacement shall hold office for the remainder of the term of office of that member, and shall be deemed to have served a full term as a member if, at the date on which the person assumed office, more than one year remain

before the date of the end of the term of the Committee.

(3) The members appointed under section 11(3)(g), and (h) shall serve for a term of three years which is renewable once.

Meetings and Remuneration of the Management Committee and Ward Committee

13. (1) The meetings of the Management Committee and Ward Committee shall be as set out in the First Schedule to the Act.

(2) Despite sub-section (1), the Management Committee and Ward Committee, may regulate their own procedure.

(3) Remuneration of the committees shall be as recommended by the Salaries and Remuneration Commission

(4) The Committee members shall be facilitated at the rates to be determined by the Executive member.

PART III—THE COUNTY ALCOHOLIC DRINKS CONTROL FUND

Establishment of the Fund

14. There is established the County Alcoholic Drinks Control Fund.

Sources of the Fund

15. There shall be paid into the Fund—

- (a) monies paid or collected under this Act;
- (b) fines imposed or collected by the county government under this Act;
- (c) monies appropriated by the County Assembly for the purposes of the Fund; and
- (d) gifts, grants, donations, bequests, loans or other endowments granted to the Fund.

Purpose of the Fund

16. The Fund shall be used for—

- (a) the establishment of rehabilitation and treatment centers in the County;
- (b) facilitating public education and awareness creation campaign in the County regarding the harms of excessive alcohol consumption;
- (c) facilitating the carrying out of studies regarding the better

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regulation of the alcoholic drinks sector in the County;

- (d) facilitating the participation of the residents of the County in the regulation of the alcoholic drinks sector in the County;
- (e) in collaboration with other relevant government agencies establish and equip a County laboratory for analysis and testing of alcoholic drinks; and
- (f) meeting the capital and recurrent expenditure relating to—
 - (i) carrying out any of the functions of the Directorate;
 - (ii) operations of the Committees including allowances;
 - (iii) any other matter related to the implementation of this Act; and
 - (iv) any other purpose as may be directed by the Executive Member in charge of Finance.

Fund Bank accounts

17. (1) All monies received by the Fund shall be maintained in a separate Bank Account in the name of the Fund, opened and administered in accordance with the underlying provisions of the Public Finance Management Fund, 2015.

(2) The receipts, earnings or accruals of the Fund shall not be treated as County revenue and the balance thereof at the close of each financial year shall be retained by the Fund for the purposes for which it is established.

Administration of the Fund

18. (1) The County Executive Member responsible for Finance shall designate an officer to administer the Fund.

- (2) The officer administering the Fund shall—
 - (a) ensure compliance with the provisions of the Public Finance Management Act, 2012;
 - (b) supervise and control the administration of the Fund;
 - (c) Prepare the Funds budget and submit it to County Executive Member responsible for Finance for approval;
 - (d) impose conditions on the use of any expenditure personally authorized and may impose any restriction or other requirement concerning the use of expenditure;

- (e) prepare quarterly reports of the operations of the fund and submit to the County Executive Committee Member responsible for Finance;
- (f) cause to be kept proper books of account and records in relation to the operations of the Fund; and
- (g) furnish information as may be required for examination and audit.

(3) The County Executive Committee Member responsible for Finance may designate to the Directorate such staff as may be necessary to assist in the management of the Fund.

(4) County Executive Committee member responsible for matters relating to finance shall prescribe Regulations for the administration of the Fund.

PART IV—LICENSING

Control of alcoholic drinks

19. (1) No person shall—

- (a) manufacture or otherwise produce; or
- (b) sell, distribute or dispose of, or deal with, any alcoholic drink in the county except under and in accordance with a licence issued under this Act.

(2) Any person who contravenes the provisions of sub-section (1) commits an offence and shall, upon conviction, be liable to fine not exceeding Kenya shillings One Million Shillings or a sentence not exceeding two years or both.

(3) Sub-section (1) shall not apply to—

- (a) the importation of alcoholic drinks into the country if the alcoholic drink has been imported to the country pursuant to an import license issued under the Alcoholic Drinks Control Act, 2010;
- (b) the bona fide administration or sale for purely medical purposes, and in accordance with any written law for the time being in force governing the administration and sale of medicine, by a medical practitioner, a veterinary surgeon registered under the Veterinary Surgeons Act or a pharmacist registered under the Pharmacy and Poisons Act, of a medicine containing alcoholic drink;
- (c) the sale of spirituous or distilled perfume, or perfumery;

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- (d) the sale of industrial alcohol;
- (e) the sale by auction by an auctioneer, licensed under the Auctioneers Act, 1996, of an alcoholic drink in quantities not less than those authorized to be sold under a wholesale alcoholic drink licence belonging to a wholesale dealer, on the licensed premises of the dealer;
- (f) the sale by a deceased person's legal personal representative of an alcoholic drink forming part of the estate of the deceased person;
- (g) the sale by a trustee in bankruptcy of an alcoholic drink forming part of the bankrupt's estate;
- (h) the sale by the liquidator of a company of an alcoholic drink forming part of the company's assets;
- (i) the sale of alcoholic drink at the county assembly buildings, if sold with the permission of the Speaker of the County Assembly; and
- (j) the sale of alcoholic drink to the members only of any canteen, club, institute, mess or similar institution of the disciplined forces for reasons other than for personal profit

Application for a licence

20. (1) A person intending to produce, manufacture, distribute any alcoholic drink in the county or to operate an establishment for the sale of an alcoholic drink shall make an application in writing in the prescribed form to the Ward Committee in the Ward where the premise is to be situated and shall pay a prescribed fee.

(2) The application under subsection (1) shall contain—

- (a) a person intending to produce, manufacture, distribute any alcoholic drink in the county or to operate an establishment for the sale of an alcoholic drink shall, make an application in writing in the prescribed form to the County committee, or the Ward committee in the Ward where the premise is to be situated, where applicable, and shall pay a prescribed fee;
- (b) the application under sub-section (1) shall contain, where applicable—
 - (i) comprehensive information on the nature, orientation and other justification for the establishment of the manufacturing plant or establishment for sale;

- (ii) an indication as to whether the manufacture or sale of the alcoholic drink is licensed in another county and if so the evidence of such licensing;
- (iii) for a manufacturer's licence, certification from Kenya Bureau of Standards; and

Notice by the Ward Committee

21. (1) The Ward Committee shall, within twenty-one days after the submission of application for a licence, prepare a notice setting forth the names of all applicants, the types of licences applied for, the premises in respect of which the licences are applied for and the time, date and place of the meeting, and shall forthwith cause a copy of the notice to be—

- (a) published at the offices of the Ward Administrator for a period of not less than twenty-one consecutive days; and
- (b) posted in some conspicuous place at or near the applicant's Premises.

(2) Within twenty-one days from the date of the notice issued in accordance with subsection (1), the licensing officer, the Ward public health officer, the Ward planning officer, the environment officer and any other relevant officer shall prepare and submit a report of their findings to the Ward committee on all matters within their jurisdiction relevant to the application before the Ward committee without any cost to the applicant.

(3) Within thirty days from the date of the notice issued in accordance with sub-section (1), the licensing officer shall table before the Ward committee the following for consideration —

- (a) a list of all applications received for consideration during the quarter;
- (b) the reports prepared in accordance with sub-section (2); and
- (c) any written report or objection received from the public relating to any application under consideration.

