

PAPERS LAID	
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PARLIAMENT
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PUBLIC PARTICIPATION VIEWS OPENED FROM 26TH MARCH – 3RD MAY, 2024

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
LETTERS						
1.	2nd April, 2024			Mary Mwiti (CEO - Council of Governors)	Notes that The Tourism Act, 2011 and the draft regulations do not align with the assignment of functions outlined in Part 2 of the Fourth Schedule of the Constitution - The unbundling process is ongoing coordinated by IGRTC and recommends the review of the Tourism Act, 2011- Opposes the draft regulations to the extent that it does not provide for County Governments to regulate the trade and local tourism function	
PUBLIC PARTICIPATION FORUMS HELD BETWEEN 8TH APRIL, 2024 - 3RD MAY, 2024						

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2.	8 th April , 2024	Narok	Regulation 24	Onesmus Meyoki (Endeem Mara Resort)	1. Facilities are required to submit their data to various government bodies including the County Government. The Government bodies should share data instead of requiring facilities to submit to each and every government body 2. Provide for online collection of data	To be considered -Online data collection is possible
				Siimoi Tukani (Great Plains Conservation)	3. Duty exemption list appears outdated. - When can it be updated to include solar panels, water treatment plants etc.	Given that this is under the EAC, it's a lengthy process and stakeholders will be informed of when the process would commence
			Regulation 22	Julie Lovens (Olimba Mara Camp)	4. The regulations should allow camps or accommodation facilities within protected areas which use vehicles to ferry their guests within the facilities to have TSVs	-Regulation provides for Tourist Service Vehicle Hire for such facilities under the 1 st schedule

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					without being licensed as tour operators	
			Fees		5. Hotels- fee is dependent on bed capacity while facilities like ecolodge, it is not pegged on bed capacity- why is this the case? Consider the same for all accommodation facilities	To be considered -Ecolodges licenses can be based on bed capacities but this bit the logic behind their existence as tools for environmental protection. -Ecolodge can adopt the same including tariffs
3.	11 th April, 2024	Homa bay		Dr. Stephen Momanyi (Rongo University)	1. Which provisions have been put in place to ensure the national and county government roles are clear to create a conducive environment for business and investments?	The law as is currently has not been reviewed however, once the delineation is done in the Tourism policy, the applicable law will be reviewed accordingly
				Nancy Ratemo (Hotel Nyakoe)	2. Air BnB who are providing their services at their homes-how will the regulator ensure they are easily identifiable/found?	-The regulation provides for mechanisms for quality audit/spot checks -Authority to engage hosting sites

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						-Regulations provide for mechanism for enforcement under Part IV
				Bob Onimo (Lake Victoria Tourism Association)	3. When it comes to adherence to regulations, the conditions seem to be enforced strictly to Africans as compared to the white tourists. What should be done to ensure the adherence is uniform?	The law is applicable to everyone
					4. On classification and grading, there are facilities that falsely advertise by using different star ratings to market themselves.	The current regulations have a provision on advertising. it is an offence to make false advertising on classification or accreditation awards under Section 14 (2)
			First Schedule	Charles Ayieko (Homabay County Government)	5. How much will it cost to obtain a TSV sticker? Does it depend on the size of the vehicle?	Local operators is Kshs 1000 regardless of size of vehicle
4.	18th April 2024	Kakamega		Nelly S. Isundu (Short	1. Facilities on Air BnB's should not be called serviced apartments. They	Alternative accommodation (AA) is a concept not a form/type of accommodation.

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				Term Rentals)	are alternative accommodation/short-term rentals as per international market classifications. 2. Standards should be customised for the short-term rentals as opposed to lumping them with hotels 3. We would wish also have a representation in the grading, and decision making	AA has varied forms/types of accommodation facilities including boutique hotels, villas, furnished/services apartment/guest houses
					4. The fees payable should not be uniform for all serviced apartments- it should be segregated in terms of the number of beds. 5. The proposed fee is too high noting that they only charge for accommodation and have no other amenities. They propose the following rates;	comment to be considered -1st Schedule has some provisions. The licence category bands can be widened. -Licence fee for accommodation facilities consider also bed capacity besides other amenities

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					<table><tr><th>S/NO</th><th>BED CAPACITY</th><th>CITY</th><th>MUNICIPALITY</th></tr><tr><td>1.</td><td>Studio</td><td>3000</td><td>2000</td></tr><tr><td>2.</td><td>1 bedroom</td><td>4000</td><td>3000</td></tr><tr><td>3.</td><td>2 bedroom</td><td>5000</td><td>4000</td></tr><tr><td>4.</td><td>3 bedroom</td><td>6000</td><td>5000</td></tr><tr><td>5.</td><td>4 bedroom</td><td>7000</td><td>6000</td></tr><tr><td>6.</td><td>5 bedroom</td><td>8000</td><td>7000</td></tr><tr><td>7.</td><td>6 bedroom</td><td>9000</td><td>8000</td></tr><tr><td>8.</td><td>7 bedroom</td><td>10000</td><td>9000</td></tr><tr><td>9.</td><td>8 bedroom</td><td>11000</td><td>10000</td></tr><tr><td>10.</td><td>9 bedroom</td><td>12000</td><td>11000</td></tr><tr><td>11.</td><td>10 bedroom</td><td>13000</td><td>12000</td></tr><tr><td>12.</td><td>11 bedroom and above</td><td>15000</td><td>14000</td></tr></table>	S/NO	BED CAPACITY	CITY	MUNICIPALITY	1.	Studio	3000	2000	2.	1 bedroom	4000	3000	3.	2 bedroom	5000	4000	4.	3 bedroom	6000	5000	5.	4 bedroom	7000	6000	6.	5 bedroom	8000	7000	7.	6 bedroom	9000	8000	8.	7 bedroom	10000	9000	9.	8 bedroom	11000	10000	10.	9 bedroom	12000	11000	11.	10 bedroom	13000	12000	12.	11 bedroom and above	15000	14000	
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	Noela Malenya (Faraja)	6. Requirements for licensing should be based on short term rentals and not hotels. 7. Specify the audit documents required by short term rentals 8. Provide guidelines on STR standardisation and award of mark of quality.	-Requirements for licensing and audit will depend on the type of STR under audit. -Guidelines for awarding quality marks for STR are captured.																																																							
		9. Owners of short-term rentals should belong to an association	-Highly encouraged for the hosts for self-regulation																																																							

