

LEGAL NOTICE NO.....

Paper Land
11/6/2014

THE NATIONAL LAND COMMISSION ACT NO. 5 OF 2012
COUNTY LAND MANAGEMENT BOARDS REGULATIONS, 2014



ARRANGEMENT OF REGULATIONS

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IN EXERCISE of the powers conferred by Section 18 and Section 36 of the National Land Commission Act, the National Land Commission makes the following regulations—

THE COUNTY LAND MANAGEMENT BOARDS REGULATIONS, 2014

PART I—PRELIMINARY

Citation and commencement

1. (1) These Regulations may be cited as the County Land Management Boards Regulations, 2014 and shall come into force on such date as the Commission may, by notice in the Gazette, appoint.

(2) For purposes of sub-regulation (1), different dates may be appointed for different provisions of the Regulations.

Interpretation

2. In these Regulations, unless the context otherwise requires—

“Act” means the National Land Commission Act, No. 5 of 2012;

“Board ” means the County Land Management Board established under Regulation 4;

“chairperson” means the chairperson elected from among the members under Regulation 4;

“Commission” means the National Land Commission;

“member” means the member appointed under Regulation 4; and

“Secretary” means the Secretary of the Board appointed under Regulation 12.

PART II—ESTABLISHMENT AND COMPOSITION OF THE BOARDS

Establishment of County Land Management Boards

3. Pursuant to Section 18 of the Act, there are established County Land Management Boards in respect of every County, to manage public land.

Qualification for appointment as a

4. (1) A person shall be qualified for appointment if the person—

member

(a) holds a degree from a university recognized in Kenya;

(b) has knowledge and experience of at least five years in matters relating to any of the following fields—

- (i) public administration;
- (ii) land management and administration;
- (iii) management of natural resources;
- (iv) land adjudication and settlement;
- (v) land law, land survey, spatial planning or land economics;
- (vi) social sciences; or
- (vi) other relevant field.

(c) meets the requirement of Chapter Six of the Constitution; and

(d) has had a distinguished career in their respective fields.

(3) The County Executive Committee member responsible for matters relating to land shall nominate, on a competitive basis, a physical planner or a surveyor registered with the relevant professional body, who shall be nominated by the governor to be a member of the Board.

(4) The chairperson shall be elected by members from among themselves during their first meeting provided that such meeting shall be chaired by the Commission.

(5) The membership of the Board shall reflect the ethnic diversity of the County, special interest groups, people with physical disability and not more than two-thirds of the members shall be of the same gender.

(6) The members of the Board, except those that are ex-officio shall serve for a single term of five years and shall not be eligible for re-appointment.

(7) Remuneration of members and officials of the Board shall be determined by the Commission in consultation with the Salaries and Remuneration Commission.

5. (1) A person shall not be appointed as a chairperson or member of the Board if that person—

Disqualification for appointment as member

- (a) does not meet the requirements of Chapter Six of the Constitution;
- (b) is a member of Parliament or County Assembly;
- (c) is an official of the governing body of a Political Party;
- (d) is an un-discharged bankrupt;
- (e) has been convicted of a felony;
- (f) has benefitted from, or facilitated an unlawful or irregular allocation, acquisition or use of land or other public property; or
- (g) has been removed from office for contravening the provisions of the Constitution or any other law.

Vacation from
office

6. A member shall cease to hold office if the member—

- (a) resigns in writing, to the Commission;
- (b) is convicted of a felony;
- (c) is declared bankrupt;
- (d) is unable to perform the functions of his or her office by reason of mental or physical infirmity; or
- (e) dies.

Removal from
office

7. (1) A member may only be removed from office on any of the following grounds—

- (a) violation of the Constitution or any other law;
- (b) gross misconduct, whether in the performance of the member's functions or otherwise;
- (c) physical or mental incapacity to perform the functions of office;
- (d) incompetence or neglect of duty; or
- (e) without any reasonable cause, the member is absent from the consecutive meetings of the Board or Committee within financial year.

County Land Management Boards Regulations, 2014

(2) The Commission may, on its own motion, terminate the appointment of a member on any of the grounds specified under subsection (1).

(3) A resident of a County may file a petition in writing to the Commission for the removal of a member on any of the grounds specified under subsection (1).

(4) The Commission may issue guidelines and provide procedure for the removal or petition for removal under this Regulation.

