

REPUBLIC OF KENYA

THE COUNTY GOVERNMENT OF BUSIA

THE BUSIA COUNTY ALCOHOLIC DRINKS CONTROL ACT, 2013

In exercise of the powers conferred by Section 66 of The Busia County Alcoholic Drinks Control Act 2014, the County Executive Committee Member for Community Development, Sports, Culture & Social Services, makes the following Regulations:

THE ALCOHOLIC DRINKS CONTROL REGULATIONS, 2014

PART I: GENERAL

1. These Regulations may be cited as the Alcoholic Drinks Control Regulations, 2014.

Citation

2. In these Regulations, unless the context otherwise requires
"Citizens Service Centres or Citizen Service Centre"
mean the citizen service centre established pursuant to and in
accordance with section 119 of the County Governments Act
"County" means Busia County

Interpretation

"domestic consumption" means, in respect of an alcoholic drink,
consumption by the immediate family members and invited guests at
the home of the permit holder

"Sub County Committee" has the meaning assigned to it under
section 2 of the Act;

"license" means a license or permit issued under these Regulations;

"licensee" has the meaning assigned to it under section 2 of the Act;

"off-license" means a license for the sale of an alcoholic drink or drinks
to be consumed elsewhere other than on the licensed premises.

"standards authorities" means any body or authority including the Kenya

Bureau of Standards recognized regulator by the law in Kenya as a regulator of standards in alcohol and alcoholic drinks

3. (1) The procedure for the conduct of business and affairs of the Sub-County Committee shall be as specified in the First Schedule.
- (2) Save as specified in the First Schedule, the Sub-County Committee shall regulate its own procedure.

Conduct of business
and affairs of Sub-
County Committee

PART 2- LICENSING

4. (1) A person who wishes to manufacture or otherwise produce, sell, dispose of, or deal in; import or cause to be imported; or export or cause to be exported any alcoholic drink under the Act, shall first apply to the Sub County Committee for a license in that regard.
- (2) An application for a grant or renewal of a retail alcoholic drinks license shall be in Form 1 as set out in the Second Schedule.
- (3) An application for a grant or renewal of a license to manufacture or otherwise produce, sell, dispose of, or deal with an alcoholic drink shall be in Form 2 specified in the Second Schedule.
- (4) An application for a grant or renewal of a license to import or cause to be imported, or export or cause to be exported any alcoholic drink shall be made to the Sub County Committee in the Sub-County where the business premise is situated and shall be in Form 3 specified in the Second Schedule.
- (5) An application for the transfer or removal of a license shall be made in triplicate in Form 4 set out in the Second Schedule.
- (6) An application for a temporary alcoholic drink license or permit or an extension thereof shall be made in Form 5 set out in the Second Schedule.
- (7) An application for an assurance under section 13 of the Act shall be made in triplicate in Form 10 in the Second Schedule.
- (8) Any application submitted under sub regulations (3) or (4)

Application

- (a) such registration or identification documents as may be required by the Sub County Committee;
- (b) a detailed physical address, telephone number, facsimile number and email address of the applicant;
- (c) detailed information relating the proposed services to be provided;
- (d) where applicable, information relating to the previous experience in the provision of the services for which a license is sought; and
- (e) any other information including requisite approvals by the standards authorities that the Sub County Committee may require

5. (1) Where an applicant fails to submit all documents or information required under these Regulations, the Sub County Committee shall reject the application and inform the applicant, in writing, of the rejection.

Failure to submit documents or information

(2) Where the Sub County Committee rejects an application due to incomplete or insufficient information, the rejection shall not, bar the applicant from resubmitting the application.

6. (1) Upon the completion of the application process, the Sub County Committee shall, if it is satisfied that the applicant has complied with the requirements under these Regulations, issue a license to the applicant.

Granting of licenses

(2) A license issued under these Regulations shall be in Form 6, 7, 8 or 9 as set out in the Second Schedule.

7. (1) The Sub County Committee shall specify the terms and conditions of a license consistent with the provisions of the Act and these Regulations.