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5.	22nd April 2024	North Rift		Joshua Kipruto (AIC Cheptebo Conference - Elgeyo Marakwet County)	1. Manager's licence should be reintroduced to curb the rampant unprofessionalism currently being experienced in the sector 2. Tourism training should also be regulated.	to be considered -Very important development. This will improve professionalism in the sector
6.	25th April 2024	Kisumu		Bernard Koching (Bykay Hotel - Siaya County)	1. The manager's licence should be re-introduced. Human resource is critical in hospitality and tourism but it is not given the importance it deserves. The quality of staff and remuneration is currently wanting.	to be considered -Very important. This will improve professionalism in the sector
			section 9	Noah Amoke (Vacation Cribs Association - Kenya - Kisumu)	2. short term rentals- they should also be represented in the accreditation committee	-To be considered
			section 15		3. Agents are licensed by their own agency. How is TRA going to register agents in Kenya? How will the	-There need for sensitisation on the 'agent' referred in the Draft Regulations

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					enterprises accreditation be done	
					4. Requirements for a licence e.g. the certificate of good conduct is not really necessary	
					5. What are the requirements for accreditation of short-term rentals?	-Similar to requirements for guest houses/villas/serviced apartments etc depending on the type of STR under review.
					6. What is the difference between an accredited unit and a non-accredited one?	-Accredited facilities are awarded mark of quality as opposed to non-accredited -Accredited entity meets accreditation quality standards.
			Licenses		7. The current licensing practice is based on LR. Numbers. Would it be appropriate to use the business names?	This is done as such for ease of location and identification of the operators. There is a provision for licence variation.
					8. How is the verification of licences done to confirm their authenticity?	Licences are system generated with QR codes that can be verified through QR scanner applications

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					9. What is TRA looking for when talking about professional qualifications of staff?	-Someone who has a formal training tourism and hospitality in a particular profession in an accredited learning institution
					10.What are the requirements for licensing homestays?	-Requirements available
					11.Short term rental is currently included under serviced apartments-however it would be prudent to have their own class since the serviced apartments does not seem to address them.	Short-term rental (STR) is a concept not a form/type of accommodation. STR exist in varied forms/type of accommodation facilities including boutique hotels, villas, furnished/services apartment/guest houses
					12.licence fees should be based on units 1-3- 5,000 4-5 units- 6-15 units-11,500 16 units and above- 18,000	to be considered -1 st Schedule provides some criteria. It can be expanded further
					13.Only a handful of short-term rentals are licensed out of a possible total of 90,000 in the country. This	-TRA is in the process of onboarding STRs.

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					is largely due to the strategies that do not seem to favour them.	
7.	30th April , 2024	Nairobi		Nicanor Sabula (CEO-Kenya Association of Travel Agents)	Travel Agents 1. Should make licensing of foreign travel agents stringent to ensure we promote local businesses - strengthen regulation of foreign owned travel agents 2. TRA should ensure all players in the industry belong to an association in order to professionalise the sector and to promote co-regulations. One of the requirements for licensing should be a letter from an association. 3. Object to the increase in licence fees - what is the value of obtaining a TRA licence 4. Consolidate tour operators and travel agent licences as	-To be considered by introducing a clause on the minimum asset base threshold as per Investment promotion Act, 2003 -TRA can encourage sector players to join association without infringing people's right to freedom of association -Every industry has a regulator to bring sanity to every sector. Developing standards to make Kenya a competitive destination. Promoting sustainability in the sector. -Tour operators are wholesalers of tour packages while travel agents are retailers. They aren't the same -Location is good for traceability

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					they do the same business - Operators running tour and travel agencies should be required to consolidate their businesses and get one licence. 5. Do away with location-based licence which requires every office to obtain a TRA licence.	
				1. Jacqueline Odudo h (Kenya Association of Tour Operators) 2. Ann Kinyua (Tour Operators Society)	Tour Operators 1. Separation of licences for both foreigners and locals commendable 2. The tourist vehicle stickers-cancellation/suspension-the suspension and penalties should be in tiered system in order to not force complete closure 3. The Criteria for granting/refusal for stickers should be clear	-Section 27 (a) & (b) provide mechanisms for closure -Expenditure per guest is based on what the guest has paid the facility during his/her stay -TRA to set criteria/conditions for granting/refusal of stickers in the regulations. -Data obtained influences policy in the sector hence key. -Data collection can be done digitally. -Assessment is multi-sectoral not only TRA -TRA is currently working with online booking platforms to onboard every

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				of Kenya)	4. Are the stickers still necessary given that NTSA is issuing the same. 5. Regulation 24-data submission the frequency of reporting is a burden to SMEs-reconsider. The type of data required such as expenditure per visitor may not work 6. The increase in licence fee is objected 7. assessors are they internally from TRA? 8. Lease agreement for a physical office-what about a virtual office? 9. How will TRA ensure unlicensed tour operators are not found on booking platforms 10.How will TRA ensure the data provided is protected.	listed operator to promote fair competition. -Increase in fee is meant to enhance implementation of required standards in the sector
			Section 26	1. Fredrick Ogambe (Represe	Short Term rentals 1. STR's are not in the Ninth Schedule of the Act- Create	-STR cuts across all other accommodation facilities listed in the

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				ntative - Airbnb Host Community Leader) 2. Mwendu Mulinge (Representative - Vacation Crib Association of Kenya)	a different class of establishment referred to as Short Term Rentals as they are not serviced apartments (under single managements) or homestays 2. Good conduct certificate is not a necessary document and is not easily accessible 3. Provision on transfer of licence in the event of relocation by renter short term rentals 4. Review the requirement for a calendar year licence as some STR's start business mid-year 5. Data on revenue earnings, number of visitors and employees may not be applicable for STR's 6. Section 26 - random quality assurance without prior notice may disrupt the privacy of clients in STR's	9th Schedule of Tourism Act 2011 or 1st Schedule of the Draft Regulations -Good conduct is easily accessible -Tourism Act Section 99 provides for a mechanism for a transfer of a licence. - Draft Regulations need to integrate the provision of Section 99 of the Act. -Submission of data applies to all accommodation facilities -Section 26. Any quality or inspection does not require notification as it is carried at appropriate time of the day. - Licences are system generated with QR codes that can be verified through QR scanner apps -Tourism is a professional industry, it must be under the custody of professionals like any other sector. -Accreditation by AirBnB is a private entity led exercise and does not subscribe to Kenyan National laws. TRA accreditation is government led and is enforceable in line with Kenyan laws and statutes. -Digitization of the audit process has begun.