Filling of vacancy

8. Where a vacancy occurs in the membership of a Board under Regulations 6 or 7, the Commission shall appoint a new member in accordance with the provisions of these Regulations.

Functions of the
Board s

9. (1) Pursuant to section 18 (9) of the Act, a Board shall, subject to the physical planning and survey requirements—

(a) process applications for—

- (i) allocation of public land;
- (ii) change and extension of user;
- (iii) subdivision of public land; and
- (iv) renewal of leases.

(b) prepare a database of all the public land in the County and cause it to be geo-referenced;

(c) inspect public land allotments to ensure adherence to planning requirements;

(d) resolve land disputes and encourage the use of alternative dispute resolution mechanisms and traditional disputes resolution mechanisms in land dispute;

(e) perform any other functions assigned by the Commission or by any other law.

(2) Each Board shall, in the discharge of its functions, comply with the regulations made by the Commission under this Act failure of which the

“interested person” means a person who has a registered interest in the grant or disposition concerned and includes a person who appears to the Commission to have an interest in the land or lease;

“person” includes a legal person; and

“Registrar” means the Chief Land Registrar, Deputy Chief Registrar, County Land Registrar and Land Registrar appointed under section 12 and 13 of the Land Registration Act.

Object of these Regulations

3. The object of these Regulations is to facilitate the expeditious, efficient, impartial and just resolution of disputes relating to grants and dispositions.

PART II—THE PROCESS OF REVIEW OF GRANTS AND DISPOSITIONS

Power of the Commission to commence investigations

4. (1) The Commission may on its own motion, or upon a complaint by a national or county government, a community or an individual review grants or dispositions of public land to establish their propriety or legality.

(2) A complaint made to the Commission by a complainant before the coming into effect of these Regulations shall be investigated in accordance with these Regulations.

(3) Despite subregulation (2), nothing in these Regulations shall nullify any action taken by the Commission before the coming into effect of these Regulations.

Commencement of the review of grants and dispositions process

5. (1) The chairperson of the Commission may make a public request for complaints for the review of grants or dispositions by the national government, a county government, a community, or an individual.

(2) The chairperson shall commence the process referred to in subregulation (1) by—

- (a) publication of a notice in the Gazette;
- (b) advertisement in at least two daily newspapers with national circulation; and
- (c) advertisement in the website of the Commission.

Acquisition or disposal of public land

6. The Commission may, from time to time, in writing require a government ministry, agency, state corporation or a county government to provide—

- (a) an inventory of any grant or disposition of public land held or previously held by them; or
- (b) any details on the inventory supplied under paragraph (a).

Chief Land

7. (1) The Commission may request the Chief Land Registrar for details of the

IN EXERCISE of the powers conferred by Section 14(2) and 36 of the National Land Commission Act, 2012, the Commission makes the following Regulations—

PART I—PRELIMINARY

Citation and commencement

1. (1) These Regulations may be cited as the National Land Commission (Review of Grants and Dispositions) Regulations, 2014 and shall come into force on such date as the Commission may by notice in the Gazette, appoint.

(2) For purposes of subregulation (1), different dates may be appointed for different provisions of the Regulations.

Interpretation

2. In these Regulations, unless the context otherwise requires—

“Act” means the National Land Commission Act;

“allocation of land” means the legal process of granting rights to public land;

“Committee” means a Committee established under Regulation 13 to hear complaints for the review of grants or dispositions;

“Commission” means the National Land Commission established under Article 67 of the Constitution;

“complainant” means a person who has lodged a complaint of any matter under the mandate of the Commission;

“complaint” means a claim made to the Commission by a complainant or by the Commission on its own motion for the review of grants or dispositions under section 14 of the Act;

“county” means one of the counties into which the territory of Kenya is divided under Article 6 of the Constitution;

“Court” means the Environment and Land Court established under the Environment and Land Court Act of 2011 and includes other courts having jurisdiction on matters relating to land;

“disposition” has the meaning assigned to it under the Land Act;

“document” means any record made or stored in physical or electronic form and includes written, electronic, audiotape, videotape, digital reproductions, photography, maps, graphs, microfiche or any other data and information recorded or shared by means of any device;

“grant” means any conveyance, agreement for sale, lease or licence for a period exceeding three years, made by and on behalf of the Government, and includes a certificate of title (other than a certificate of interest) issued by the Land Registration Court, and a certificate of title issued pursuant to the provisions of any Act;

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Legal Notice No.....