Terms and conditions of a license

(2) A license for the manufacture or production of an alcoholic drink shall not permit the consumption of such alcohol on the premises where it is manufactured or produced

(3) The prohibition of Sub-Regulation (2) shall not apply in the case of a license granted to manufacture or produce traditional or alcoholic drink for the manufacturer's or producer's domestic consumption

(4) A license granted in accordance with these regulations shall:

- (a) specify the premises licensed to manufacture or produce or sell alcohol or alcoholic drinks
- (b) The time or times within which alcoholic drinks may be sold under the license
- (c) Not allow or permit the sale of alcohol or alcoholic drinks to:-
 - i. any person below the age of 18 years
 - ii. a person who is already intoxicated or
 - iii. an habitual drunkard in respect of whom a certificate has been issued under the Act
- (d) require a seller of an alcoholic drink or drinks to display on the licensed premises a notice to the effect that no person under the age of 18 years shall be allowed into the premises and no alcohol or alcoholic drink shall be sold to such a person

(5) A distributor's license shall not under the same license permit

- (a) a manufacturer or producer to be a wholesaler; or
- (b) a wholesaler to be a retailer

(6) Except as provided under these regulations, only a retailer's license shall permit a licensee to sell alcoholic drinks to a consumer.

(7) A brewer, manufacturer or producer of alcoholic drink or drinks may directly sell such drink or drinks to a retailer thereof

(8) A licensee shall comply with all terms and conditions of the license

8. (1) At least thirty days prior to any change, a licensee shall;

Notification of
change of particulars

- (a) notify the Sub County Committee of his/her intention to change the name or contact address he/she filed with the Sub County Committee before effecting such change; and
 - (b) notify the Sub County Committee and the public of any trade or brand name he/she intends to use.
- (2) For the purpose of notifying the public under this regulation, a licensee shall pin a written notice on:-

i. Notice Board at the Sub-county Administrator's office

- ii. Notice Board at Ward Administrator's office
- iii. Notice Board at Village Administrator's office
- iv. the Citizens Service Centres within the jurisdiction of the Sub-county Committee

9. (1) A licensee shall not transfer or assign a license granted under the Act without the written consent of the Sub County Committee.

Transfer or assignment of a license

(2) Within thirty days of receipt of an application for the transfer or assignment, the Sub County Committee shall communicate its decision thereon and give its reasons therefor to the applicant

(3) The Sub County Committee shall communicate its decision on an application for the transfer or assignment of a license to an applicant within thirty days of receipt of the application and state the reasons for the decision.

10. (1) A licensee shall make an application for the renewal of his license in accordance with the procedure set out in the Act and these Regulations.

Procedure on renewal of a license

(2) When considering an application for renewal of a license, the Sub County Committee shall consider the extent of compliance by the licensee with the terms and conditions contained in the license in the previous license period.

11. (1) The Sub County Committee may revoke a license in accordance with the Act.

Revocation of a license

(2) Any person who is aggrieved by the decision of the Sub-County Committee made under this regulation may appeal in accordance with the Act.

12. A licensee shall, in addition to the terms and conditions of the license—

Obligations of a licensee as to quality of service

- (a) improve service quality, by identifying service deficiencies and making appropriate changes;

- (b) maintain service quality and hygiene while considering environmental and operating conditions;
- (c) ensure that decent practices increasing consumer satisfaction and safety and decreasing user complaints are encouraged;
- (d) avoid discrimination relating to the quality of the service offered between consumers;
- (e) ensure special needs of disabled consumers are also considered when developing quality of service parameters.

13. The Sub County Committee shall, from time to time, inspect or investigate matters relating to the quality of service of a licensee to ensure compliance or carry out any other visits or inspections pursuant to the Act.

Inspections and investigations on quality of service

14. Notwithstanding that a license has been issued by the Sub-County Committee under the Act and these Regulations, a licensee shall bear the responsibility for:-

Obligations of a licensee to obtain approvals from other authorities

- (a) obtaining the approvals of other County and/ or National Government agencies required for the provision of the licensed services or premises; or
- (b) the maintenance of such premises

15. The Third Schedule shall have effect in relation to the fees payable in accordance with these Regulations.

Fees

16. The alcoholic drink license hours shall be as specified in the Fourth Schedule.

Hours of sale and consumption of alcohol

PART 3:- PROMOTION AND USE OF ALCOHOLIC DRINKS

17. No manufacturer, brewer, distributor, retailer or any other person shall:

- (a) by way of advertisement or promotion of the use of alcohol, erect or display any billboard, painting, decoration, brand images or logos associated with alcoholic drinks-