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					7. Procedure on appeal process should be enumerated 8. Mandatory accreditation and classification is punitive and the fees are too high 9. Half of the members of the Accreditation committee should be from the private sector. 10. STRs use estate agents- should they be licensed by TRA or their regulatory body 11. Separate Standards on STRs should be developed for licensing purposes 12. VACAK requests to represented in the Accreditation committee 13. One licence should be used for all units owned by an individual. 14. Increase STR's interaction with Tourist Police Unit to cater to issues in STRs	

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					15.How will a TRA licence be verified and how safe are entities displaying their licence on digital platforms 16.No professional certificates in STR's. They only use mama fuas 17.What is the purpose of data collection? 18.Hotels' licence fees are based on amenities present e.g. a hotel charging 1500 or below pays 13,000 annually while a 1 unit Serviced apartment is charged 16,000. It is not commensurate. To encourage registration - review the fees downwards 19.What is the difference between accreditation done by Airbnb and TRA? 20.TRA should adopt more digital ways of conducting audit instead of physical visits	

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					21. Records required of clients are already held by Airbnb. STR's should not be required to keep their own records. 22. STR's already pay taxes eg. commission to the booking platforms and catering levy. Cost of doing business is becoming high. 23. First time applicants from STRs should be treated as such. No penalties for previous years in operations.	
				1. Kevin O. Andiego - (Representative - Kenya Tour Driver Guides)	Tour Guides 1. Enforcement of regulations has not been adhered to over the years hence TRA should make use of the TPU. 2. standardisation of hotels- TRA should also check on tour guides accommodation	-Enforcement is done by TRA in partnership with TPU -Accreditation considers all amenities including drivers' accommodation. -Accreditation for accommodation and restaurants hence guides forming part of the committee has no value proposition -Each EAC member has her own set of laws for the tourism sector under

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				Association-KTDGA) 2. Kefa Bosire (Representative - East African Tour Guides & Drivers Association 3. Kennedy Kaunda (CEO-East African Tour Guides & Drivers	3. The guides should also be considered to be members of the accreditation committee 4. The power to suspend licence has been used unfairly to suspend vocal members hence this should be looked into. 5. TRA should ensure the guides organise themselves into associations 6. In view of the fee increment, what guarantee do the guides have that once they pay they will be protected. 7. The fees increment should be justified (harmonisation across EAC) 8. there is need to strengthen self-regulation (TRA should make it mandatory to join associations) 9. stringent measures should be put in place to ensure unlicensed tour guides do not access the	different economic regimes. Having uniform Licence fee is not attainable -Access to parks is under KWS with her legal instruments. Free access for guides must be approved by KWS

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				Association)	park/protected areas - PSV'S and self-drive should have higher park entry fees than tsv's 10. Park entry for tour guides should be free 11. include a clause where TRA can exempt tour guides from paying for certain periods when incapacitated and it is proven in writing 12. TRA should ensure all players are licensed (anybody handling visitors) 13. Allow for closure of business e.g guide who has not worked for the year should not be penalised by charging penalties for the lost year. Regulations should allow for communication to that effect. 14. Physical location is important to track in case of issues - regulations should be flexible to consider those	

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					who work from their homes and not require proper office space 15. Define tour guides away from drivers guides so that tour operators should only engage licensed tour guides. There are no guides called driver guides; drivers are licensed by NTSA and should not operate within the tourism sector. 16. The provision where guides associations would do the recommendation letters to facilitate guide licensing is longer in place. The initiative used to maintain discipline, accountability and professionalism. 17. How is the TRA handling the issue of police harassment to compliant driver guides in their working areas e.g. Airport	

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					18.The Tourist vehicle sticker will only be acceptable if it will protect all its holders from the non-holders. 19.TRA should protect the tour guiding fraternity from invasion of foreigners who happen to be translators and end up guiding yet they are unqualified and unlicensed. 20.Will TSV fully pay the annual fees of 25,000 and still pay single park entry? If they shall be subjected to the entry then this amounts to double taxation. 21.TRA should formulate rules that favour all players, why should freelancers who have a single unit of motor vehicles be charged the same licence fees like companies that own fleets of vehicles especially on the	

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					TLB licence to mention but a few.	
				Michael K. Muthami (Representative - Pubs Entertainment & Restaurants Association of Kenya)	Restaurants 1. Define what Class G and Class F are for proper regulation 2. Request that TRA should not use gross receipts to classify restaurants in terms of licence fee payment - PERAK and TRA should sit together to come up with a correct classification system 3. Accreditation and classification should be voluntary and not criminalised 4. Industry representatives should form a majority membership in the Accreditation and classification committee for credibility - Regulations should be clear on this	-Definition for G and F to be considered and possibly unbundling various sub-categories. -Gross receipt is the conventional criteria including 2% to TF is pegged on gross receipts. -Accreditation is based on marks of quality. Destination competitiveness depends on quality of service. It has to be mandatory for facilities that meet the required threshold. -Every institution charges some fee for their registers including KNBS, KEBS etc

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					5. No fee should be charged for inspecting a register 6. Government should collaborate on data sharing instead of requiring submissions to several government entities. 7. Require a letter from an association for obtaining a licence	
			Regulation 8(2) Regulation 9 Regulation 10 Regulation 17 Regulation 20	Mike Macharia (CEO - Kenya Association of Hotel Keepers & Caterers)	Hotels 1. Does not see the value of accreditation and is sneaked back in as an additional licence 2. The classification exercise should be free 3. Regulation 8(2) - no criteria for assessment 4. Regulation 9 - membership of the Accreditation committee should be clear. They should also determine their TOR's. Their mandate is also not clear 5. Regulation 10 – PPAD does not know about classification.	-there is a need to educate stakeholders on the various levels of quality assurance by TRA. -National classification is free -Tourism Tribunal should be operationalised --STR cuts across all other accommodation facilities listed in the 9 th Schedule of Tourism Act 2011 or 1 st Schedule of the Draft Regulations

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					The rules for outsourcing should be set out 6. Classification and licensing should result in e-plaques or e-licenses to move away from displaying things on the wall 7. Classification should be voluntary and not criminal case in point South Africa 8. Regulation 17 - License vs work permit issued by the same government and the process can be frustrating. 9. Certificate of good conduct should be removed as a requirement for licensing 10. Remove provision of practising certificates 11. Integrate data collection with other agencies eg NEA which collects data on employees 12. The Tourism Tribunal is not functional. Set out an appeal process under the TRA Board instead 13. Regulation 20 is illegal	