**THE NATIONAL LAND COMMISSION (REVIEW OF GRANTS AND DISPOSITIONS)
REGULATIONS**

(No... of 2014)

ARRANGEMENT OF REGULATIONS

Regulation

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PART III—GENERAL

Oath and a
affirmation of
office

16. The chairperson, members and Secretary shall before assuming office, take and subscribe before a judge, to the oath or affirmation set out in the Third Schedule to the Act.

Code of conduct
for the Board s and
staff.

17. (1) The Commission shall from time to time issue guidelines and code of conduct to the members and staff of the Boards.

(2) The Boards shall keep proper minutes of their proceedings and decisions and shall transmit the same as soon as they are confirmed, by electronic or other means, to the headquarters of the National Land Commission.

Offences

18. A person who contravenes these Regulations commits an offence and shall upon conviction be liable to the penalty set out under section 35 (2) of the Act.

- (a) proper management of all assets and liabilities of the Board;
- (b) the proper and diligent implementation of the functions of the Board;
- (c) all income and expenditure of the Board;
- (d) providing such periodic statement of all income, expenditure, assets and liabilities of the Board; and;
- (e) record of minutes and decisions of the Board

Removal of the Secretary

14. (1) The Secretary may be removed from office by the Commission for—

- (a) inability to perform the functions of the office of the Secretary arising out of physical or mental incapacity;
- (b) gross misconduct or misbehaviour;
- (c) incompetence or neglect of duty;
- (d) violation of the Constitution; or
- (e) any other ground that would justify removal from office under the terms and conditions of service.

(2) Before the Secretary is removed under sub-section (1), the Secretary shall be given—

- (a) sufficient notice of the allegations made against the officer; and
- (b) an opportunity to present their defence against the allegations.

Decisions of the Boards and appeals

15. (1) The decisions of the Boards shall be communicated in writing within seven working days after the date of making the decision.

(2) A person aggrieved by the decision of a Board may appeal to the Commission for review within thirty days of receipt of the decision of the Board.

(3) The Commission shall, within sixty days, review the decision of the Board and communicate its decision to the Board and aggrieved party.

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Disclosure of
interest

11. (1) If a member is directly or indirectly interested in any transaction or other matter before the Board and is present at a meeting of the Board at which the transaction, or other matter is the subject of consideration, the member shall, at the meeting and as soon as reasonably practicable after the commencement thereof, disclose his or her interest in the matter and shall be required to recuse him or herself from the meeting.

(2) A disclosure of interest made under sub-regulation (1) shall be recorded in the minutes of the meeting at which it is made.

(3) A member who contravenes subsection (1) commits an offence.

Appointment of the
Secretary

12. (1) The Secretary of the Board shall be appointed by the Commission and shall—

(a) holds a degree from a university recognized in Kenya;

(b) has knowledge and experience of at least five years in matters relating to any of the following fields—

- (i) agriculture;
- (ii) agricultural economics;
- (iii) land economics;
- (iv) land use planning
- (v) Land survey;
- (vi) Land law;
- (vii) social science;
- (viii) management; or
- (ix) other relevant field

(2) The Secretary shall serve for a term of four years and shall be eligible for re-appointment for another four year term upon satisfactory performance as determined by the Commission.

Functions of the
Secretary

13. (1) The Secretary shall serve on such terms and conditions as the Commission may determine and shall be the Chief Executive Officer of the Board.

(2) In addition to sub-regulation (1), the Secretary shall be the accounting officer of the Board and the head of the secretariat and shall be responsible to the Commission for—

Commission shall render any decision made thereto invalid.

(3) The Commission may dissolve a Board that is in continued violation of these Regulations.

Meetings of the
Board

10. (1) The Board shall meet at least once a month in every year.

(2) The Board shall determine the dates and venue of its meetings within the County and such meetings shall be convened by the chairperson.

(3) Despite sub-regulation (2), the chairperson shall, upon a written request by at least five members, convene a special meeting of the Board.

(4) Where the chairperson fails to convene a meeting of the Board within two consecutive months, at least five members, excluding ex-officio members, may write to the Secretary to convene a meeting within fourteen days to transact the Board's business.

(5) Unless three quarters of the total number of the members otherwise agree, at least fourteen days written notice of every meeting of the Board shall be given to every member by the Secretary.