(4) A Ward committee shall consider all the application made during the quarter and any other matter referred to it and may recommend an application for grant of licence if the —

- (a) applicant has met the requirements for the licence applied for as prescribed in the First Schedule to this Act and any other written law, and in particular, the occupational health standards, environmental law and regulations, safety regulations;
- (b) premises in respect of which the application is made is in good repair, clean and wholesome condition with adequate and proper

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sanitary arrangements;

- (c) applicant, in respect of an off-licence, is licensed and operates a supermarket and has taken measures to ensure that the area in which the sale of an alcoholic drink is to take place is not accessible to persons under the age of eighteen years;
- (d) applicant, in respect to a manufacture's licence to brew, distill, bottle or manufacture an alcoholic drink, possesses the necessary qualifications and has complied with all requirements stipulated under any relevant written law;
- (e) the premises is not located in a building used for residential purposes except a building used for the exclusive use of a hotel which has complied with sub-sections (4) (f) and;
- (f) the premises situated in Zone A and B is located at least three hundred metres from any nursery, primary, secondary or other learning institutions for persons under the age of eighteen years and or in the alternative, a wall or barrier of such quality and standard has constructed to demarcate the nursery, primary, secondary or other learning institution from the premises in order to ensure that the person below the age of eighteen years is protected from accessing an alcoholic drink; and

(5) Notwithstanding the provisions of this Act, the Ward Committee shall only recommend the renewal of a license to a person who—

- (a) has satisfied the requirements of this Act;
- (b) is above eighteen years of age; or
- (c) is not adjudged bankrupt.

(6) Notwithstanding the provisions of this Act, the Sub –County Committee may refuse to recommend the grant of a license in the public interest on such grounds but not limited to—

- (a) public nuisance;
- (b) noise pollution; and
- (c) the need to protect persons below the age of eighteen years.

(7) Notwithstanding the denial of grant of license under this Act, a person may soon as may be practical reapply for a license and such application shall be treated as new application.

Inspection of the Premises

22. (1) The Ward committee shall inspect the premises for purposes of verifying the particulars of an application, or for determining the compliance with the provisions of this Act or for the purposes of determining an objection or petition made by the public.

(2) The Ward Committee may require the personal appearance before it of the applicant or of the manager of the premises to which the application relates or any other person whose attendance is considered by the Ward Committee to be necessary during such inspections.

Public hearing

23. (1) The Ward committee shall, as shall be deemed necessary and by notice in the public issued in accordance with the relevant written laws, hold public hearing to receive the public views or objections to any application made under this Act.

(2) The public hearing in a particular areas specified in the notice shall only be deemed to have a quorum if ninety per cent of the members present comprise of the resident of the particular area.

(3) Where a quorum is not realized, the Chairman shall adjourn the meeting to a later date and if no quorum is realized in the subsequent meeting, the Ward committee shall determine the procedure for receiving the public views and determining any objections received.

Objection to application

24. (1) Any person may lodge an objection to the application referred to in section 20.

(2) Every objection to an application shall be made in writing to the Secretary to the Ward committee, and the Ward committee shall serve notice of the grounds of the objection on the applicant in person, through registered mail, email or whatsapp at least seven days before the hearing of the application and the onus of proof of such service shall be on the objector.

(3) A Ward committee may on its own motion, take notice of any matter or thing which, in the opinion of the committee, constitutes an objection to an application, whether or not any objection has been otherwise lodged.

(4) An objector and the applicant may either appear in person or by representation of an advocate during the public hearings of an objection.

(5) A licensing officer may in writing authorize any person to appear before the Ward Committee for purposes of representing the inhabitants of that part in respect of which any objection has been lodged to an application.

(6) Every Ward Committee shall maintain records of all its proceedings, and in particular, the records of the purpose for which an application was made, the evidence given, any arguments adduced, the

decision and recommendations made thereon.

(7) Where a Ward committee acts in respect of an objection, the committee shall inform the applicant of the nature of the objection, and shall, if the applicant so requests, adjourn the hearing for such period, not being less than seven days, as the Ward committee considers necessary to enable the applicant to reply thereto.

Applicant and objector to appear in person or through an advocate at the hearing

25. (1) Every person making an application shall, save as otherwise provided, appear in person or by an advocate before the Ward Committee, and shall satisfy the Ward committee that there is need for the grant of a licence of the type applied for in the particular locality in respect of which the application is made.

Residents may be represented at hearing

26. A Ward may authorize, in writing, any person to appear before the Committee having jurisdiction in any area within the Sub County for the purpose of representing the residents in respect of any objection lodged to an application.

Evidence may be taken on oath at hearing

27. Where a Ward committee considers it necessary to take evidence in respect to any question to be determined by the court, such evidence shall be given on oath, and the chairman of the Ward committee shall be empowered to administer such oath.

Penal Code to apply to proceedings at hearing

28. For the purposes of Chapter XI of the Penal Code (which concerns offences relating to the administration of justice), all proceedings before a Ward committee shall be deemed to be judicial proceedings.

Records of Ward committee proceedings

29. Every Ward committee shall maintain records of all its proceedings, and in particular, the purpose for which an application was made, notes of the evidence given, the arguments adduced and the decision of the court thereon:

Provided that no decision shall be quashed on appeal solely by reason of any omission or error in such record, unless it appears that a substantial miscarriage of justice has been occasioned.

Record of recommendation of Ward committee

30. The Ward committee shall, within twenty- one days of receipt of the application under section 7, record the application and assess the same

on the basis of the objections received if any and the interests of the sub-county, and shall ensure that—

- (a) the available premises are suitable with regard to the nature of the licence being sought;
- (b) the premises conform to the prescribed requirements of the occupational health and safety regulations;
- (c) the applicant possesses the infrastructure and equipment necessary to carry out the business applied for;and,
- (d) the applicant for a licence to brew, distill, bottle or manufacture an alcoholic drink possesses necessary qualifications and relevant requirements stipulated under Standards Act or any other relevant written law.

Grant of a licence

31. (1) The Ward committee shall, after considering the application under section 20, indicate in writing whether it objects to the grant of the licence applied for.

(2) Where the Ward committee has no objection to the application under section 20, it shall submit the application to the county committee for review, approval and grant of licence.

(3) The county committee shall review the application and if it has no objection to the application, it shall grant a licence to the applicant upon payment of the prescribed fee.

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

(5) Where the county committee is not satisfied with the application under subsection (1), it may—

- (a) reject the application giving reasons and notify the applicant accordingly within thirty days of the decision to reject; or
- (b) make comments and recommendations thereon and return it to the applicant within fourteen days.

(6) The applicant to whom the application is returned under subsection (5)(b) may re-submit a revised application within thirty days of the date of notification to the Ward committee.

(7) On receipt of any revised application under subsection (6), the Ward committee shall, within thirty days review the application in accordance with this Act and upon such review, if satisfied, it shall submit the application to the county committee for consideration.

(8) Where the county committee grants a licence under this section it shall, publish the grant in the Sub county administrator's office in the respective Sub County.

License of premises where alcoholic drinks are sold

32. (1) The county committee shall not grant a new licence for the sale of an alcoholic drink to be consumed on the premises or sale of an alcoholic drink in an off-licence retail outlet commonly referred to as wines and spirits unless the county committee is satisfied that—

- (a) it would be in the public interest for provision to be made for the sale of alcoholic drink for consumption on the premises or in the off-licence retail outlet in the particular locality in respect of which the application is made, and that the number of such premises in respect of which such licences have already been granted is insufficient for the requirement of the locality as provided under the Fourth Schedule;
- (b) the premises is located at least three hundred metres from any nursery, primary, secondary or other learning institutions for persons under the age of eighteen years and or in the alternative, a wall or barrier of such quality and standard has constructed to demarcate the nursery, primary, secondary or other learning institution from the premises operating before the commencement of this Act in order to ensure that the person below the age of eighteen years is protected from accessing an alcoholic drink; and
- (c) provided that no licence shall be granted to sell alcoholic drinks in any institution of basic education including primary and secondary schools or any residential area as have been demarcated by or under the relevant written laws;
- (d) the premises in respect of which the application is made are in good repair and are in a clean and wholesome condition, and are provided with adequate and proper sanitary arrangements; and
- (e) the premises, other than hotel premises, in respect of which the application is made are located at least three hundred metres from any nursery, primary, secondary or other learning institutions for persons under the age of eighteen years.
- (f) provided that where a hotel is located within three hundred metres from the school, it shall not bear any outdoor promotion or advertisement related to alcoholic drinks;
- (g) the premises in respect of which the application is made is located within the areas prescribed under the Fourth Schedule.