Restriction on advertisements for alcoholic drinks

- i) in or in the proximity of a school or institution of learning
- ii) at a place of religious worship
- iii) at any function or event at which persons under the age of 18 years are in attendance or likely to be in attendance

- (b) Supply by way of or offer for sale or gift in any container including sachets or vending machines any alcoholic drink .
- i. to a person under the age of 18 years in any place
 - ii. to a person already intoxicated;
 - iii. that is adulterated or diluted; or
 - iv) otherwise contains any prohibited substances under the national law

- (c) in promoting an alcoholic drink or drinks, give or advertize any information or impression as to the characteristics or effects regarding the drink, that is false, misleading, deceptive or that may encourage excessive consumption of the alcoholic drink

18. Any premises licensed for sale and consumption of alcoholic drinks shall not be hired out for use as a place of worship, education or training or for other use at which persons under the age of 18 years are in attendance or are likely to be in attendance unless:

- i) steps are taken to conceal any advertisements or alcoholic promotional material that may be on display in the premises; and
- ii) no alcoholic drink is sold or offered for sale at such premises for the duration of the worship, training, education or event

19. (1) No person may sell or offer for sale any alcohol to any person :-

- (a) other than in the premises licensed for that purpose under the Act
- (b) at a place or function associated with or attended by persons under 18 years of age

(2) The premises licensed for sale and consumption of alcohol shall have in prominent letters:

- a) a notice to the effect that no person under the age of 18 years may enter the premises and that no alcohol or alcoholic drink may be sold or offered for sale to such a person and
- b) the time or times during which alcoholic drinks may be sold and consumed

20. (1) Save as is otherwise provided in this regulation or in the Act, no premises may be licensed for sale and consumption of alcohol which are within a radius of 300 meters of a school or educational training institution at which persons of less than 18 years of age are in attendance or likely to be in attendance.

(2) Premises licensed for sale and consumption of alcohol which are within a radius of 300 meters shall not:-

Premises licen's
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Promotion
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educator
training :

(i) externally display or exhibit any images, paintings or pictures promoting or encouraging the consumption or use of alcohol.

(ii) a licensee of premises licensed for sale and consumption of alcohol shall take all reasonable measures to ensure that any promotional materials or advertisements regarding the sale and use of alcohol are concealed from and invisible to persons under the age of 18 years that are or are likely to be in the school or educational or training institution in the vicinity of the licensed premises

21. (1) Premises licensed for sale and consumption of alcohol shall be separated and distinct from residential or sleeping quarters irrespective of whether or not such premises and the residential or sleeping quarters are owned or managed by the same person

Residential quarters to be separated from premises licensed for sale and consumption of alcoholic drinks

(2) No person may promote or advertise the sale and consumption of alcohol or otherwise sell alcoholic drinks in an area designated as or usually used for residential purposes.

PART 4:-TREATMENT AND REHABILITATION

22. (1) In consultation and collaboration with other County and National Government agencies, civil society and other stakeholders, the Directorate may, with the approval of the County Executive Committee Member, establish treatment and rehabilitation centers as may be necessary for the purposes of counseling and rehabilitating victims of alcoholism and alcohol abuse .

County Executive Committee Member to consult and collaborate with stakeholders in the establishment of treatment and rehabilitation centres

(2) Centres for treatment and rehabilitation of alcohol and alcoholic drink victims may be set up and erected in such places in the County as the Directorate may in consultation with the Sub-County Committee and consequent approval of the Executive Member deem fit

(3) Without prejudice to Sub Regulation (1) there may be established by the County treatment and rehabilitation centres in the County.

(4) There shall be an alcohol treatment and rehabilitation unit manned by a professional counselor in every Sub-county public health facility in the County

23. The alcohol treatment and rehabilitation unit established under Regulation 22 shall act as a reception centre-

Treatment and rehabilitation reception centre

(a) to receive and offer counseling services for persons affected by alcoholism and effects thereof: and

(b) where necessary identify and refer appropriate cases to alcohol treatment and rehabilitation centers

24. (1) A treatment and rehabilitation centre may be:-

- (a) privately managed
- (b) public

Management
treatment and
rehabilitation

(2) A public alcohol treatment and rehabilitation centre shall be managed by a committee appointed by the County Executive Committee Member in consultation with the County Public Service board and composed of:-