(6) The quorum for the conduct of the business of the Board shall be two-thirds of the total number of members including the chairperson or the person presiding.

(7) The chairperson shall preside at every meeting of the Board at which he is present and in the chairperson's absence, the members present shall elect one person from their number to preside over the meeting of the Board and that member shall have all the powers of the chairperson.

(8) Unless a unanimous decision is reached, a decision on any matter before the Board shall be by a majority of the votes of the members present and voting, and in the case of an equality of votes, the chairperson or person presiding over the meeting shall have a casting vote.

(9) The proceedings of the Board shall not be invalidated by reason of a vacancy within its membership.

(10) Subject to provisions of these Regulations, the Board may determine its own procedure and the procedure for any Committee of the Board and for the attendance of other persons at its meetings thereof.

Registrar to
provide details of
grants

grants in a specific registry.

(2) Upon receipt of a request by the Commission, the Chief Land Registrar shall provide details of the grants within thirty days.

(3) Where necessary, the Chief Land Registrar may request the Commission for an additional fifteen days to respond to a request made under subregulation (1).

(4) Where the Chief Land Registrar is not able to provide the details requested even after the Commission has given additional time under subregulation (3), the Commission shall proceed with the matter despite absence of the details.

Form of
complaint

8. (1) A complaint shall be made using Form NLC01 in the First Schedule and shall include—

(a) a description of the property;

(b) the name, address and location of the complainant;

(c) the date of the complaint;

(d) the particulars of the respondent;

(e) the grounds on which the complaint is based;

(f) the substance of the complaint;

(g) a declaration that the legality or regularity of a grant is not under review by the Court or any other body prior to the application of the complaint to the Commission; and;

(h) any other information.

(2) A complainant may provide any document necessary to support the complaint.

(3) Where the complaint is made at the instance of the Commission on its own motion or where it is made orally or otherwise by a complainant who cannot read or write, the complaint shall be reduced into writing by a designated officer of the Commission using Form NLC01 in the First Schedule.

(4) The Commission shall acknowledge each form received by placing a mark on it.

(5) No fees shall be charged in the lodging and determination of a complaint.

Register of
complaints

9. (1) The Commission shall keep a register of complaints in which all complaints shall, upon receipt, be entered and given a reference number.

(2) Upon vetting a complaint, the Commission may—

(a) admit the complaint;

The Review of Grants and Dispositions Regulations, 2014

- (b) consolidate complaints of a similar nature;
- (c) advise the complainant in writing that the matter does not necessitate a review;
- (d) advise the complainant in writing that the matter is not within the mandate of the Commission; or
- (e) advise the complainant that the matter lies for determination by another body or institution;

(3) For purposes of this regulation, a letter by the Commission notifying the complainant of the Commission's decision shall be deemed to be sufficient notice.

Power to place a restriction

10. The Commission shall place a restriction on any land that is subject to a complaint pending the hearing and determination of the complaint.

Withdrawal or termination of a complaint

11. (1) A complainant may, in writing, withdraw a complaint pending before the Commission at any stage during its consideration upon which the Commission may—

- (a) terminate further proceedings in the matter; or
- (b) decide to continue the proceedings on its own motion and make a determination.

(2) Where a complaint has been terminated or disposed off, the complainant shall not re-submit the complaint on the same or substantially same issue to the Commission.

Action on a complaint

12. (1) Upon admission of a complaint, the Commission shall, in writing and within ninety days, notify interested persons using Form NLC02 in the First Schedule.

(2) The Commission may issue summons to any person it deems necessary, using Form NLC03 in the First Schedule, to—

- (a) appear on an appointed date, time and venue; and
- (b) make representations on a matter as required.

PART III—CONDUCT OF HEARINGS

Establishment and membership of a Committee to hear complaints

13. (1) The Commission shall establish Committees, from time to time, consisting of at least five members of the Commission to hear complaints for the review of grants and dispositions.

(2) A Committee established under subregulation (1) may co-opt into its membership, persons whose knowledge and skills are necessary to assist the Committee carry out its mandate.

(3) A person co-opted to the Committee—

(a) is entitled to attend the Committee's meetings and participate in its deliberations but shall not vote in any matter before it; and

(b) shall take before the Commission's chairperson the oath or affirmation of office set out in the Second Schedule.

(4) The chairperson of the Committee constituted as per sub-regulation (1) shall be a member of the Commission appointed at that meeting.