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					14. Increase in fees is objected 15. Act does not envision short term rentals -review schedule 9 to incorporate them 16. Regulations should cater to virtual offices instead of traditional physical offices 17. Proposes unification of licences e.g. A hotel with a restaurant, and a curio shop is required to obtain three different licences	
8.	3rd May, 2024	Mombasa		Hillary Nyangeka(Kimoso Tour Guides)	Safari Guides/Tour guides 1. The proposed fee is too high for the guides in excess of 300% 2. Strengthen associations in Kenya 3. TRA has not been serious in weeding out fake guides in the sector. Fake guides still operating in the sector 4. TRA considers guides' situations during natural calamities. Implementation	-Guides are always advised to notify the office when incapacitated -TRA is working with KWS to address the issue of guides without tourism licences accessing parks

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					of the new rates in phases or amounts be scrapped off. 5. TRA to facilitate training for guides 6. Unlicensed guides accessing KWS parks despite not having a licence. 7. Need for a multi-stakeholder enforcement team. TPU is not doing its work effectively. 8. The level of professionalism needs to be determined by TRA.	
				Bernard Muusya(Bamburi Beach Curio Dealers Association)	Community Traders (Jomo Kenyatta Public Beach and Photographers) 1. Paying licence fee but TRA is not present/not visible. 2. Lack of enforcement by relevant government agencies including TRA. Unlicensed operators taking charge of trading places.	

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					3. Licensing Part E-TRA needs to empower the stakeholders through capacity building 4. The Beach Management unit should integrate community traders. 5. What is the role of TPU in controlling the drug menace at points of trade? 6. Beach boys messing the beach trade. What is the role of TPU and TRA? 7. What happens to the multiplicity of licences given that the county is in the process of introducing a bill that will attract additional fees to beach traders? 8. Hygiene is poor along the beach with lack of toilets.	
				Cosmos Oloo(North Coast)	Massage Parlours 1. Public engagement is commendable.	

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				Massage CBO)	2. Seasonality of the massage business (Nov-March). Proposed 10% increment.	
				Pamela Minti(Trails and Footprints)	Short-Term Rentals-STRs 1. Where is STR in the draft regulations? 2. STR falls nowhere in the 9th Schedule of tourism act 2011 3. Since 75% are done by tenants renting houses owned by foreigners. Should the tenants pay twice once payment is made by landlords? 4. There is a competition between foreign owned companies and locals. How is TRA going to handle it? 5. STR are private homes. The categorisation is not fair especially under the villas. 6. Privacy. Clause on TRA doing inspection without	-All accommodation facilities fall under Class A -There is no double licensing. Licence fee is charged to the proprietor/the one carrying out business. -TRA licences foreign entities in line with 10M asset base as per Investment Promotion Act 2003 -Tourism is a profession

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					prior notice. This will affect guest privacy. 7. Data collection requirements. Hard to quantify guest expenses and every month data sharing with TRA on guests. 8. TRA should have an understanding of the online business (Airbnb and booking.com etc) from international perspectives. 9. Accreditation fee of 70,000-150,000. It will be too expensive. 10. The professional qualification of the host for Airbnb etc. TRA should remove the qualification. 11. Is there a transition time to the new regulation?	
			Page 8, No.17 Page 12	Justus Kilungya(South Coast	Curio-Sellers 1. Class E enterprises increment from 2000-4500	-Enforcement is done in partnership with TPU. TPU role is key

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			No.4	Beach Operator)	is high. TRA to check the rate, proposed 3000 2. Page 8, No 17. Certificate in tourism. TRA to consider exempting 30 yrs and above 3. Certificate of good conduct. 5yr old CoGC should be accepted by TRA 4. Pg 12 Enforcement. TPU not working accordingly. TRA to take charge of enforcement. 5. No. 4. calamities/pandemics should result in waiver of licence fees. 6. Class E fee increment to be reduced to 10%.	
				Ahmed Fumo(Mombasa Boat Operators Association)	Boat Operators 1. Proposes licensing of every boat business staff as opposed to licensing only the boat as compared to hotel to reduce on unprofessionalism in the boat business	

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				Hamisi Said(Mombasa Fruit and Nut)	Fruit Vendors 1. Security is a key concern for traders. Instances of drug peddlers and crude weapons threatening traders. 2. Unlicensed traders taking over trading areas.	-TPU
				Moses Sauti(Diani Beach Safaris)	Online Travel Agents/Tour Operators 1. Not having a licence due to requirements like professional certificates. 2. TRA should consider those not trained for licensing.	Professionalism is key for the growth and competitiveness of the sector
				Michael Muriithi (Representative Kenya Association of Tour Operators - Coast)	1. Delayed licence issuance by TRA causing delays in TSV and RSL processing. 2. Enforcement of regulations is key in promoting standards in the Kenyan tourism sector. 3. Training is key for sector players for standards and professional ethics.	-Delays occur due to partial submission of documents

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					4. TPU to ensure sanity at the beach. Only vetted operators should operate along the beachfronts. 5. We request the operation standards for Tourist Service Vehicle (TSV) to be clearly independent in the revised law in order the Police and NTSA recognize this against PSV 6. Need for TSV speed limit to be increased; 7. TSV construction to be well defined in these laws, to allow this be discussed by industry professionals, there are areas that required consideration, especially on Bull bars, roofs as well as roll cages; 8. Important for TSV Coasters/Rosas not use jump seats;	

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					9. TSV to be exempt from MSCK licences for drivers' communication with clients has to be through microphones; 10. Important to safeguard influx of all sorts of vehicles in the Parks and Reserves, to allow only TSV and private vehicles, against school and institution large buses; 11. TSV to operate on own independent Insurance category and not as PSV; 12. TSV to be exempt from any colour codes as prescribed for the PSV sector.	
				Peter Nyale(Jacarana Beach Hotel)	Kenya Association of Hotel Keepers and Caterers 1. TRA proposed rates are high. Hotels already pay multiple licences. 2. TRA should fast track licensing processing time.	-Any delay in processing of a licence beyond the provision of service charter should be reported immediately. -Clients need to be sensitised on the TRA service charter

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
				1. Jennifer Wanzia (Mombasa Tourism Council) 2. Munira Ali - The African Food Trail	Mombasa Tourism Council (MTC) 1. MTC is a multi-sectoral association including TRA, TF, TPU and others. 2. Operators offering cooking tours, fruit tours, Mangrove experience/walks/bird watching not classified by 9 th Schedule of Tourism Act	-Operators offering any form of tour should be under Class C01 in the 1 st Schedule of Draft Regulations -An individual offering guiding is class E05 in the 1 st Schedule of Draft Regulation
				Rashid Hassan Ngare (North Coast Safari Sellers)	Safari sellers 1. TRA rate is too high). Proposal: -Retain the current rates -Payment of licence fee be done by association as representative of individual safari sellers	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					2. Unlicensed traders/intruders controlling the places of trade without TPU and TRA interventions.	
				Patrice Njeri (Coast Branch _ Pubs Entertainment & Restaurants Association of Kenya)	PERAK 1. Consolidated submissions done through head office.	
				Dr. Anthony Pepela Pwani University)	Learning Institutions 1. Professionalism is key to the sector 2. There is a need for stringent measures on qualification. 3. Need for impromptu enforcement teams by TRA.	-Professionalism highly encouraged -TRA is working relevant government agencies including learning institutions, KNQA and CUE to weed out fake professional certificates from some applicants
				Paul Musila	County Government-Kwale	To be considered