- (a) a Chairperson who shall be a professional counselor with not less than 7 years experience in counseling
- (b) a registered medical practitioner and:
- (c) four other members, one of whom shall be a psychologist and another a nursing officer

25. (a) The Directorate shall in consultation with the County Executive Committee Member and the County Executive Committee Member in charge of health and sanitation in the County and the Sub-county Committee, develop and implement a comprehensive treatment and rehabilitation programme for victims and persons affected by alcoholism and alcohol abuse

Functions of
treatment and
rehabilitation
committee

(b) The programme shall include a monitoring evaluation and follow up mechanisms

26. Every alcohol treatment and rehabilitation unit and alcoholic treatment and rehabilitation centre shall each keep a record of:

Treatment
rehabilitation
to keep rec

- (a) the persons received and attending the unit or treatment and rehabilitation centre
- (b) the treatment and rehabilitation given
- (c) the duration of the treatment and rehabilitation; and
- (d) outcome of the treatment and rehabilitation

27 (1) The Counselor at every public health facility and the chairperson of the management committee at every treatment and rehabilitation center in the Sub-county shall each collect data on alcoholism and alcohol abuse, prepare a monthly report thereon and submit it to the Sub-county Committee secretary.

(2) Upon receipt of the report or reports under (1), the Sub-county Committee Secretary shall prepare a quarterly report on the Sub-county state of alcoholism and alcohol abuse in the Sub-county for consideration by the Sub-county Committee and send the said report to the directorate established under Section 4 of the Act.

28. (1) On receipt of the report, the Director shall, once every six months, prepare and submit to the Chief Officer who shall submit to the County Executive Committee Member a report on the state of alcoholism and alcohol abuse in the County.

Director to prepare and submit to the County Executive Committee Member quarterly report on the state of alcoholism in the County

(2) The County Executive Committee Member shall, at least once in every six months, prepare and submit a report to be tabled to the county Executive and then submitted to the County Assembly on the state of alcoholism and alcohol abuse in the County and make proposals for legislative and policy measures in respect thereof

PART 5:- RESEARCH

29. (1) Every Sub County Committee shall keep :-

(a) a register of all:-

- (i) licensed manufacturers, producers, distributors, wholesalers and retailers of alcoholic drinks in the Sub- County
- (ii) alcoholism and alcohol abuse treatment and rehabilitation centers; and

(b) subject to any other written law, a record of attendance at alcohol treatment and rehabilitation centres in the Sub-county

(2) The record kept under sub-regulation (1) shall be open to public inspection during normal working hours upon payment of a fee of Kshs 200

Records of rehabilitation center and treatment units

30. (1) The Directorate shall in collaboration with the Sub-county Committee, compile data relating to:-

(i) alcohol consumption, in the Sub-counties, frequency and rate of alcoholism and alcohol abuse

(ii) the number of alcoholism and alcohol abuse units, treatment and rehabilitation centres

(iii) the geographical distribution of cases of alcoholism and alcohol abuse in the Sub-Counties

(iv) factors contributing to incidences of alcoholism and alcohol abuse

The Directorate to collaborate with stakeholders in research in alcoholism and alcohol abuse in County

(v) recovery rates of alcoholism and alcohol abuse.

(2) In collaboration with other County and national agencies, international organization and other stakeholders, the directorate, with the approval of the County Executive Committee Member, may conduct or allow research to be conducted in respect of the administration of the Act and these Regulations.

Development of
treatment and
rehabilitation
programmes

(3) Any findings in respect of research conducted by any person in the County on matters covered by the Act or these Regulations shall be made available to the County Executive Committee Member.

31. The Directorate shall initiate and advise the County Executive Committee Member on policy formulation regarding alcohol use and abuse in the County and develop programmes to:-

- (i) address alcoholism and alcohol abuse in the County
- (ii) programs for treatment and rehabilitation of the victims and those affected by alcoholism and alcohol abuse

32. Fines imposed under the Act and the Regulations shall be shared between stakeholders including Alcoholic drinks Control Fund, Judiciary Fund, Director of Public Prosecution and the Kenya police in proportions as the executive Member may determine.