(2) The county committee shall not grant a licence for the sale of an alcoholic drink in a supermarket or such other related retail chain store unless it is satisfied that the applicant has taken measures to ensure that the area in which the sale is to take place is not accessible to persons under the age of eighteen years.

(3) For avoidance of doubt and no licence shall be granted for sale of alcoholic drinks in the premises or for sale of an alcoholic drink in an off-licence retail outlet commonly referred to as wines and spirits in any area except towns and urban areas stipulated under the Fourth Schedule; and

(4) The county committee shall not grant licence for sale of alcohol in a general retail (off-licence) outlet whose floor area measures less than twenty square metres.

(5) The county executive member may, subject to the approval by the county assembly, classify and zone-specific areas or streets within towns and urban areas to be alcohol sale free zones.

(6) Where an area has been classified as an alcohol sale free zone, no alcoholic drink licence shall be issued for sale of alcoholic drinks within that area.

(7) The county executive member shall, while classifying the areas under subsection (5) take into consideration the public order, social order, public health, public safety and public security interests and factors in relation to the specific town and urban area.

Licences to bodies corporate

33. (1) A licence issued to a body corporate shall be issued in the name of the body corporate:

Provided that the county committee may require prior disclosure of the directorship of the body corporate or refuse to grant a licence to the body corporate if any of the directors does not qualify to be granted the licence individually.

(2) No transfer of a licence issued to a body corporate shall be necessary on any change in the office of secretary, but any person for the time being holding such office shall be entitled to the privileges granted by, and shall be subject to the duties and liabilities imposed upon the holder of, such licence.

Persons not eligible to be granted a licence

34. (1) The county committee shall not grant a new licence or transfer a licence to any person who—

(a) has failed to satisfy the county committee, if called upon to do

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so, of his good character and standing in relation to the expectations in this Act;

- (b) has been convicted of an offence under this Act or of any offence of which the sentence is imprisonment without the option of a fine in Kenya or elsewhere for a period in excess of six months;
- (c) in the case of a retail licence, is not resident in Kenya;
- (d) is under eighteen years of age; or
- (e) is an undischarged bankrupt.

(2) The County committee may refuse to renew an existing licence only when it is satisfied that—

- (a) the licensee is not a fit and proper person to hold the licence;
- (b) the licensee has been convicted of an offence under this Act or any Act at any time in force regulating the manufacture, distillation, distribution sale of an alcoholic drink for more than three times within one year;
- (c) has been convicted of an offence and sentenced to imprisonment without the option of a fine in Kenya or elsewhere for a period in excess of six months;
- (d) the business to which the licence relates is conducted in a manner that is in breach of this Act, or any other rules and regulations for the time being in effect, or conditions set by the county Committee;
- (e) the conditions of the licence have not been satisfactorily fulfilled; or
- (f) the premises to which the licence relates are not in a proper state of repair, or are not provided with proper sanitary arrangements, or do not comply with the reasonable requirements of the county public health officer and the owner of the premises or the licensee refuses or is unable to give satisfactory guarantees that the necessary repairs will be carried out, or due compliance effected, as the case may be, within a time specified by the county committee.

Types of licences

35. (1) The licences granted under this Act shall be those specified in the Second Schedule, and the provisions of that Schedule and of any rules made under this Act shall have effect in relation to the respective licences therein specified.

(2) The county committee shall, when a licence is granted, renewed, withdrawn or cancelled, include in the licence a sufficient description of the licensed premises.

(3) A licence shall not be granted to apply to more than one premises.

(4) A person intending to sell alcoholic drink in premises classified as lodging shall apply for general retail alcoholic drink licence.

(5) A holder of a hotel alcoholic drink licence shall—

(a) designate an area as a bar area where sale and consumption of alcoholic drink shall only take place and which shall be a restricted area for access to persons under the age of eighteen years; and

(b) not sell an alcoholic drink in the area designated as dining area.

(6) A holder of a general retail licence (off-licence) shall not sell alcoholic drink for consumption in the premises.

(7) The county executive member may issue a list of all premises in the county that are classified as hotel in accordance with the relevant written law.

(8) A person who contravenes subsection (5) and (6) commits an offence and shall, upon conviction be liable to a fine not exceeding one hundred thousand Kenya shillings or to imprisonment for a term not exceeding six months.

Grant and renewal of licences

36. (1) Except as otherwise provided in this Act, the county committee may, subject to this Part, grant, renew, transfer or remove a licence, and may embody therein such conditions as it may deem appropriate, or it may refuse to grant, renew, transfer, withdraw or cancel a licence.

(2) Every licence and every renewal, transfer, withdrawal or cancellation thereof shall be sufficiently authenticated by the county committee.

(3) Every grant of a licence or its every renewal or transfer shall—

(a) be subject to the payment of such fee or fees as may be prescribed;

(b) expire on the thirty first day of December in each year;

(c) specify in the licence the hours stipulated under the Third

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Schedule within which the sale of alcohol is permitted and any other relevant condition; and

- (d) specify the address of the person to whom the licence has been granted including the physical address and relevant geo-locational information of the premises from where the licenced activities shall be undertaken.

(4) Where an application for the renewal of a licence has been made and the county committee has not by the date of expiration of the licence reached a decision thereon, such licence shall continue in force until the decision of the county committee is made known.

(5) Where an application for a licence has been refused, or a licence has been cancelled, no subsequent application by the former applicant or licensee for a licence of the same description shall be considered by the county committee during the period of six months from the date of such refusal or cancellation, except at the discretion of the county committee.

Transfer of licences

37. (1) Where a licensee sells or leases or otherwise disposes of the premises or business specified in his licence, he may apply in writing to the Ward committee for the transfer of his licence to the purchaser or lessee or otherwise of such premises, and the Ward Committee may, if it thinks fit, recommend to the County Committee to grant the transfer of such licence.

(2) No further fee shall be payable in respect of a licence granted under this Act if, at the date of the grant, the licence which was temporarily transferred was valid for a period of more than six months.

(3) In the event of the death, bankruptcy or unsoundness of mind of a licensee, or in any similar event to which the Ward committee declares in writing that this section should be applied, it shall be lawful, for the purposes of this Act for the executor, administrator, trustee or manager, as the case may be or any other person approved by the Ward committee, to carry on the business of the licensee without any transfer or grant of a licence either personally or by an agent approved by the Ward committee.

(4) Every person to whom a licence may have been transferred under subsection (1), and every person permitted to carry on a business without a transfer or grant of a licence in pursuance of subsection (3), shall possess all the rights and be liable to all the duties and obligations of the original licensee.

Review of applications

38. (1) An applicant whose application for a new licence, to renew or transfer a licence has been refused may within fourteen days of such

refusal, request in writing the review of such refusal to the county committee.

(2) A person aggrieved by the decision of the Ward committee to approve grant of a new licence or to renew a licence may request in writing, the application for a review of such decision by the county committee.

(3) Upon receipt of a request under this section, the county committee shall notify the Ward committee of the pending review.

(4) The county committee shall within twenty-one days consider and make a final determination on the request for review.

(5) The county committee may—

- (a) dismiss the request for review if in its opinion, the request is frivolous or vexatious;
- (b) uphold the decision of the Ward committee;
- (c) annul the decision of the Ward committee;
- (d) give directions with respect to any action to be taken; or
- (e) make any other declaration as it may deem fit.