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
				(Director Department of Tourism-County Government of Kwale)	1. Unbundle the word General Vendor under 9 th schedule of Tourism Act for clarity to guide the licensing process.	
EMAIL SUBMISSIONS						
9.	19 th April 2024		Clause 4 Clause 6 (i) Clause 9(5) Clause 11 Clause 24 (1) Clause 26(2) Clause 28(2) Clause 29(1)	Daniel Murugu (Secretary - Nakuru County Public Opinion Consultative Initiative (NO-POCI))	1. Clause 4: TRA encouraged to promote collaborations in food hygiene and security. 2. Clause 6 (i): proposal The year should be capped at 3 years. 3. Clause 9(5); members cited should serve for a single term of three years non-renewable 4. Clause 11: Should include two newspapers with widest circulation in Kenya i.e Daily nation and The Standard.	-TRA to conduct a national validation

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
			Clause 30(1) Clause 31		5. Clause 24 (1): Time duration to be pegged at three months 6. Clause 26(2): Quality audits cited to only take place on official working days. 7. Clause 28(2): Disqualifications be capped at five years. 8. Clause 29(1): The tribunal cited should sensitise tourism enterprises on its rules of procedures. 9. Clause 30(1); No objection to provisions. 10. Clause 31: Agree with the provisions 11. Schedules: No objection to 1st and 2nd schedules 12. TRA should conduct a national validation meeting in Nairobi after the regional meetings.	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
10.	26 th April 2024	Siaya		Victor Odiambo Achapa - FLOMA Guest House	1. The amounts for accreditation and classification/ reclassification are way too much 2. Introduce manager's licence 3. The rating rationale is not clear with the circular economy in play and no incentives to enable players to engage on it except for importers which is discriminatory to the startups. 4. For Airbnb's should be regulated and there licensing not involving LR number/lease agreement	-Tourism Act Section 99 provides for a mechanism for a transfer of a licence. - Manager licence to be considered in draft regulations. -LR No allows for ease of traceability
10	30 th April 2024	Nairobi	PART THREE NO. 17 b sub section 3	Felix Migoya EATGDA/ DG/24	1. Section 3: list of staff in employment and copies of their practicing certificates issued by the Authority. -In regard to this sub section, does the authority need to define certificates in	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
			PART 3 19 sub section 2		question because in the citations and definitions, the Authority does not define the professional certificates. 2. (2) Any Application submitted after the expiry date of the license shall attract a penalty of ten percent of the fees payable for each month defaulted. Recommendation: Regulations should include a provision recognising a letter in instances a tour guide or an operator may not be in business or practice because of illness, decapitation, has travelled out of the country for a duration of time, or for whatever reason the said person may not be operating as a guide and therefore may not be required to renew his/her license at that time.	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					This practice has been there before albeit not directly in any provision of the regulations	
11.	1 st May 2024	Elgeyo Marakwet		Joshua Kipruto - Chairman (Elgeyo Marakwet Hospitality Association)	1. The hotel owners have no knowledge of the importance of the classification exercise. 2. The timelines for conducting the exercise between the sensitization and the actual exercise of Accreditation is too short.	-To be considered
12.	2nd May, 2024	Kakamega		Joseph Lamanis - Haven	1. TRA MUST immediately recognize and vet all short term rental associations. Have associations recognized in law and give/delegate power and mandate them to list, register and control all hosts in their jurisdiction. 2. All STR(short term rental) hosts MUST belong to a duly vetted, verified and registered association by law, this will	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					strengthen the Kenyan STR host community, curb rogue hosts and assist TRA in running its regulatory affairs. Enacting, that all hosts MUST belong to a known regulated association will greatly assist TRA in ensuring standards, safety of guests and eradicate unscrupulous people from hosting. 3. TRA in participation with association(s) should as is done to hotels structure seminars, trainings and management courses for STR hosts/owners and their staff (once annually). 4. Govt through TRA and registered associations should regulate OTAs(online travel agents and all other agents in this industry) to only list on their apps hosts who are legally registered and duly licensed. (This is already	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					happening in Europe, France and Italy) this will enforce compliance to TRA rules and help level the playing ground for all hosts, associations will monitor this and help report unlicensed hosts listed on apps. 5. Most hosts operate in rented houses and they could move their rental business within the year to other rental places due to a variety of reasons, because of this, it is requested that one should not pay for a new license but move with the same license within the year. 6. Within this app era there are lots of emerging ways of doing business, such as in taxi it's Uber or Bolt. Likewise in the hotel/housing we have apps such as airbnb/flip-key, Vrbo and booking. As hosts we are listed either on one or all the apps and we are not as	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					established block-chain service apartments as Chester house, Parkin, Longonot place or other establishment block serviced apartments. Hosts do not fall under serviced apartments but rather they are alternative accommodations, this is a term coined internationally for our type of business hence the license fees should be lower than those of serviced apartments. 7. Much as we appreciate technology TRA offices should be closer to their customers/stakeholders(us). At the moment we must travel to Kisumu for any interpersonal relationships with TRA, this is at a cost and high down time. 8. Once STR business is recognized and categorized in law, it's my humble request that TRA through its parent	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS				RESOLUTION	
					1	Studios	3000	2000	1000	
					2	1 bedroom	4000	3000	2000	
					3	2 bedrooms	5000	4000	3000	
					4	3 bedrooms	6000	5000	4000	
					5	4 bedrooms	7000	6000	5000	
					6	5 bedrooms	8000	7000	6000	
					7	6 bedrooms	9000	8000	7000	
					8	7 bedrooms	10000	9000	8000	
					9	8 bedrooms	11000	10000	9000	
					10	9 bedrooms	12000	11000	10000	
					11	10 bedrooms	13000	12000	10000	
					12	11 bedrooms +	14000	13000	11000	
13.	3rd May, 2024			Stephen Mwangi (Chairman - Kenya Tour Driver	1. Does this standardisation apply to driver guide's accommodation as well?-when was the last time auditing and accreditation					