(5) A decision of the Committee is deemed to be a decision of the Commission.

Disqualification
of a member of
the Committee

14. (1) An interested person may, at least seven days prior to a hearing, request a member of the Committee to disqualify themselves from the hearing.

(2) The interested person referred to in subregulation (1) shall provide their reasons for the request and where applicable, provide supporting documents.

(3) Upon receipt of a request for disqualification, the chairperson of the Committee shall make a ruling on the request.

(4) Where the request is for the disqualification of the chairperson of the Committee, the vice-chairperson of the Committee shall make the determination.

Conduct of
hearings

15. (1) Subject to section 6(2)(b) of the Act, the conduct of hearings and the procedure to be followed shall be under the direction of the Commission.

(2) The Committee shall sit at such times and such places as the Commission shall determine.

Appearance at a
hearing

16. (1) A party to a proceeding may act in person or through a representative.

(2) Where a person ceases to represent a party, the representative or the party shall promptly notify the Commission in writing.

Communication
with the
Commission

17. (1) A party who has a representative shall communicate with the Commission through the representative.

(2) The Commission shall communicate with a represented party only through the party's representative.

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Disclosure of documents

- 18.** The Commission may, at any stage of the proceeding but before a hearing is complete, make orders for—
- (a) the exchange of certified documents which are not subject to a claim of privilege;
 - (b) the oral or written examination of a party;
 - (c) the exchange of witness statements;
 - (d) the reports of expert witnesses;
 - (e) the provision of particulars; or
 - (f) any other form of disclosure.

Notice of hearing

- 19.** (1) The Commission shall send a notice of hearing to all parties using the prescribed Form NLC03 in the First Schedule.
- (2) The notice of hearing shall be sent by mail or electronically at least thirty days prior to the hearing date or within such other period as the Commission may determine is fair in the circumstances.
- (3) Where the Commission is of the opinion that because the parties to any proceeding before it are so numerous or for any other reason it is impracticable to give notice of the hearing individually to the parties or persons entitled to receive notice, the Commission may instead cause reasonable notice of the hearing to be given to such parties or persons by advertisement in at least two newspapers with national circulation or otherwise as the Commission may direct.
- (4) A notice of hearing shall include—
- (a) a statement of the purpose of the hearing;
 - (b) a statement that where the party notified does not attend and participate in the hearing, the Commission may proceed in their absence and the party shall not be entitled to any further notice in the proceedings; and
 - (c) any other information or direction that the Commission considers necessary for the proper conduct of the hearing.

Language

- 20.** (1) The languages to be used during a hearing shall be Kiswahili or English.
- (2) The Commission shall, taking into account all the circumstances, provide competent interpreters for spoken or sign language, as the case may be, for parties or witnesses appearing before it.

Special needs

- 21.** A party shall notify the Commission, as early as possible, of any special needs which they or their witnesses might have, including—
- (a) where a person has a physical disability; or

(b) the need for a translator.

Priority of participation

22. The Commission shall set the priority for participation during the hearing based on—

(a) whether a person or organization is directly and substantially affected by the matters covered by the Commission's mandate; or

(b) the relevance of the testimony in relation to the Commission's mandate.

Oath or affirmation

23. A witness shall give evidence after taking an oath or affirmation as set out in the Third Schedule.

Summoning of a witness

24. (1) The Commission may summon any person it considers relevant to the proceedings before it.

(2) The Commission shall ensure that it preserves the dignity of every witness at its hearings.

(3) The Commission may request a witness or any other participant to advise the Commission on the name and particulars of any other person whom they consider to have relevant information relating to the proceedings before it.

Protection of a witness

25. (1) The Commission shall arrange with the relevant government agencies for the protection of persons placed in danger by reason of their evidence or other interaction with the Commission.

(2) The evidence referred to in subregulation (1) includes that which has not been given before the Commission.

(3) Any person may make an application, in writing, to the Commission for protection.

Adjournment

26. A hearing may be adjourned, from time to time, by the Commission of its own motion or where it is shown, to the satisfaction of the Commission, that the adjournment is required to permit a hearing to be held.

Hearings

27. (1) Unless otherwise ordered by the Commission, where part of a hearing is closed to the public, it may be attended by—

(a) parties and their representatives;

(b) witnesses;

(c) staff of the Commission; and

(d) such other persons as the Commission considers appropriate.