Refusal to renew licence

39. If the renewal of a licence is refused, the licensee shall, on payment of the proportionate part of the fee for the appropriate licence, be entitled to a licence of such description and for such period, not exceeding three months, as the county Committee may consider necessary for the purpose of disposing of the alcoholic drink or apparatus on the premises, such period to commence on the day after the last sitting of the county Committee at which the renewal of his licence has been refused, or on the day after the termination of his existing licence, whichever day is the later.

Suspension or cancellation of a license

40. (1) The Director may on recommendation of the Ward Committee, the Ward alcoholic drinks licensing officer or by the petition of at least twenty per cent of the residents suspend or cancel a license pending determination by the County committee; where satisfied that the licensee has contravened the provisions of this Act or other relevant written laws including noise pollution and general nuisance—

- (a) the licensee has contravened the conditions of the declaration made in accordance with section 20;
- (b) the business to which the license relates is being conducted in a

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manner that is contrary to the provisions of this Act;

- (c) the licensee has failed to comply with the conditions of a license granted under this Act; or
- (d) any requirement for the grant of a license under this Act has been violated.

(2) Notwithstanding Sub-section (1) above, the Director shall not suspend or cancel a licence unless the licensee—

- (a) has been served with a notice of at not less than seven days giving notice of the intention to suspend or cancel the licence and the reasons for such intention;
- (b) has, within fourteen days from the date of such service, been given the opportunity to be heard by the Ward committee convened for that purpose; and
- (c) has been notified of the decision of the Ward committee.

(3) Upon cancellation or suspension of the licence, the licensee shall with immediate effect cease to manufacture, distribute or sell an alcoholic drink except in accordance with the written direction for sale or disposal of an alcoholic drink as may be given by the Director.

Cancellation of licences

41. (1) Upon receipt of a report made under section 40 and 42 the Ward Committee shall—

- (a) send, by registered post or other verifiable mode of dispatch, a copy of the report to the licensee concerned therewith, informing him that at a meeting of the Ward Committee to be held on a date to be specified, but not less than thirty days there from, the report will be considered by the Ward Committee;
- (b) send a copy of the report to every member of the Ward committee and to the Officer Commanding Police Services in the Ward; and
- (c) inform the Ward public health officer or the police officer, as the case may be, of the date upon which the Ward committee will consider the report, and require him to attend on the date specified.

(2) Any licensee concerning whom a report is to be considered may appear in person or by advocate before the Ward Committee.

(3) The Ward Committee, having duly considered the report and

having heard the licensee, if he appears, may, if it thinks fit, cancel the licence of the licensee reported upon, or it may make such recommendations to the county committee in respect of such licence or the licensed premises specified therein as, in the opinion of the Ward Committee, is necessary.

(4) The county committee upon receiving and reviewing the recommendations under subsection (3), may make such an order in respect of such licence or the licensed premises specified therein as, in the opinion of the county committee, is necessary.

(5) Any person aggrieved by the decision of the county committee upon any such report may within twenty-one days appeal against the decision to High Court.

(6) If a licence is cancelled or if on appeal under sub section (5), the appeal is dismissed by the Court, the licensee shall be entitled, on payment of the proportionate part of the fee for the appropriate licence, to a licence of such description and for such period, not exceeding three months, as the Ward committee may deem necessary for the purpose of disposing of the alcoholic drink or apparatus on the premises, such licence to run from the date of the decision of the county Committee or of the Court as the case may be.

Reports by public health officers and police officers

42. (1) A Ward public health officer within whose jurisdiction the premises fall shall report to the Ward Committee any licensed premises which are deficient in their state of sanitary or drainage conditions, or which are in bad repair.

(2) A Ward public health officer or any person authorized by him in writing in that behalf may enter and inspect any licensed premises for the purpose of ascertaining whether a report under subsection (1) is required.

(3) A police officer not below the rank of Inspector shall report in writing to the chairperson of the appropriate Ward Committee every case in which a licensee is of drunken habits or keeps a disorderly house, or commits any breach of any of the provisions of this Act or of his licence.

(4) A police officer not below the rank of Inspector may without written authority enter and inspect any licensed premises for the purpose of ascertaining whether a report under subsection (1) is required.

Display of licences

43. (1) Every licence shall be prominently and conspicuously displayed on the premises to which it relates, and any licensee who fails or neglects so to display his licence commits an offence.

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(2) Any person causing or permitting to be on his premises or on premises under his control any words, letters or sign falsely importing that he is a licensee commits an offence.

List of suppliers to be maintained by licensee

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

- (a) maintain a list of all alcoholic drinks manufactured, distributed or sold in the prescribed form;
- (b) maintain a list of persons who supply to the licenced persons inputs for manufacturing alcoholic drinks in the case of a manufacturer and the persons who supply alcoholic drinks to a licenced person in the prescribed form; and
- (c) submit in the list described under paragraphs (a) and (b) in each quarter to the Licensing Officer.

(2) The county executive member may facilitate the establishment of an online system for submitting the lists described under subsection (1).

(3) A person who contravenes this section commits an offence and shall be liable upon conviction to a fine not exceeding ten thousand or to imprisonment for term not exceeding one month.

PART V—GENERAL REQUIREMENTS

Conformity with requirements

45. (1) No person shall manufacture, or distribute or sell an alcoholic drink in the county that does not conform to the requirements of this Act or any other written law regulating alcoholic drinks.

(2) A person who contravenes the provisions of this section in relation to manufacture, distribution of an alcoholic drink commits an offence and shall be liable to a fine not exceeding two million shillings, or to imprisonment for a term not exceeding five years, or to both.

(3) A person who contravenes the provisions of this section in relation to sale of an alcoholic drink commits an offence and shall be liable to a fine not exceeding one hundred and fifty thousand shillings, or to imprisonment for a term not exceeding one year, or to both.

Supply to young persons

46. (1) No person shall sell, supply or provide an alcoholic drink to a person under the age of eighteen years.

(2) Subject to subsection (3), a person who contravenes the provisions of subsection (1) commits an offence and shall be liable to a

fine not exceeding one hundred and fifty thousand shillings, or to imprisonment for a term not exceeding one year, or to both.

(3) Notwithstanding the provisions of subsection (1), it shall be a defence to an offence under this section if it is established that the accused person attempted to verify that the young person was at least eighteen years of age by asking for and being shown any of the documents specified in subsection (4) for the purpose of verifying the age of the young person and believed, on reasonable grounds, that the documentations was authentic.

(4) For the purposes of this section, the following documentation may be used to verify a person's age—

- (a) a national identity card;
- (b) a valid passport; or
- (c) any other documentation as the Executive Member may prescribe.

Display of signs

47. (1) Every retailer shall post, in the prescribed place and manner, signs in the prescribed form and with the prescribed content, that inform the public that the sale or the availing of an alcoholic drink to a person under the age of eighteen years is prohibited by law.

(2) Every sign required to be posted under subsection (1) shall—

- (a) be displayed on a surface measuring not less than twelve inches by eight inches in size;
- (b) bear the word “WARNING” in capital letters followed by the prescribed health warning which shall appear in conspicuous and legible type and shall be black on a white background or white on a black background and shall be enclosed by a rectangular border that is the same colour as the letters of the statement;
- (c) be in English or in Kiswahili.

(3) A retailer who contravenes any of the provisions of this section commits an offence and shall be liable to a fine not exceeding fifty thousand shillings, or to imprisonment for a term not exceeding six months, or to both.

(4) The county executive member shall, in collaboration with the relevant county departments install in all nursery, primary and secondary schools, signs bearing the words “warning: THIS IS AN ALCOHOL-FREE AREA”.

Vending machines

48. (1) No person shall sell or permit an alcoholic drink to be sold by way of an automatic vending machine.