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
				Guides Association)	done for the hotel, camps and lodges. 2. Can we have a tour guide representative in the auditing and accreditation committee of five to 11 members? 3. The power to cancel or suspend licenses has been periodically or occasionally being misused by TRA to victimise guides whenever they question their ways of operation. 4. We need protection from the above loophole 5. Vehicle licence hire from 8k to 25k and guiding fee from 2000 to 4500. What justifies the 200% increase? It seems, as TRA is out there to raise fees and not safeguard the industry from unscrupulous and unlicensed drivers and companies.	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					6. The provision where guides associations would do the recommendation letters to facilitate guide licensing is longer in place. The initiative used to maintain discipline, accountability and professionalism. 7. TRA has proposed to increase the licence by 500% from 8,000Ksh to 25,000 Ksh. individual guiding licence to increase by over 200% from Kshs 2,000 to 4,500Ksh. It is a requirement for all tourist car owners to be under the umbrella of a registered tour company or car hire company to get A TRA license and RSL from NTSA. TRA forced all individual tourist car owners to register these companies from 2022. TRA should have encouraged them to go	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					through their associations as before rather than encourage mushrooming companies that were not necessary. 8. Since TRA has decided to increase the license, can it assure total protection to tour companies, car hire companies and guides at large as the only entities who will serve and offer tour services in Kenya. Private cars and matatus have been offering tour services yet they are not registered with TRA, Thus bring on a conflict of interest in the industry. 9. How is TRA handling the issue of Police Harassment to complaint Driver guides in their working areas e.g. Airport. 10. The Tourist Vehicle Sticker will only be acceptable if it	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					will protect all its holders from non-holders. 11. Tourism Institutions, good conduct certificate and Identity Card - TRA should follow up to protect the registered guides and recommend tour companies hire them unlike where they use the medal created by some private examining bodies eg. KPSGA 12. TRA should protect the tour guiding fraternity from invasion of foreigners who happen to be translators and end up guiding yet they are unqualified and unlicensed. 13. Will TSV fully pay the annual fees of 25,000 kshs and still pay park entry fees? If the shall be subjected to the entry then this amounts to double taxation.	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					14.TRA should formulate rules that favour all players. Why should freelancers who got single unit of motor vehicles be charged the same licence fees like companies that owns fleets of vehicles especially on the TLB license to mention but a few.	
14.	3 rd May 2024	Vacation Cribs Association of Kenya	Part I— Preliminary Part II— Standardisation of Tourism Enterprises Regulation 4		1. Tourism Act, schedule 9 does not capture our business model 2. Short Term Rental/Alternative Accommodation: A “Fully furnished unit apartment offering both short- and long-term accommodation, it is mostly run by an individual or individuals unlike the serviced apartments where a fully fledged organisation or institution owns a block of units.	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
			Part III—Licensing of Tourism Enterprises Part IV—Enforcement Provisions 26 (2)		❖ The fees in the first schedule to be relooked since we are not serviced apartments. PART I—Preliminary “agent” means a person appointed by or on behalf of a regulated tourism enterprise set out under the Ninth Schedule of the Act to manage the enterprise’s affairs on behalf of the proprietor; ❖ We are seeking clarity on the definition given and that if the agent you are referring to is the one involved in the STR business who should licence the agents? Section 14. (1) A proprietor or an agent of a tourism enterprise who fails to subject themselves to the national accreditation or classification exercise commits an offence and is liable to a penalty provided for under section 112(2) of the Act. ❖ Is accreditation mandatory? The mandatory fee of Kes. 70,000	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					accreditation and Kes 150,000 classification are punitive and, in a manner, discriminatory ❖ What value does accreditation add? ❖ Are the standards already set or will they be set at a later date? Can VACAK be incorporated in the framing of the same? ❖ Can VACAK have a slot in the accreditation and classification committee? ❖ What will be the difference between an accredited unit and non-accredited unit? PART III—LICENSING OF TOURISM ENTERPRISES ❖ If the licence is based on LR No. What happens when a host needs to shift the business from one apartment to another? Is the licence transferable in such a case? ❖ It does not make sense e.g.; I have 3 units in 3 adjacent	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					buildings and I have to take 3 licences ❖ Can the licence run for 12 months as opposed to expiring in December? ❖ When someone gets evicted from a building and they have a licence what happens? ❖ What are the benefits of being licensed and accredited? ❖ How do we verify the legitimacy of the licence? Can VACAK and TRA collaborate and launch a platform that can verify the licences and the hosts/agents ❖ How safe are we if we display our licences in public? ❖ Why do we need professional qualifications? Licensing fees: Number of units - not limited to one location 1-2 units- 5000-6000 3-5 units - 8000-9000 6-15 units- 11000 - 12000 16 units + Clause 23 (i,ii and iii) and 24	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					❖ How is the data going to be submitted and what's the purpose? ❖ How do we determine the client's expenditure ❖ Monthly submissions are going to be tedious PART IV—ENFORCEMENT PROVISIONS 26 (2) Quality audits done under sub-regulation (1), shall be carried out without prior notice. ❖ What if the unit has clients? Without notice breaches the clients right to privacy Recommendations: ❖ All hosts must belong to an Association? We need to formulate repercussions of failing to join one ❖ All agents must belong to an Association ❖ TRA should offer more civic education, training and seminars just like you do for hotels.	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
15	3 rd May 2024		Section 24(10)	Nakuru Online submission	Nakuru Furnished Apartments Owners Association 1. Whereas we appreciate the inclusion of Short-Term Rentals in the Regulations, it is worth noting that the existing Act does not recognize our business model as is and there is urgent need to review the ninth schedule of the Act due to the changes happening in the hospitality industry for sustainability and to avoid bottlenecks in the implementation of the Regulations of 2024. 2. Short Term Rental/Alternative Accommodation is a “Fully furnished unit apartment	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					offering both short- and long-term accommodation, it is mostly run by an individual or individuals unlike the serviced apartments where fully fledged organization or institution owns a block of units · While hosts support and welcome the idea of being licensed and regulated there is need to look into the chargeable fees in the first schedule since we do not fall under any of the categories listed · There are several considerations that can be made bearing in mind that hosts operate units of different sizes ranging from studios,	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					one-bedroom units all the way to four bedrooms within apartment buildings. Not many members have more than one unit in the same building. 