

GOVERNMENT LANDS (APPROVALS) RULES, 1994

[Cap. 280, Sub. Leg., L.N. 170/1976, L.N. 213/1988, L.N. 308/1994, L.N. 11/2010.]

[Rev. 2012]

~~1. These Rules may be cited as the Government Lands (Approvals) Rules, 1994.~~

2. The following fees will be paid for the approval given by the Commissioner of Lands in respect of subdivisions of lands, building plans, extensions of the terms of leases, allocation of plots, changes of user, extensions of user and such other matter requiring approval—

	Fees KSh.
(a) For approval of subdivision of land within an urban area (per resulting portion)	250
(b) For approval of building plans—	
(i) Where the built-up area does not exceed 200 square metres	1,500
(ii) Where the built-up area exceeds 200 metres, KSh. 500 for every 100 square metres or part thereof	
(iii) For alterations or additions to an existing structure	1,500
(iv) For late submission of building plans and construction without approved plans—	
(i) where land is within a municipality	7,000
(ii) where land is in other urban centres	1,000
(v) For building plans exceeding the stipulated site coverage—	
(i) where land is within a municipality	15,000
(ii) where land is in other urban centres	7,500
(vi) For approval of changes of user or extension of user—	
(i) where land is within a municipality	5,000
(ii) where land is in other urban centres	1,000
(vii) For approval of extension of term of lease—	
(i) where land is within a municipality	5,000
(ii) where land is in other urban centres	1,000
(viii) For approval of allocation of plot	5,000

3. Building plans shall be submitted in triplicate to the Local Authority showing the following particulars—

- (a) block plans showing the positions of the building and a system of drainage for disposing of sewage, surface and sullage water;
- (b) drainage, elevations and specifications of the buildings the grantee or grantees proposes or propose to erect;
- (c) the built-up area (or site coverage) in square metres or feet.

4. No building plans shall be approved before the necessary fees are paid.

5. After endorsing its approval on all copies of the plans the Local Authority shall pass the plans to the Commissioner of Lands who shall deal with them as follows—

- (a) on endorsing his approval on all copies the Commissioner of Lands shall retain one copy on the file and shall return to the Local Authority two copies;
- (b) the Local Authority may if it wishes retain one copy of the approved plan but shall return the third copy to the grantee.

(1) Every application for approval to subdivide land shall be made to the Commissioner of Lands and shall—

- (a) contain the applicant's proposals for development of each portion created by the sub-division; and
- (b) be accompanied by suitable plans in quadruplicate on durable material showing the proposed sub-divisions together with roads of access to each and every sub-division.

(2) Every such applicant shall furnish such further or other information or particulars as the Commissioner may require.

7. No application for such approval shall be entertained unless the building conditions (if any) have been complied with.

8. In no case shall annual rent reserved on any such portion be less than ten shillings nor the aggregate annual rent be less than that reserved in the original lease.

9. No proposal for sub-division shall be approved before the necessary fees are paid.

10. Any person who subdivides his land or causes it to be subdivided or commences the construction or building without the prior approval of the Commissioner of Lands shall be guilty of an offence and shall be liable to a fine not exceeding one thousand five hundred shillings or to imprisonment for a term not exceeding three months or both.