FIRST SCHEDULE (r. 3 (1))

PROVISIONS AS TO THE CONDUCT OF BUSINESS AND AFFAIRS OF THE SUB COUNTY COMMITTEE

1. (1) The members of the Sub County Committee referred to in section 9 (4) (f) of the Act shall, subject to the provisions of this Schedule, hold office for a period of three years on such terms and conditions as may be specified in the instrument of appointment, but shall be eligible for re-appointment for one further term.

(2) No person shall be eligible to be appointed as a member of the Sub-county Committee under section 9 (4) (f) of the Act if such person is:-

(a) a holder of any license for the sale and distribution, manufacture or distillation of an alcoholic drink;

(b) having a pecuniary interest in a partnership, company or society which is a licensee;

(c) a paid officer or paid agent of a partnership, company or society interested in the sale or in the prevention of the sale of alcoholic drinks;

(d) a person employed directly or indirectly as an agent for the purpose of making application for a license for any other person, or any partner of a person so employed as an agent;

(e) an agent or manager of or a partner in any trade or calling carried on upon premises licensed or in respect of which a license has been applied for or the owner lessor or mortgagee of those premises;

(f) an undischarged bankrupt;

(g) a person who, in Kenya or elsewhere, has been sentenced to imprisonment without the option of a fine and who has not received a pardon there-from.

(3) Any such person who, knowingly acts or sits as a member of the Sub-county Committee whilst so disqualified, commits an offence and liable to a fine not exceeding six thousand shillings.

2. (1) The Sub-county Committee shall, at its first meeting, elect a Vice-chairperson from amongst the persons appointed under Section 9(4) (f) of the Act.

(2) The person elected under subparagraph (1) shall not be of the same gender as the Chairperson of the Sub-county Committee.

3. (1) A member of the Sub County Committee other than an ex-officio member may:-

(a) at any time resign from office by notice in writing to the County Executive Committee Member;

(b) be removed from office on the recommendation of the Sub County Committee if the member—

(i) has been absent from three consecutive meetings of the Sub-county Committee without its permission;

(ii) is convicted of a criminal offence that amounts to a felony under the Laws of Kenya;

(iii) is incapacitated by prolonged physical or mental illness for a period exceeding six months; or

4.
 - (1) The Sub-county Committee shall meet not less than four times in every year provided that not more than four months shall elapse between the date of one meeting and the date of the next meeting.
 - (2) A meeting of the Sub-county Committee shall be convened by the Chairperson upon issuance of a seven days notice to the committee members through the secretary.
 - (3) Notwithstanding sub-paragraph (1), the Chairperson may, and upon requisition in writing by at least a third of all the members shall, convene a special meeting of the Sub-county Committee at any time for the transaction of the business of the Sub County Committee.
 - (4) The quorum for the conduct of the business of the Sub-County Committee shall be at least four members.
 - (5)
 - (a) The Chairperson or in his/her absence, the Vice-chairperson, shall preside over every meeting of the Sub County Committee.
 - (b) Whenever the Chairperson and Vice-chairperson are absent, the Chairperson shall nominate one of the members to preside over the meeting and the business transacted in such a meeting shall be as directed by the Chairperson.
 - (6) Unless a unanimous decision is reached, a decision on any matter before the Sub County Committee shall be by a majority of the votes of the members present and voting, and in case of an equality of votes, the Chairperson or the person presiding shall have a casting vote.
 - (7) All decisions of the Sub County Committee shall be in writing and shall be authenticated by the signatures of both the Chairperson and the Secretary.
 - (8) Subject to subparagraph (4), no proceedings of the Sub-county Committee shall be invalid by reason only of a vacancy among the members thereof.
 - (9) Subject to the provisions of this Schedule, the Sub-County Committee may determine its own procedure and the procedure for any sub-committee of the Sub County Committee and for the attendance of other persons at its meetings and may make standing orders in respect thereof.