(2) An exhibit, document, submissions or Commission orders relating to a hearing may be marked confidential and kept separate from the public record.

The Review of Grants and Dispositions Regulations, 2014

(3) Access to the material referred to in subregulation (2) shall be availed by order of the Commission or as otherwise authorized by law.

Consideration of
lawfulness of a
grant or
disposition

28. (1) Where the Commission finds that a grant or disposition was acquired in a lawful manner, the Commission—

(a) shall notify the Registrar to withdraw a restriction registered in the title; and

(b) may make any other orders as the Commission deems fit.

(2) Where the Commission finds that a grant or disposition was unlawfully acquired, the Commission may—

(a) direct the Registrar to revoke the title within thirty days using Form NLC04 in the First Schedule; and

(b) make any other orders as the Commission deems necessary.

(3) The Commission shall publish the revocation—

(a) in the Gazette;

(b) in two newspapers with national circulation; or

(c) Commission Website;

(d) on the parcel of land, where possible.

(4) Where the Commission finds that the grant or disposition was irregular, the Commission—

(a) shall take appropriate steps to correct the irregularity; and

(b) may make any other orders as it deems necessary.

(5) Before the Commission acts under this regulation, every interested party shall be notified, in writing, of the Commission's determination.

Decision of the
Commission

29. (1) After concluding the hearing of the matter, the Commission shall render a decision within twenty-one days.
- (2) A decision under subregulation (1) shall be in writing and shall state—
- (a) the nature of the complaint;
 - (b) a summary of the relevant facts and evidence adduced before the Commission;
 - (c) the determination and reasons supporting the Commission's decision;
 - (d) the remedy, if any, to which any of the parties is entitled to; and
 - (e) the order of the Commission necessary to enforce the remedy.
- (3) After the decision is rendered, the Commission may correct typographical errors without prejudice to the substance of its findings.

Orders

30. (1) An order made by the Commission shall be—
- (a) extracted and authenticated as an order of the Commission; and
 - (b) signed under the seal of the Commission.
- (2) A certified copy of the order shall be made available to the parties within seven working days of the order being made by the Commission.
- (3) Where the order requires the revocation of a title, a certified copy of the order and the proceedings shall be delivered to the Registrar.
- (4) After receiving the order referred to in subregulation (3), the Registrar shall execute the order by revoking the title after the period for filing an appeal has elapsed.

Publication of
orders

31. (1) The Commission shall publish its decisions and orders—
- (a) in the Gazette;
 - (b) in two newspapers with national circulation; or
 - (c) on the Commission website.

Appeals

32. (1) A person aggrieved by the decision of the Commission may, within fourteen days of the Commission's decision, appeal to the Court.

PART IV—MISCELLANEOUS PROVISIONS

Power to seek
assistance

33. The Commission may seek the assistance of the National Police Service or any other office of the national or county governments to facilitate its work and enforce its powers under these regulations.

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Venue of making
complaints

34. A person shall make their complaints to the Commission at any place that the Commission shall designate in the counties.

Dated thisday of.....2014

Dr. Mohamed Swazuri
Chairperson,
National Land Commission

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FIRST SCHEDULE

THE NATIONAL LAND COMMISSION COMPLAINTS FORM

REF. No.....

DATE:.....

(To be filled in duplicate)

Section One- Personal Details of Complainant

- 1. Name of Complainant:
- 2. ID/Passport Number/ Certificate of Registration Number (if applicable):
.....
- 3. PIN Number (if applicable):
- 4. Postal Address:
- 5. Telephone Number(s):
- 6. Email address (if any):
- 7. Contact Person (in case the complainant is not an individual):
.....

Section Two – Particulars of the Property (where registered)

Please complete the following particulars of the property you wish to complain about:

- 8. Land Reference Number/Title Number:
- 9. Title Registration Number: e.g. I.R. No./C.R. No./I.R.N. No./Vol. No. Folio GLA File No:
.....
- 10. Locality:
- 11. Deed Plan Number/RIM (If known):

Section Three – Particulars of the Property (where unregistered)

Please complete the following particulars of the property you wish to complain about:

- a) Land Reference Number/Parcel Number:
- b) Letter of Allotment: Reference No:Date:.....
- c) Temporary Occupation License Number.....Date.....
- d) Locality:
- e) Acreage (if known):
- f) Deed Plan Number (if applicable):
- g) Term of the lease (if known):

Section Four– Nature of Complaint

Please indicate the nature of the complaint and attach relevant documents to support your claim.