3.An “agent” means a person appointed by or on behalf of a regulated tourism enterprise set out under the Ninth Schedule of the Act to manage the enterprise’s affairs on behalf of the proprietor. An Agent is a person who has been mandated/ appointed or authorized to act on behalf of another person or an entity. • We therefore recommend that the Authority develops a module for licensing STR agents	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					since they are part of the business chain 4. Will the need for accreditation and classification affect STRs? • If so, the above means that accreditation is mandatory? The mandatory fee of Kes. 70,000 accreditation and Kes 150,000 classification are punitive and, in a manner, discriminatory • What value does accreditation add? • Are the standards already set or will be set at a later date? Can we be incorporated in the framing of the same? • Can we have a slot in the accreditation and classification committee?	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					What will be the difference between an accredited unit and non-accredited unit? 5.STR units are often rentals where landlords determine the timeframe one gets to last in a particular location. This means that a facility is likely to be moved from one location to another within the license period. What this means therefore is that: If the license is based on LR No. what happens when a host needs to shift the business from one apartment to another? Is the	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					license transferable in such a case? · Our business model is mobile, you could be in one apartment this month and the next month you are in a different apartment, could we have a license that is attached to our business certification as opposed to LR No? · How do we handle licensing of a business with several units in adjacent building within one location?	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					· Can the license run for 12 months from the month of issue as opposed to running within a calendar year with an expiry in December of the year it was issued? · When someone gets evicted from a building and they have a license what happens? Is it transferable to the new location? · What are the benefits of being licensed and accredited?	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					· How do we verify legitimacy of the license displayed on the marketing sites? · How safe are we if we display our licenses in public? · Why do we need professional qualifications? What qualifications are referred to in the Regulations? Which courses and which institution will offer the same? · Our house keeper's majority are casuals with vast experience in	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					housekeeping, why do they need professional qualification? Won't this lock out many young people from employment? 6.Section 24(10) requires us to submit monthly returns to the Authority which is difficult to achieve due to the small nature of our businesses. The income levels do not allow us the luxury of employing professionals to support on these returns 7.The regulations talks of need to conduct regular quality audits without prior notice. This may lead to breach in client's privacy	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					Other Recommendations: 1. Need for hosts must belong to an Association for self-regulation 2. All agents must belong to an Association for self-regulation 3. TRA should facilitate more civic education, trainings and seminars just like you do for hotels 4. TRA should offer support to Associations in strengthening their capacity	
15.	3 rd May 2024	PERAK Online	Part II- Standardisation of		Part II- Standardisation of tourism enterprises	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
		submission	tourism enterprises Part III Licensing of tourism enterprises First Schedule		Section 2. Accreditation and classification undertaken by trained assessor Recommendation: To indicate the selection, process the associations to be given priority to nominate the assessors Section 6 (3) application for accreditation Recommendation This to be a free service to the facilities Section 8 (2) withdraw of mark of quality for non-conformity Recommendation To do away with the clause Section 9 (1) Establish of the committee Recommendation • To indicate the establishment of the committee with clear roles and representation drawn from the associations in the sector.	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					Part III Licensing of tourism enterprises Section 17 (a) (i) documentations Recommendation • To do away with good conduct requirement Section 24 (i) database • To remove the clause. Work with other parastatal to get the data e.g., Tourism Fund First Schedule Class B Recommendation • To do away with gross receipt tabulation For a restaurant which has not previously traded Recommendation • Propose 9,000 Class F enterprises Entertainment facilities Recommendation	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					• Clear breakdown of the entities as done in class A enterprises i) Fees for accreditation and classification Class A and B Recommendation • Do away with the fees • We appreciate the authority for this exercise. • We recommend unification of the licence to some entities which are serviced apartments and have a restaurant as well. • Clear and well classification of a bar, bar and restaurant charges	
16.	3 rd May 2024		Part 3	Nicanor Sabula (CEO-Kenya Association of Travel Agents)	Regulation on the licensing of foreign travel agents. 1. The regulations under part 3 should include a clear process for licensing foreign travel agents to protect local players from cannibalization by international players	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					seeking to trade in the country. 2. -Foreign companies should meet a higher threshold of requirements that demonstrate a significant foreign investment in the country. 3. Part 3 of the regulations, there is a need to have as a requirement a recommendation/endorsement letter from a relevant Industry Association. 4. Unification of the Travel and Tours licence. The two businesses are similar and therefore requiring two licence is asking for too because the businesses are complementary. 5. KATA strongly opposes the increase of the licensing fee from the current 8k to the proposed 25k- a 300% rise. What is the rational and	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					value proposition? Our proposal is a marginal increase of between 20-25%	
17.	3rd May, 2024	Kitale		Westside Hotel	We are pleased to inform you that we have agreed to the regulatory authority submission 2024 on standardisation of Tourism Enterprise, also on licensing of Tourism activities and licenses.	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
18.	3 rd May 2024		Section 2 First schedule Part II of the Draft: Tourism Enterprise Standardisation Section 9 (Establishment of Accreditation &	Fredrick Ogamba Advocates	1. Need for a Clear definition of STR STR does not fit within the definitions provided for tourism enterprises in section 2 and the first schedule of the Draft. 2. As hosts, a majority do not own the premises in which they conduct our business. 3. Section 9 (Establishment of Accreditation & Classification Committee): Need to include STR operators in the accreditation committee. 4. A need for clarification regarding the minimum standards and their alignment with the STR. 5. Include a clause that Accreditation & Classification Committee shall consist of a maximum of 11 members, 2 or 3 board seats shall be reserved for	-KRA PIN should be available. Any transaction involving a transfer/lease of property/land requires KRA PIN -Foreigners are also subjected to other taxes including digital tax by KRA