5. (1) The Sub-county Committee may establish such sub-committees as it may deem appropriate to perform its functions under the Act.
 - (2) The Sub County Committee shall appoint the chairperson of a sub-committee established under subparagraph (1) from amongst its members.
 - (3) The Sub County Committee may where it deems appropriate, co-opt any person to attend the deliberations of any of its sub-committees.
 - (4) All decisions by the sub-committees appointed under subparagraph (1) shall be ratified by the Sub County Committee.
6. The Secretary to the Sub-county Committee shall be responsible for:-
- (a) providing administrative support to the Sub-county Committee;
 - (b) the custody and keeping of the minutes of the proceedings of the Sub-county Committee and all other records of the Committee;
 - (c) such other functions as may be assigned by the Sub-county Committee and relevant agencies.
7. The Sub-county Committee may, on a rotational basis, hold meetings within the administrative units of their respective Sub-counties.
8. (1) A member present at a meeting who has conflict of interest in any contract or other matter shall at the meeting and as soon as reasonably practicable after the commencement of the meeting, disclose the fact thereof and shall not take part in the subsequent consideration or discussion of or vote on any questions with respect to the contract or other matter or be counted in the quorum of the meeting during consideration of the matter.
- (2) A disclosure of interest made under subparagraph (1) shall be recorded in the minutes of the meeting at which it is made.
 - (3) A member of the Sub-county Committee who contravenes sub-paragraph (1) commits an offence.

SECOND SCHEDULE

(r. 4 (2))

FORM 1

THE BUSIA COUNTY ALCOHOLIC DRINKS CONTROL ACT, 2013

APPLICATION FOR THE GRANT OR RENEWAL OF AN ALCOHOLIC RETAIL DRINKS LICENSE

[To be completed in triplicate]

1. Name of applicant
2. ID/Passport No./Certificate of Incorporation No. of the applicant (Give certified copies)
.....
3. Applicant's postal address
4. Physical address and plot number of premises
[Give sufficient details adequately to identify the premises]
Street, phone number,
5. Name by which premises is known
6. If for renewal, give expiring license number
7. License to run from (dd/mm/yy)..... to
8. Type of license applied for
9. Previous experience (in years) the business covered by the license applied for

Date

Signature of applicant.....

Note.—If the application is for a wholesale alcoholic drinks license to be applicable to more premises than one, paragraphs 3 and 4 must give particulars of all such premises.

THE BUSIA COUNTY ALCOHOLIC DRINKS CONTROL ACT, 2013
APPLICATION FOR THE GRANT OR RENEWAL OF A LICENSE TO
MANUFACTURE OR PRODUCE AN ALCOHOLIC DRINK

- 1. Name of applicant
- 2. ID/Passport No./Certificate of Incorporation No. of the applicant(Give certified copies)
- 3. Type of business

(a) Sole proprietorship (the business is owned by one person).....

Personal Identification Number

(b) Partnership

Names, Postal Addresses and Phone Contacts of the Partners

.....

.....

.....

Contact Person

.....

(c) Limited Liability Company

Name, Postal Address and Phone Contacts of the Directors

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.....

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.....

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.....

Contact person

3. Postal Address

4. Physical Address (exact place of manufacture

5. Telephone.....

6. Fax
7. E-mail
8. City, Town or Village.....
9. Business Registration No. or Certificate of Incorporation No.....
10. Is this a New/Renewal application?.....
- If Renewal, provide details of No.....

11. Do you have manufacturer's certification? Yes.....No.....

12. List type and brands of alcoholic drinks to be manufactured

<i>Alcoholic Drink</i>	<i>Standards Certification Number</i>
.....
.....
.....
.....
.....

13. Brief description of alcoholic drink(s)
- (a) Unit Capacity in millilitres and Cost in Shillings of the alcoholic drink(s)
- (b) Alcoholic content
- (c) Mode of transportation and storage conditions
- (d) Describe the purpose for which the alcoholic drink (s) will be used (e.g. retail, wholesale or export etc.) including if it is for domestic consumption

14. Declaration by Applicant:

Ihereby declare and certify that the information given in this application including attachments thereto is true and correct to the best of my knowledge and belief.

Date:

Signature:

Official Stamp/Seal.....

THE BUSIA COUNTY ALCOHOLIC DRINKS CONTROL ACT, 2013
APPLICATION FOR THE GRANT OR RENEWAL OF A LICENSE TO
IMPORT OR EXPORT AN ALCOHOLIC DRINK

- 1. Name of applicant
- 2. ID/Passport No./Certificate of Incorporation No. of the applicant(Give certified copies)
.....
- 3. Postal Address
- 4. Physical Address
- 5. Tel
- 6. Fax
- 7. E-mail
- 8. Business Registration No
- 9. Is this a New/Renewal application? If Renewal, provide details of No.....
- 10. List type and brands of alcoholic drinks to be imported/exported

<i>Alcoholic Drink</i>	<i>Standards Certification Number</i>
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.....
.....
.....
.....
.....