Section Five– (To be filled where the complainant is an individual)

Please indicate the special interest of the complainant in relation to the property and attach documents if any.

(If we need more information, we may contact you).

Section Six – Your proposed remedy

Please indicate what you would like the Commission to do.

Date..... Signature/Thumb Print of the Complainant or the Duly Authorised

Representative of the Complainant.....

(An unsigned form will be rejected)

TO BE SENT TO:

The Secretary

National Land Commission

P.O. Box 44417

NAIROBI

The Review of Grants and Dispositions Regulations, 2014

NOTICE TO INTERESTED PARTIES UNDER SECTION 14 (3) OF THE NATIONAL LAND COMMISSION ACT

Land Reference No/Title Number.....

Complaint Ref Number.....

To:

Date:

You are HEREBY notified that the Commission on its own motion/ or on a complaint by will review the Grant(s) or Disposition(s) relating to the above property to establish its/their propriety or legality. A hearing will be held aton the day of.....20.....atA.M./P.M. or soon thereafter.

The Commission has identified you as an interested party within the meaning of the section 14(3) of the Act and accordingly notifies you that you are entitled to make representations at the hearing either in person or through your representative(s) and to bring any documents that you deem necessary. You are also entitled to obtain from the Commission documents (if any) supporting the complaint.

Please note that the Commission will proceed with the hearing and determination despite your absence.

Given under my hand thisday of20.....

Name.....

Signed.....

Secretary to the Commission

The Review of Grants and Dispositions Regulations, 2014

SUMMONS BY THE NATIONAL LAND COMMISSION

Land Reference No/Title Number.....

Complaint Ref Number.....

To:

Date:

You are HEREBY summoned to appear before the Commission at.....on the day of.....20.....at..... A.M./P.M. or soon thereafter in relation to a review of the grants or dispositions relating to the above property at the instance of the Commission/complaint generally or with regard to the specific issue of

You are required to bring any documents that you deem necessary.

Please note that failure to comply with these summons without justification or lawful excuse may constitute an obstruction or hindrance under section 35(1)(a) of the Act.

Given under my hand thisday of20.....

Name.....

Signed.....

Secretary to the Commission

The Review of Grants and Dispositions Regulations, 2014

DIRECTION BY THE NATIONAL LAND COMMISSION TO THE REGISTRAR UNDER SECTION 14(5) OF THE ACT

Land Reference No/Title Number:

Complaint Ref Number:

To the Registrar:

Date:

1. In reference to the above complaint and following the determination thereof the Commission HEREBY DIRECTS the Registrar to revoke the above referenced title as per the Commission's Order No.....dated(DD/MM/YY). Attached is the order of the Commission duly certified;
2. A copy of the determination of the Commission duly certified.

Kindly acknowledge receipt of these directions on the reverse side of the duplicate of this notice with a confirmation of the action taken.

Given under my hand thisday of20.....

Name.....

Signed.....

Secretary to the Commission

The Review of Grants and Dispositions Regulations, 2014

[To be completed by the Registrar on the back of form NLC 04]

TITLE NO.

The Register has been amended by making the following entry in the Register in all relevant sections:
TITLE REVOKED BY ORDER OF THE NATIONAL LAND COMMISSION PURSUANT TO
COMPLAINT REFERENCE NUMBER DATED
.....

Dated this.....day of..... 20.....

Seal

SIGNED by the Registrar

Name:.....

Signature:

The Review of Grants and Dispositions Regulations, 2014

SECOND SCHEDULE

(Regulation 13)

OATH/AFFIRMATION OF A MEMBER CO-OPTED TO THE COMMITTEE

Ihaving been co-opted to the National Land Commission's Committee to hear the complaints for review of grants and dispositions do swear/solemnly affirm that I will faithfully and fully, impartially and to the best of my knowledge and ability, perform the functions and exercise the powers devolving upon me by virtue of this co-option without fear, favour, bias, affection, ill-will or prejudice (SO HELP ME GOD).

Sworn/Declared by the said

Before me thisday of..... 20.....

Chairperson
National Land Commission

THIRD SCHEDULE

(Regulation 23)

OATH/AFFIRMATION OF A WITNESS

Iswear/affirm that the evidence I shall give before this Committee shall be the truth, the whole truth and nothing but the truth (SO HELP ME GOD).