



TOURISM REGULATORY AUTHORITY

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When replying please quote:

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TO WHO IT MAY CONCERN

RE: TOURISM LICENCE FOR PRIVATE HOUSES/VILLAS/APARTMENTS

Many queries have come up since our office started licensing private houses. We hereby wish to clarify this matter as follows.

1. When did private houses start paying licences?

In 2005. The then *Hotels and Restaurants Act Cap 494* was amended under *Kenya Subsidiary Legislation 2005 of 4th March 2007* to include private houses. A private house was defined as any premise where accommodation is offered with or without a charge, including second homes used for holiday making by owners; owner household and friends; renting or leasing services involving own residential property as well as well as permanent rental of second homes [page 179 of the Kenya Subsidiary Legislation 2005 of 4th March 2007].

2. Why were private houses required to pay tourism licences?

- a) Because it was realized that some were accommodating clients for pay without paying any government tax/licences;
- b) Others were accommodating guests/friends (for or without pay), guests/friends who would otherwise have stayed in a hotel and generated revenue for the government.
- c) To protect hotels(which pay various government licences) from losing business to unlicensed private houses; and
- d) To keep track of private houses which are accommodating guests in order to organize police patrols to provide security in and around those houses.

3. What does the current law say about tourism licences?

The Ninth Schedule of the Tourism Act No. 28 of 2011 (page 828) lists the Regulated Tourism Activities and Services which should acquire tourism licences (as shown below). In case you are involved in any of the activities/services below, you need to get a tourism licence from this office.