- 10. Brief description of alcoholic drink(s)
- (a) Unit Capacity in milliliters and Cost in Shillings of the alcoholic drink(s)
- (b) Alcoholic content
- (c) Mode of transportation and storage conditions
- (d) Describe the purpose for which the alcoholic drink (s) will be used (e.g. retail, wholesale)

11. Declaration by Applicant:

I hereby declare and certify
that the information given in this application including attachments thereto is
true and correct to the best of my knowledge and belief.

Date:

Signature:

Official Stamp/Seal.....

FORM 4

(r. 4 (5))

THE BUSIA COUNTY ALCOHOLIC DRINKS CONTROL ACT, 2013
APPLICATION FOR TRANSFER/ REMOVAL OF A ALCOHOLIC DRINK
LICENSE

[To be completed in triplicate]

1. Name of applicant
 2. Applicant's postal address
 3. Type and number of license held.....
 4. Address of premises specified therein
 5. Name of transferee/address of premises to which it is desired to remove license .
.....
- Date.....
- Signature of Applicant.....

FORM 5

(r. 4 (6))

THE BUSIA COUNTY ALCOHOLIC DRINKS CONTROL ACT, 2013
APPLICATION FOR A TEMPORARY ALCOHOLIC DRINK
LICENSE/TEMPORARY EXTENSION OF ALCOHOLIC DRINK LICENSE

1. Name of applicant
2. ID/Passport No./Certificate of Incorporation No. of the applicant(Give certified copies)
3. Applicant's postal address
4. Type and number of license held.....
5. Type of license required.....
6. Address to which temporary license should be made applicable

- 7. Period for which temporary license required.....
- 8. Extension times applied for.....
- Date.....
- Signature of Applicant.....

FORM 6

THE BUSIA COUNTY ALCOHOLIC DRINKS CONTROL ACT, 2013

(r. 6 (2))

PARTICULARS CONCERNING CLUBS

[To be completed in block capitals]

THESE PARTICULARS relate to an application which has been made for the grant of a

[Particulars of type of license

[Full names of applicant] who intends to hold such license on behalf of a club]

PARTICULARS

- 1. Name of club concerned
- 2. ID/Passport No./Certificate of Incorporation No. of the applicant(Give certified copies).....
- 3. Physical and postal address of the club premises.....
- 4. State whether the club is registered or exempted from registration under the provisions of the law for the time being relating to companies or societies (provide certified copy of the registration certificate.....
- 4. Registration No.
- 5. Particulars of types or categories of membership existing.....
- 6. Total membership of club
- 7. State whether entrance fees or subscriptions are payable
- 8. Give details of the objects or purposes for which the club is established.....
- 9. State whether any persons, other than members, may pay for or be charged for food, drink or accommodation offered by the club
- 10. State whether the club is a members' club or a proprietary club: that is, who owns the club property, the freehold title or leasehold title to the land upon which the club is situate, and who retains any profits earned or made by the club.
- 11. State whether any limit is imposed on temporary membership, and whether temporary members are required to pay both entrance fees and subscriptions
- 12. Particulars of the applicant's office or position in the club

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

Date.....

Signature of Applicant.....

FORM 7

(r. 6 (2))

THE BUSIA COUNTY ALCOHOLIC DRINKS CONTROL ACT, 2013

ALCOHOLIC DRINK LICENSE

TYPE OF LICENSE.....

LICENSE NO.

This alcoholic drink license is granted under the provisions of the Busia County Alcoholic Drinks Control Act, 2014 to (applicant) of (postal address) in respect of premises situate at (location).....

[Full details of premises to be inserted by issuing officer]

This license is granted subject to the provisions of the Busia County Alcoholic Drinks Control Act, 2013 and to the following conditions

This license shall expire on

Fees paid: Kshs

Date of issue

Chairman(sign)

Sub County Committee (name of the Sub-county)

FORM 8

(r. 6 (2))

THE BUSIA COUNTY ALCOHOLIC DRINKS CONTROL ACT, 2013

TEMPORARY ALCOHOLIC DRINK LICENSE

No.