(2) A person who contravenes this section commits an offence and shall be liable to a fine not exceeding one hundred thousand shillings, or to imprisonment for a term not exceeding twelve months, or to both.

Packaging

49. (1) No person shall sell, manufacture, pack or distribute an alcoholic drink in sachets or such other form as may be prescribed under this Act or any other relevant written law.

(2) Notwithstanding the provisions of subsection (1)—

- (a) no person shall manufacture, pack, distribute or sell in the county an alcoholic drink in a container of less than two hundred and fifty millilitres;
- (b) any other distilled or fortified alcoholic drink shall only be manufactured, packed, sold or distributed in glass bottles of the kind specified in paragraph (a); and
- (c) labelling on containers should have the health warnings as prescribed under national standards and legislation.

(3) Each bottle in which an alcoholic beverage is packaged shall be inscribed with the name of the manufacturer in such a manner as the inscription may not be altered or defaced.

(4) A person who contravenes this section commits an offence and shall be liable to a fine not exceeding one hundred thousand shillings, or to imprisonment for a term not exceeding six months, or to both.

Transportation of alcoholic drinks

50. The county executive committee member shall, by Regulations, prescribe the manner that vehicles used for the transportation of alcoholic drinks for the purposes of sale or distribution shall be branded including—

- (a) the proportion of the surface area of the vehicle that may be covered by branding; and
- (b) the proportion of the branded area of the vehicle that shall be reserved for health warnings.

Production, sale and distribution of traditional liquors

51. (1) No person shall produce, distribute, sell or offer for sale

traditional liquor without a license issued by the public health department.

(2) A person shall be eligible to be granted with a licence under subsection (1) if—

- (a) that person has been vetted by the Ward committee and a recommendation has been made to the County committee to issue the person with a licence;
- (b) the premises for the production or manufacture of the traditional liquor has been approved by the County Public Health Officer; and
- (c) the process for the production or manufacture of the traditional liquor conforms to the standards prescribed by the Kenya Bureau of Standards.

(3) No person shall produce or manufacture traditional liquor in excess of the limits that shall be prescribed by the County Committee.

(4) No person shall produce or manufacture traditional liquor in a residential area or a dwelling house:

(5) Notwithstanding the provisions of this section, a person who on a small scale brews traditional alcoholic drinks for consumption at a traditional or cultural ceremony shall apply for a temporary brewing licence.

(6) The applicant shall disclose the—

- (a) name and type of the traditional brew;
- (b) ingredients used or to be used to brew;
- (c) quantity intended to be brewed; and
- (d) place of consumption of the brew.

(7) The sub county committee shall prior to grant of a licence under this section ensure that the brew meets the quality standards set by the county public health department.

(8) An applicant under this section shall be required to pay applicable public health fee.

PART VI—SALE AND CONSUMPTION

Access to persons under eighteen years

52. (1) No person holding a licence to manufacture, store or sell alcoholic drinks under this Act shall allow a person under the age of eighteen years to enter or gain access to the area in which the alcoholic drink is manufactured, stored, sold or consumed.

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(2) A person shall not enter or gain access to an area referred to under subsection (1) if such a person is in custody or accompanied by a person under the age of eighteen years.

(3) Any person who contravenes the provisions of subsection (1) and (2) commits an offence and shall be liable upon conviction to a fine not exceeding two hundred and fifty thousand shillings or to imprisonment for a term not exceeding one year or to both.

Disorderly conduct

53. (1) Any person found by a police officer to be drunk and disorderly in or near a street, road, licensed premises, shop, hotel or other public place may be arrested without warrant and brought without unreasonable delay before a Magistrate.

(2) Any person convicted of being drunk and disorderly in or near a place referred to in subsection (1) shall be liable to a fine not exceeding five thousand shillings or to imprisonment for a term not exceeding three months or to both.

(3) Upon conviction under sub-section (2), the convicting Magistrate may issue an order for community service to any person convicted of the offence under this section for more than one time in accordance with provisions of the Community Service Orders Act, 1998.

(4) Despite sub-section (3), any person convicted under subsection (2) on more than three occasions in any period of twelve months shall—

- (a) be ordered by the convicting Magistrate to undergo at his own cost, such rehabilitation programme as may be appropriate in a public health institution; and
- (b) be forthwith reported by the convicting Magistrate to the Ward Committee, which shall inform such licensees as he deems desirable of such convictions, and thereupon, and until a period of twelve months has passed without any further such conviction in respect of that person, any licensee so informed who knowingly sells or supplies alcoholic drinks to or for delivery to that person commits an offence, and it shall furthermore be an offence for that person to be in possession of any alcoholic drink.

Sale to driver of motor vehicle

54. (1) A person shall not knowingly sell, offer for sale or supply an alcoholic drink to a person who being in charge of driving a vehicle or

being likely to be driving a vehicle immediately after the consumption of the alcoholic drink.

(2) A person who contravenes this section commits an offence and shall be liable to a fine not exceeding ten thousand or to imprisonment for a term not exceeding one month.

Breach of licence

55. (1) Any person who sells an alcoholic drink or offers or exposes it for sale or who bottles an alcoholic drink except under and in accordance with, and on such premises as may be specified in a licence issued in that behalf under this Act commits an offence and is liable—

- (a) for a first offence, to a fine not exceeding fifty thousand shillings or to imprisonment for a term not exceeding nine months, or to both;
- (b) for a second or subsequent offence, to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding one year or to both; and
- (c) in addition to any penalty imposed under paragraph (a) or (b), the court may order, the forfeiture of all alcoholic drinks found in the possession, custody or control of the person convicted, together with the vessels containing the alcoholic drink.

(2) Except as may be provided for in this Act, no person shall—

- (a) sell, supply or offer for sale an alcoholic drink in any workplace, office, factory, public park or any public recreational facility, public transport vehicle, public beach, sports stadium or public street; or
- (b) sell, purchase or consume an alcoholic drink in an alcoholic drink selling outlet after the expiry of the hours for which the outlet is licensed to sell the alcoholic drink.

(3) Any person who contravenes the provisions of subsection (2) commits an offence and shall be liable to the penalties specified under subsection (1).

Non-disclosure of conviction

56. Any person who is required by any provision of this Act to disclose any conviction and fails to do so when making any application commits an offence.

Sale without a licence

57. (1) If any person purchases any alcoholic drink from a licensee whose licence does not cover the sale of that alcoholic drink for consumption on the premises, and drinks the alcoholic drink on the

premises where it is sold, or in any premises adjoining or near to those premises, if belonging to the seller of the alcoholic drink or under his control or used by his permission, or on any highway adjoining or near any such premises, and it is proved to the court that the drinking of the alcoholic drink was with the privity or consent of the licensee who sold the alcoholic drink, the licensee commits an offence.

(2) If a licensee whose licence does not cover the sale of alcoholic drink to be consumed on his premises himself takes or carries, or employs or suffers any other person to take or carry, any alcoholic drinks out of or from his premises for the purpose of being sold on his account, or for his benefit or profit, and of being drunk or consumed in any place (whether enclosed or not, and whether or not a public thoroughfare) other than the licensed premises, with intent to evade the conditions of the licence, the licensee commits an offence, and, if the place is any house, tent, shed or other building belonging to the licensee or hired, used or occupied by him, the licensee shall be deemed, unless the contrary is proved, to have intended to evade the conditions of the licence.

Manufacture and sale of adulterated alcoholic drinks

58. (1) No person shall manufacture, distribute, keep for sale, offer for sale or sell—

- (a) any alcoholic drink which has been in any way adulterated, or diluted by any person; and
- (b) any non-alcoholic drink which has been in any way adulterated with alcohol, or which contains any of the substances prohibited under any written law.