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
			Classification Committee PART III Section 17 Section 17 (1) Section 17 (B) (ii) Section 18 Section 24: Part IV		persons carrying out tourism activities. The persons should make an application to the Board of Authority of the Ministry for appointment into the Board for a maximum of 3 or 5 years 6. Section 17 (Licensing Requirements): Foreigners are also mandated to register and pay yet for one to obtain a licence, they need a KRA PIN to complete the application. The Tourism Regulatory Authority (TRA) online system currently has no provision for foreigners who own properties in Kenya but do not reside in the country and don't have a KRA PIN. 7. The current licensing fee of KES 26,000.00 is not only unfavourable and costly, but also not sustainable.	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
			Section 26 Part V FIRST SCHEDULE		a. we propose licence fees to start from a Single room at KES 3,000.00, a one-bedroom apartment at KES 6,000.00, a Two-bedroom apartment at KES 9,000.00, a three-bedroom apartment at KES 16,000.00 etc. 8. Section 17 (1) What is the rationale for requiring individuals to produce a certificate of good conduct when applying for the licence? This part of the clause should be deleted. 9. Section 17 (B) (ii) should indicate that the professional qualification should apply where applicable. 10. Section 18 (Issuance of Licence):	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					Queries/Suggestions brought up were ✓ -It is observed that the Tourism Act is encroaching on the rental act. ✓ -Shouldn't the licence run for 12 months as opposed to expiring in December of every year? 11. Section 24: Requirement to provide data every month to the regulator applies to hotel establishments. Probably the Draft should include a clause to state that these requirements should be provided where applicable. 12. Section 26 (Quality Audits): There needs to be clarity and for understanding of the STR to find a better way to enforce this.	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					13. PART V Appeals, Revocation, Savings & Transitions There is a need to understand what the launch appeal procedure is. The proper procedure, structure and due process should be well stated in the Draft. Furthermore, the Draft should include a clause “that a person not satisfied with the appeal decision should seek redress from the courts of law”. 14. FIRST SCHEDULE Licence fees payable by various types of regulated tourism activities and service 15. The suggested fees are not reflective of our Business Model as some individual hosts may have premises in different locations.	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					16. Fees for Accreditation & Classification: The mandatory fee of Kes. 70,000 for class A accreditation, is punitive as it will severely affect the business due to inflated costs. This fee is in addition to income Tax collected by KRA and the 2% Tourism Levy etc. 17. Accreditation is already done by international online booking platforms like Airbnb, Booking.com etc. As a result of this Accreditation which is done with a smart electronic algorithm. Other matters raised are:- i. Why the double Accreditation by TRA? ii. What would be the qualifications of the TRA staff doing the Accreditation?	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					iii. What sort of standards is TRA benchmarking their Accreditation? Is it higher or better than Airbnb or Booking.com which have a global turnover of over 10 billion USD annually? iv. TRA could use a better electronic algorithm like the online booking companies. v. TRA ought to embrace a smarter 21st Century way of operating i.e. digital way of operating. vi. Inspection sounds old fashioned when the likes of Airbnb etc are covering the Inspection aspect electronically using the app. vii. TRA ought to embrace a smarter way to regulate the players. They need to benchmark themselves with players like Airbnb, Booking.com etc.	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					viii. Records are also already online. Why subject us to duplicate these records? The same records were submitted when registering for the Tourism Levy. can be reached at cozystayhomes@gmail.com /0722704759	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
19	3rd May 2024		PART I PART II—STANDARDIZATION OF TOURISM ENTERPRISES PART IV	Mwangi Wandario TAAN	Part I Preliminary 1. Definition of STR :Proposed <i>“Fully furnished unit apartment offering both short- and long-term accommodation, it is mostly run by an individual or individuals unlike the serviced apartments where fully fledged organization or institution owns a block of units.</i> -We are seeking clarity on the definition given and that if the agent they are referring to is the one involved in the STR business who should license the agents?	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					Part II—STANDARDIZATION OF TOURISM ENTERPRISES 1. This means accreditation is mandatory? 2. Are the standards already set or will be set at a later date? 3. Can we be incorporated in the framing of the same? As well as the accreditation 4. Can we have a slot in the accreditation and classification committee 5. What will be the difference between an accredited unit and non-accredited unit?	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					PART III—LICENSING OF TOURISM ENTERPRISES 1. If the license is based on LR No. what happens when a host needs to shift the business from one apartment to another? Is the license transferable in such a case? 2. Can the license run for 12 months as opposed to expiring in December? 3. Is our licensed based on bed capacity or unit size? 4. What are the benefits of being licensed and accredited? - legitimate business	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					5. No county license will be issued without TRA license 6. How do we verify legitimacy of the license? VACAK /TRA launch a platform 7. How safe are we if we display our licenses in public? 8. Why do we need certificate of good conduct? 9. Why do we need professional qualifications? 10. This is a business like any other e.g. people running Mpesa have not been required to have financial management qualifications	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					11. What qualifications are these? Which courses? 12. Our house keeper's majority are casuals, why do they need professional qualification? 13. Won't this lock out many young people from employment? 14. Also there needs to be more clarification on the requirements, especially about foreigners. -It is observed that the Tourism Act is encroaching on the rental act. It is suggested that the regulators review, address and draw up reflective regulations. I have picked this	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					from the Airbnb document , but I don't understand hence the yellow highlight Proposed Licence fees Number of units -not limited to one location • 1-2 units- 5000-6000 • 3-5 units – 8000-9000 • 6-15 units- 11000 -12000 • 16 units + PART IV—ENFORCEMENT PROVISIONS Section 26 (2) Quality audits done under sub-regulation (1), shall be carried out without prior notice. 1. What if the houses have clients? 2. Which records will be required to be submitted? needs to be clear	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					3. When someone gets evicted from a building and they have a license what happens? 4. The mandatory fee of Kes. 70,000 accreditation and Kes 150,000 , is punitive and in a manner discriminatory Recommendations: a. All hosts must belong to an Association? b. We need to formulate repercussions of failing to join one c. TRA should offer more civic education, trainings and seminar just like they do for hotels	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					d. We are not defined in the Tourism Act, /9th schedule, can we be included as a separate category?	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
20	4th May 2024	Coast		Michael Muriithi KATO Coast Branch	1. We request the operation standards for Tourist Service Vehicle (TSV) to be clearly independent in the revised law in order the Police and NTSA recognize this against PSV. 2. TSV speed limit increase; 3. TSV construction to be well defined in these laws, to allow this be discussed by industry professionals, there are areas that required consideration, especially on Bull bars, roofs as well as roll cages; 4. Important for TSV Coasters/Rosas not use jump seats; 5. TSV to be exempt from MSCK licenses for drivers communication with clients has to be through microphones; 6. Important to safeguard influx of all sorts of vehicles	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					in the Parks and Reserves, to allow only TSV and private vehicles, against school and institution large buses; 7. TSV to operate on own independent Insurance category and not as PSV; 8. TSV to be exempt from any colour codes as prescribed for PSV sector. 9. TSV operates on packaged itineraries, of course service to Kenyan visitors to the destination, and time is of great importance and to stay clear of redress, compensation by clients then this should be clear in the revised laws.	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
21	9th May, 2024	Mt. Kenya Region		Unknown	Mt Kenya Region 1. An increment of over 100% needs to be reconsidered because of seasonality and natural calamities that affects the sector. 2. There are many guides that are practising and very few are licensed 3. Need for collaboration between TRA and KWS that only licensed guides are allowed into our national parks and game reserves including private conservancies 4. TRA needs to strengthen associations. Make association letters mandatory as a requirement when getting a TRA licence. 5. TRA needs to come up with a special licence despite the fact that most of them lack proper documents but they need to be regulated and	

S/NO	DATE	REGION	RELEVANT SECTION	SPEAKER	COMMENTS	RESOLUTION
					licensed without discrimination.	