This temporary alcoholic drink license is granted under the provisions of the Busia County Alcoholic Drinks Control Act, 2013 to of being the holder of a..... alcoholic drink license No. and authorizes the licensee to sell..... alcoholic drink at

This license is valid from (dd/mm/yy)..... to

This license is issued subject to the provisions of the Busia County Alcoholic Drinks Control Act, 2013 and to the following conditions

Fec paid: Kshs.....

Date of issue

Chairman (sign).

FORM 9

(r. 6 (2))

THE BUSIA COUNTY ALCOHOLIC DRINKS CONTROL ACT, 2013

TEMPORARY EXTENSION ALCOHOLIC DRINK LICENSE

LICENSE No.

This temporary extension alcoholic drink license is issued to
being the holder of a alcoholic drink license. No....., and
authorizes the licensee to sellalcoholic drink at from
..... o'clock in the afternoon until o'clock in the noon
on

This temporary extension alcoholic drink license is granted subject to the provisions of
the Busia County Alcoholic Drinks Control Act, 2013 and to the following conditions

.....
.....

Fee paid: Kshs

Date of issue

Chairman(sign)

Sub-county Committee (name of Sub-county)

FORM 10

(s. 13 (2) Act

THE BUSIA COUNTY ALCOHOLIC DRINKS CONTROL ACT, 2013

ASSURANCE THAT AN ALCOHOLIC DRINK LICENSE WILL BE ISSUED

(Applicant/Developer)..... of(physical and
postal address) having satisfied me that he /she has an interest in premises to be built/being
built atfor the purpose of being used for the sale of alcoholic drink for consumption
therein, and having supplied me with a signed copy of the plans of the premises, he/she is
hereby assured that, on completion of the premises in accordance with the signed plans,
and subject to the provisions of the Busia County Alcoholic Drinks Control Act, 2013
he/she will be granted a (type of license) alcoholic drink license.

Fee paid: Kshs

Date of issue

Chairman(sign)

THIRD SCHEDULE

(r. 15)

LICENSE FEES

<i>Type of License</i>	<i>Fees</i>	
	<i>For 12 months</i>	<i>For 6 months or less</i>
1. General retail alcoholic drink license —		
(a) in respect of premises situate within a City or a municipality	50,000	30,000
(b) in respect of premises situate within urban areas other than city and municipality	30,000	18,000
(c) in respect of premises situate elsewhere than in a city, municipality and urban areas.....	15,000	9,000
2. General retail alcoholic drink license (off License):-		
(a) in respect of premises situate within City or municipality	24,000	14,000
(b) in respect of premises situate within urban areas other than city and municipality	18,000	10,000
(c) in respect of premises situate elsewhere than in a city, municipality and urban areas.....	12,000	7,000
3. Brewer's alcoholic drink license		
For each alcoholic drink or product manufactured:		
(a) one million litres and above per annum	1,000,000	
(b) between five hundred thousand (500,000) and nine hundred ninety nine thousand, nine hundred and ninety nine (999,999) litres per annum.....	500,000	
(c) above twelve thousand (12,000) but below four hundred and ninety nine thousand, nine hundred and ninety nine (499,999) per annum.....	250,000	

(d) twelve thousand litres (12,000) and below per annum.....	30,000	
4. Wholesale alcoholic drink license for each premises.....	50,000	30,000
5. Import alcoholic drink license (wholesale):		
(a) one million litres and above	1,000,000	
(b) between five hundred thousand (500,000) and nine hundred ninety nine thousand, nine hundred and ninety nine (999,999) litres.....	500,000	
(c) below five hundred thousand (500,000) litres.....	250,000	
6. (1) Botler's alcoholic drink license.	150,000	
(2) Depot license, in addition to subparagraph (1), per depot.....	50,000	30,000
7. (1) Distributor alcoholic drink license.....	50,000	30,000
(2) Depot license, in addition to subparagraph (1) per depot.....	20,000	15,000
8. Hotel alcoholic drink license—		
(a) in respect of premises situate within a City or a municipality	30,000	30,000
(b) in respect of premises situate within urban areas other than city and municipality.....	15,000	20,000
(c) in respect of premises situate elsewhere than in a city, municipality and urban areas.....	9,000	12,000
(d) where the licensee holds a general retail alcoholic drink license in respect of the same premises.....	5,000	