(2) A person who, while manufacturing an alcoholic drink adulterates the alcoholic drinks by way of adding impurities, prohibited substances or additives to the alcoholic drink commits an offence and shall, upon conviction be liable to a fine not exceeding ten million Kenya shillings or to imprisonment for a term not exceeding ten years, or to both.

(3) A person who knowingly distributes an alcoholic drink that is adulterated commits an offence and shall, upon conviction be liable to a fine not exceeding two million Kenya shillings or to imprisonment for a term not exceeding two years, or to both.

(4) A person who knowingly sells an alcoholic drink that is adulterated commits an offence and shall, upon conviction be liable to a fine not exceeding five hundred Kenya shillings or to imprisonment for a term not exceeding two years, or to both.

(5) On the conviction of a licensee of an offence under subsection (2), (3) and (4) the court may, in addition to any other penalty it may lawfully impose, if it finds that the drink in respect of which the offence

was committed was adulterated by a substance or substances which rendered the drink unfit for human consumption, and unless the licensee proves to the satisfaction of the court that he took all reasonable precautions against such adulteration and that such adulteration took place without his knowledge or consent, order that his licence be forfeited, and no licence shall thereafter be granted or transferred to him.

Proof of sale

59. (1) In any proceedings under this Act relating to the sale or consumption of an alcoholic drink, such sale or consumption shall be deemed to be proved if the court is satisfied that a transaction in the nature of a sale took place, whether or not any money has been shown to have passed, or as the case may be, if the court is satisfied that any consumption was about to take place.

(2) Evidence of consumption or intended consumption of an alcoholic drink, on licensed premises by some person other than the licensee or a member of his family or his employee or agent shall be prima facie evidence that the alcoholic drink was sold by or on behalf of the licensee to the person consuming or about to consume the alcoholic drink.

Endorsement of conviction on licence

60. Every licensee who is convicted of an offence under this Act shall produce his licence to the court convicting him, and the court shall endorse every such conviction on the licence and the relevant administrative officer of the court shall inform the relevant county committee.

Forfeiture of licence upon conviction

61. If in any proceedings before a court it appears that a licensee—

- (a) whether he was present in the licensed premises or not, has permitted an unlicensed person to be the owner or part owner of the business of the licensed premises or to have a substantial interest in that business, except with the consent of the county committee;
- (b) is convicted of an offence under this Act and a previous conviction within the preceding twelve months of the same or any other offence under this Act or three such previous convictions within the preceding five years is or are proved;
- (c) is twice convicted within twelve months of selling, offering or keeping for sale any adulterated alcoholic drink,
- (d) then the court may, in addition to any other penalty which it may lawfully impose, order that his licence be forfeited, and that no

licence shall be issued or transferred to him for a period of two years.

PART VII—ADVERTISEMENTS AND PROMOTIONS

Prohibited advertisements and promotions

62. (1) No person shall promote an alcoholic drink by way of outdoor advertisement—

- (a) in a manner that is false, misleading or deceptive or that are likely to create an erroneous impression about the characteristics, health effects, health hazards or social effects of the alcoholic drink;
- (b) through painting or decorating any building or premises, except the interior part of licensed premises, with the name of the alcoholic drink or manufacturer, colour and brand images or logos associated with a manufacturer or an alcoholic drink or any other related form; and
- (c) in places demarcated under any written law as residential areas or within a distance of three hundred metres from nursery, primary, secondary school, or other institution of learning for persons under the age of eighteen years or a place of worship, health facility or a public playground, public road reserve or any other public land or property or in public service vehicle.

(2) A person who contravenes the provisions of this section commits an offence and shall be liable to a fine not exceeding five hundred thousand shillings, or to imprisonment for a term not exceeding three years, or to both.

(3) Pursuant to Article 24(2) of the Constitution, the right to freedom of expression set out in Article 33 of the Constitution is limited to the extent specified in this section for the purpose of—

- (a) protecting consumers of alcoholic drinks from misleading or deceptive inducements to use alcoholic drinks; and
- (b) protecting persons under the age of eighteen years from negative impact on health and social development from exposure to advertisements of alcoholic drinks.

Promotion at events where under-eighteen-year-olds are present

63. (1) No person shall promote an alcoholic drink—

- (a) at any event or activity associated with persons under the of eighteen years; or

(b) using such things or materials that are associated with persons under the age of eighteen years.

(2) Any person who contravenes the provisions of this section commits an offence and shall be liable to a fine not exceeding five hundred thousand shilling or imprisonment for a term not exceeding three years or to both such fine and imprisonment.

(3) Pursuant to Article 24(2) of the Constitution, the right to freedom of expression set out in Article 33 of the Constitution is limited to the extent specified in this section for the purpose of protecting persons under the age of eighteen years from negative impact on health and social development from exposure to advertisements of alcoholic drinks.

Encouraging consumption

64. (1) A licensee shall not—

(a) award, grant or give to a person an alcoholic drink for consumption in or outside the licensed premises without any consideration equivalent to the market price of the alcoholic drink; or

(b) promote any alcoholic drink in such a manner as to encourage more consumption of an alcoholic drink in order to win an award or prize.

(2) A person who contravenes any of the provisions of this section commits an offence and shall, on conviction, be liable to a fine not exceeding five hundred thousand shillings, or to imprisonment for a term not exceeding three years, or to both.

(3) Pursuant to Article 24(2) of the Constitution, the right to freedom of expression set out in Article 33 of the Constitution is limited to the extent specified in this section for the purpose of protecting consumers of alcoholic drinks from misleading or deceptive inducements to use alcoholic drinks and also for the purpose of protecting persons under the age of eighteen years from negative impact on health and social development from exposure to advertisements of alcoholic drinks.

PART VIII—ENFORCEMENT

Appointment of authorised officers

65. (1) The county executive member may appoint for each Ward authorized officers for purposes of this Act.

(2) In addition to the authorized officer appointed under this section, the following officers shall be deemed to be authorised officers for the purposes of this Act—

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- (a) the Ward licensing officers;
- (b) County enforcement officers;
- (c) public health officers appointed under the Public Health Act;
- (d) enforcement officers appointed under the National Police Service Act, 2011, Standards Act, Weights and Measures Act and Anti-Counterfeit Act; and
- (e) any other person upon whom any written law vests functions of the maintenance of law and order.

Places authorised officers may enter

66. (1) For the purposes of ensuring compliance with this Act, an authorised officer may, at any reasonable time, enter any place in which the officer believes on reasonable grounds that any person or persons is in any way contravening the provisions of this Act.

(2) An authorised officer entering any premises under this section shall, if so required, produce for inspection by the person who is or appears to be in charge of the premises his identification.

Powers of authorised officers

67. In carrying out an inspection in any place pursuant to section 75, an authorised officer may—

- (a) examine an alcoholic drink or anything referred to in that section;
- (b) require any person in such place to produce for inspection, in the manner and form requested by the officer, the alcoholic drink or thing;
- (c) open or require any person in the place to open any container or package found in the place that the officer believes on reasonable grounds contains the alcoholic drink or thing;
- (d) conduct any test or analysis or take any measurements; or
- (e) require any person found in the place to produce for inspection or copying, any written or electronic information that is relevant to the administration or enforcement of this Act.

Use of records

68. In carrying out an inspection in a place, an authorised officer may—

- (a) use or cause to be used any computer system in the place to examine data contained in or available to the computer system

that is relevant to the administration or enforcement of this Act;

- (b) reproduce the data in the form of a print- out or other intelligible output and take it for examination or copying;
- (c) use or cause to be used any copying equipment in the place to make copies of any data, record or document; and
- (d) scrutinize any other record system in use in that place.

Entry into dwelling places

69. An authorised officer may not enter a dwelling place except with the consent of the occupant or under the authority of a warrant issued under section 70.

Court to issue warrant

70. (1) Upon an ex parte application, a magistrate or judge of the High Court, may issue a warrant authorising the authorised officer named in the warrant to enter and inspect a dwelling place, subject to any conditions specified in the warrant, if the magistrate or judge is satisfied by information on oath that—

- (a) the dwelling place is a place referred to in section 79;
- (b) entry to the dwelling place is necessary for the administration or enforcement of this Act; and
- (c) the occupant does not consent to the entry, or that entry has been refused or there are reasonable grounds for believing that it will be refused.

(2) The time of such entry shall be between 6 am in the morning and 6 pm in the afternoon of any day of the week.

Use of force

71. An authorised officer executing the warrant issued under section 70 shall not use force unless such officer is accompanied by a police officer and the use of force is specifically authorised in the warrant.

Certificates of analysis

72. An authorised officer who has analyzed or examined an alcoholic drink or thing under this Act, or a sample of it, shall issue a certificate of analysis or report setting out the results of the analysis or examination.

Assistance of officers

73. (1) The owner of a place inspected by an authorised officer under this Act or the person in charge of the place and every person found in the place shall—

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- (a) provide all reasonable assistance to enable the authorised officer to carry out his duties under this Act; and
- (b) furnish the authorised officer with such information as the officer reasonably requires for the purpose for which entry into the place has been made.

(2) The inspecting agent in subsection (1) shall issue the respective inspection completion and certification certificate once satisfied with the inspection.

Obstruction of authorised officers

74. A person who obstructs, hinder, or knowingly make a false or misleading statement to an authorised officer who is carrying out duties under this Act commits an offence and is liable upon conviction to a fine not exceeding one hundred thousand or an imprisonment term of three months or to both.

Seizures

75. (1) During an inspection under this Act, an authorised officer may seize any alcoholic drink or thing by means of which or in relation to which the officer believes, on reasonable grounds, that this Act has been contravened and a full inventory thereof shall be made at the time of such seizure by the officer.

(2) The authorised officer may direct that any alcoholic drink or thing seized be kept or stored in the place where it was seized or that it be removed to another place.

(3) Unless authorised by an officer, no person shall remove, alter or interfere in any manner with any alcohol, alcoholic drink or other thing seized.

(4) Any person from whom an alcoholic drink or thing was seized may, within thirty days after the date of seizure, apply to the High Court for an order of restoration, and shall send notice containing the prescribed information to the Executive Member within the prescribed time and in the prescribed manner.

(5) Pursuant to Article 24(2) of the Constitution, the rights to privacy and property set out in Articles 31 and 40 of the Constitution are limited to the extent specified in this section for the purpose of protecting consumers of alcoholic drinks by ensuring fair and ethical business practices related to production, distribution, promotion and sale of alcoholic drinks as specified in this Act.

(6) The court may, upon production of the alcoholic drink seized as evidence for the purposes of proceedings before the court in relation of contravention of this Act, order for public destruction of the alcoholic

drinks save for what is necessary as sample for use as the necessary evidence during the proceedings.

Forfeiture of seized vessels, etc

76. Where a person is convicted of an offence of producing, manufacturing and transporting alcoholic beverages contrary to the provisions of this Act, the premises, vessels, vehicles, tools or implements used in the commission of the offence may be forfeited to the County Government.

Order for restoration

77. (1) The High Court may order that the alcoholic drink or thing be restored immediately to the applicant if, on hearing the application, the court is satisfied that—

- (a) the applicant is entitled to possession of the alcoholic drink or thing seized; and
- (b) the alcoholic drink or thing seized is not and will not be required as evidence in any proceedings in respect of an offence under this Act.

(2) Where upon hearing an application made under subsection (1) the court is satisfied that the applicant is entitled to possession of the alcoholic drink or thing seized but is not satisfied with respect to the matters mentioned in paragraph (b) of subsection (1), the court may order that the alcoholic drink or thing seized be restored to the applicant on the expiration of one hundred and eighty days from the date of seizure if no proceedings in respect of an offence under this Act have been commenced before that time.

General penalty

78. Any person convicted of an offence under this Act for which no other penalty is provided shall be liable to a fine not exceeding five hundred thousand shillings, or to imprisonment for a term not exceeding three years, or to both.

PART IX—MISCELLANEOUS PROVISIONS

Regulations

79. (1) The county executive member shall, make Regulations generally for the better carrying out of the objects of this Act.

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

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- (a) prescribe anything required by this Act to be prescribed or prohibit anything required by this Act to be prohibited;
- (b) prescribe the forms of applications, notices, licences and other documents for use under this Act; and
- (c) prescribe the fees payable under this Act.

(3) Pursuant to Article 94(6) of the Constitution, the legislative authority delegated to the Executive Member in this section shall be exercised only for the purpose and intent specified in this section and in accordance with the principles and standards set out in the Interpretation and General Provisions Act and the Statutory instrument Act, 2013.

Savings and Transitional provisions

80. (1) A person who held a valid licence on the commencement of this Act, shall be deemed to have been granted a licence under this Act:

Provided that the validity of a licence granted before the commencement of this Act shall expire on the 31st December, 2024.

(2) An application for a license that had been lodged with the County Government before the commencement of this Act shall be deemed to have been validly lodged under this Act and provided that the relevant committee shall have the right to request additional information or documentation from an applicant who had applied for a licence before the commencement of this Act.

(3) Any proceedings in respect of a contravention of a provision of a law in respect of the matters contemplated under this Act shall proceed in accordance with the provisions of that other law.

(4) Any appeal or application for review against a decision in respect of an application for a licence under a written law in existence immediately before the commencement of this Act shall be heard and determined in accordance with the provisions of that written law.

(5) Notwithstanding any other provision of this Act, a person who was a committee member appointed under Kiambu County Alcoholic Drinks Control Act (Revised 2022) immediately before the commencement of this Act shall be deemed to be a committee member appointed under this Act.

(6) The Kiambu County Alcoholic Drink Control Act revised 2022 shall stand repealed upon the commencement of this Act.

(7) Any monies held under the fund account of the Kiambu County Alcoholic Drinks Control as established under the Kiambu Control Act (Revised, 2022) shall be deemed to be monies held under the Fund

established in this Act.

Indemnity

81. Any person discharged with the mandate of implementing or enforcing the provisions of this act shall be indemnified against all actions, proceedings, claims, demands, liabilities, losses, costs, charges, damages and expenses in relation to, or arising out of any lawful discharge of their functions.

FIRST SCHEDULE**(Sections 9 and 11)****MEETINGS OF COUNTY COMMITTEE AND WARD
COMMITTEES**

1. (1) The committees shall elect the deputy-chairpersons during its first sitting.

(2) The Committees shall meet for a minimum of six (6) times per year. The meetings of the Committees shall be held on such date and time as the committee shall decide or, in the absence of such decision, on any other time as the Chairperson, may, in consultation with the Secretary decide.

(3) A written notice of every meeting shall be given seven days prior to the date of the meeting, indicating the venue, date, time and agenda.

(4) The Chairperson shall preside at every meeting of the committee at which he or she is present and in the absence of the Chairperson, the deputy chairperson shall preside. In their absence, members at the meeting shall elect one of the members who shall with respect to that meeting and the business transacted thereat, have all the powers of the Chairperson.

(5) All the decisions of the Committees shall be by simple majority of all members present and voting.

(6) The Chairperson shall not have an original vote but shall have a casting vote in case of a tie on any decision before the committee.

(7) The Committees shall cause minutes of all proceedings of the meetings to be entered in minute book for that purpose.

(8) The quorum of the meetings of the committees shall be half of its members.

SECOND SCHEDULE**TYPES OF LICENCES****Manufacturer's licence**

1. (1) Subject to the conditions specified in the licence, a Manufacturer's licence authorizes the holder to—

- (a) manufacture and store the manufactured alcoholic drink in his depot;
- (b) sell the product of his manufacturing plant by wholesale in accordance with the conditions that are for the time being, applicable to a holder of a wholesale licence or by delivery from depot throughout Kenya in accordance with the Alcoholic Drinks Control Act, 2010—
 - (i) provided that the manufacturer shall be required to possess a licence to distribute the product of his manufacturing plant within the county; and
 - (ii) bottle the alcoholic drink subject to such conditions as may be prescribed.

(2) For the purposes of this paragraph, "depot" means premises of whatever description which are occupied by a Manufacturer for of his trade.

Wholesaler's licence

2. A wholesale licence authorizes the licensee to sell an alcoholic drink at the premises at wholesale specified in the licence, subject to such conditions as may be:

Provided that a licence shall not sell any alcoholic drink for consumption in the premises.

Retailer's licence

3. A retail licence authorizes the licensee to sell an alcoholic drink on the premises, at the hours and subject to such other conditions as are specified in the licence.

Distributor's licence

4. A distributor's licence authorizes the licensee to distribute or supply an alcoholic drink within the county subject to such other conditions as are specified in the licence:

Provided that a distributor of an alcoholic product in the county shall establish a depot in the county and possess a licence for the depot and for distributing the product.

THIRD SCHEDULE**CLASSIFICATION OF LICENCES AND OPERATION HOURS**

	Type of Licences	Licence hours, conditions and exceptions
1	General retail outlet (on-licence) Alcoholic Drinkks Licence	Authorised to sell alcoholic drinks from Monday to Friday during the hours of 5:00 pm to 11:00 p.m. during weekends and public holidays during the hours of 2:00p.m to 11:00pm
2	General retail outlet (off-licence) Alcoholic Drinks Licence for outlets or liquor shops commonly referred to as wines and spirits	Authorised to sell alcoholic drinks on any day of the week during the hours of 5:00 pm to 11:00 p.m. in Towns and urban areas.
3	Wholesale alcoholic drinks licence	Authorised to sell alcoholic drinks on any day of the week during the hours of 10:00 am to 9:00 p.m. and in bulk.
4	Distributors alcoholic drinks licence	Authorised to sell alcoholic drinks on any day of the week between 6:00am to 6:00 pm
5	Alcoholic Drink Licence (on-licence) for retail outlets commonly known as Bar and Restaurant	(a) From Monday to Friday during the hours of 11.00 am. to 3.00am. (b) During weekends and public holidays during the hours of 11:00 am to 4 :00 a.m.
6	Supermarket or Franchised Retail Chain Stores Alcoholic Drink Licence (Off-Licence)	Authorised to sell alcoholic drink on any day of the week during the hours of 10.00 a.m. to 9:00 p.m.

	Type of Licences	Licence hours, conditions and exceptions
7	Hotel Alcoholic Drink Licence	Authorized to sell alcoholic drink on any day of the week to a lodger - for his own consumption and his guest's consumption on the premises, at any hour.
8	Members Club Alcoholic Drink Licence A members club licence shall only be held to a members' club that is a non-profit association incorporated under the Society's Act and existing solely for the benefit of members and where no profits are drawn by any member of the club or any person managing or associated with the operations and governance of the club.	Authorized to sell alcoholic drink to members on any day of the week at any hour.
9	Night Club Alcoholic Drinks Licence	Authorized to sell alcoholic drink any day of the week during the hours of 6.00 p.m. to 3.00 a.m.
10	Temporary/occasional alcoholic drinks licence	Authorised to sell alcoholic drink on the day and during the hours stipulated in the license by the Ward Committee for the purposes of specific occasions, ceremonies or events as indicated in the application.
11	Theatre alcoholic drinks licence	Authorized to sell alcoholic drink any day of the week during the hours of 5:00 p.m. to 11:00 p.m.
12	Travellers' Alcoholic Drink License	Authorized to sell alcoholic drink on any day of the week at any hour to persons bona fide travellers on board a train or air.
13	Railway Restaurant Car Alcoholic Drink License.	Authorized to sell alcoholic drink at any hour

FOURTH SCHEDULE**PERMITTED AREAS OF SALE OF ALCOHOLIC DRINKS**

Zone	Area
Zone A All licences are permitted including off licence, wholesale and franchised premises	Towns as may be prescribed.
Zone B All licences are permitted including off licence, wholesale and franchised premises	Urban centres as may be prescribed
Zone C General Alcoholic Drinks Retail Licence (Off licence popularly known as wines and spirits) are NOT permitted in this zone.	Rural areas as may be prescribed

FIFTH SCHEDULE**LICENCE FEES**

No.	Type of License	Fees	
		For 12 months	For 6 months or less
1	General retail alcoholic drink license(on License)—		
	(a) in respect of premises situate within a town.....	57,000	35,000
	(b) in respect of premises situate within urban areas other than a town.....	37,000	25,000
	(c) in respect of premises situate elsewhere than in a town or urban areas	21,000	15,000
2	Bar and Restaurant Alcoholic Drink License		
	(a) in respect of premises situate within a town	96,000	60,000
	(b) in respect of premises situate within urban areas other than a town.....	76,000	50,000
	(c) in respect of premises situate elsewhere than in a town or urban areas	58,000	40,000
3	Manufacturer's alcoholic drink license		
	(For each alcoholic drink or product manufactured.....)	1,100,000	
	(a) one million litres and above per annum 500,000-999,999 liters per annum	551,000	
	(b) Between 12,000-499,999.....	305,000	
	(c) 12,000 and below.....	92,000	
4	Wholesale alcoholic drink license for each premises.....	100,000	60,000
5	(1) Bottler's alcoholic drink license	250,000	150,000
	(2) Depot license, in addition	50,000	30,000

No.	Type of License	Fees	
	to (1), per depot.....		
6	(1) Distributor alcoholic drink license..	150,000	85,000
	(2) Depot license, in addition to (1) per depot.....	80,000	50,000
7	Hotel alcoholic drink license –(on license)		
	(a) in respect of premises situate within a town.....	147,000	80,000
	(b) in respect of premises situate within urban areas other than a town.....	118,000	70,000
	(c) in respect of premises situate elsewhere than in a town or urban areas.....	80,000	45,000
8	(1) Club alcoholic drink license(members' club)–		
	(a) in respect of premises situate within a town.....	128,000	-
	(b) in respect of premises situate within urban areas other than a town.....	104,000	-
	(c) in respect of premises situate elsewhere than in a town or urban areas.....	76,000	-
	(2) Club alcoholic drink license (proprietary club or night club or discotheque)-		
	(a) in respect of premises situate within a town.....	128,000	70,000
	(b) in respect of premises situate within urban areas other than a town.....	104,000	55,000
	(c) In respect of premises situate elsewhere than in a town or urban areas.....	76,000	40,000

No.	Type of License	Fees	
9	Supermarket or retail chain stores alcoholic drink license—		
	(a) in respect of supermarkets or retail chain stores for each premises situate within a town.....	156,000	
	(b) in respect of supermarkets or retail chain stores for each premises situate within urban areas other than towns.....	125,000	
	(c) in respect in respect of supermarkets or retail chain stores for each premises situate elsewhere than in a town and urban areas.....	92,000	
10	Theatre alcoholic drink license.	15,000	7,000
11	Traveller's alcoholic drink license		
	(a) where the licensee does not hold a general retail alcoholic drink license in respect of the same premises	30,000	15,000
	(b) where the licensee holds a general retail alcoholic drink license in respect of the same premises	12,000	7,000
12	Temporary or occasional alcoholic drink license, per day.	1,000	
13	For transferring an alcoholic drink license	1,000	
14	For removing an alcoholic drink license	500	
15	For the issue of an assurance under the Act.	1,000	
16	For the issue of a duplicate license	500	
17	For the application fee	1000	