

(Legislative Supplement No. 85)

LEGAL NOTICE NO. 277

THE LAND REGISTRATION ACT

(No. 3 of 2012)

IN EXERCISE of the powers conferred by section 6 of the Land Registration Act, in consultation with the National Land Commission and the county governments, the Cabinet Secretary makes the following Order—

THE LAND REGISTRATION (REGISTRATION UNITS) ORDER,
2017

1. This Order may be cited as the Land Registration (Registration Units) Order, 2017. Citation.

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

“Act” means the Land Registration Act, 2012;

“Cabinet Secretary” means the Cabinet Secretary responsible for matters relating to land;

“registration unit” means a land registration unit constituted under section 6 (1) of the Act;

3. The Cabinet Secretary establishes registration units as set out in the First Schedule. Establishment of registration units.

4. (1) Upon establishment of a registration unit under regulation 3, the office or authority responsible for land survey shall commence the activities set out in section 6 of the Act, as applicable including the carrying out of such survey works as may be deemed necessary to enable the implementation of the Act. Commencing survey and other activities in a registration unit.

(2) Where an area that had existing titles issued under the repealed Acts, the office or authority responsible for land survey shall prepare cadastral maps together with a conversion list, indicating the new and (where applicable) the old numbers for parcels of land within each registration unit or registration section/block.

(3) In carrying out the exercise in subparagraph (2) above, the office or authority responsible for land survey, shall ensure the accuracy and completeness of the conversion list and cadastral maps, and upon completion, shall submit the cadastral maps together with the conversion list to the Registrar.

(4) The Cabinet Secretary shall, within thirty days of receipt of the conversion list and cadastral maps from the Registrar, publish, in the Gazette and in at least two daily newspapers of nationwide circulation, the conversion list and cadastral maps.

(5) The publication by the Cabinet Secretary in accordance with subparagraph (4) shall specify a date, not more than four months from the end date of publication, to be the date after which the registry shall be open to the public for transactions or dealings relating to parcels within the registration unit established under section 7 of the Act.

(6) The Cabinet Secretary shall send a copy of the publication under subparagraph (4) to the relevant county government for further dissemination to the public.

5. (1) Any person with an interest in land within the registration unit who is aggrieved by the information in the conversion list or the cadastral maps may, within ninety days from the date of publication under subparagraph 4(4),—

Objection to information in the conversion list and cadastral map.

- (a) make a complaint, in writing, in Form LRA 96 set out in the Second Schedule, to the Registrar in respect of the information contained in the conversion list and the cadastral maps; or
- (b) apply to the Registrar in Form LRA 67 set out in the Sixth Schedule to the Land Registration (General) Regulations, 2017, for the registration of a caution pending the clarification or resolution of any complaint.

(2) Despite subparagraph (1)(b), the Registrar may, for purposes of preventing any fraud or improper dealing in the land, register a restriction on a parcel of land to last until the complaint is resolved.

6. An application to the Registrar under subparagraph 5(1)(b) shall contain—

Particulars by the complainant.

- (a) the name, address and telephone number of the complainant;
- (b) the nature of the complaint;
- (c) the grounds of the objection; and
- (d) any other particulars as may be required by the Registrar.

7. (1) The Registrar shall, within ninety days of receiving a complaint under subparagraph 5(1)(a)—

Registrar to resolve issues in the conversion list.

- (a) provide such information or clarification as may be requested;
- (b) register a restriction in accordance with section 76 of the Act; or
- (c) register a caution in accordance with section 71 of the Act.

(2) On resolution of a complaint, the Registrar shall order a restriction or caution registered under subparagraph (1) to be removed or varied.

(3) A person aggrieved by the decision of the Registrar made under this regulation may, within thirty days, appeal to the Court in accordance with section 78(2) of the Act.

8. (1) With effect from the date of commencement of transactions or dealings in the registry pursuant to paragraph 4(5) all

Migration of registries and titles.

dealings in any land or interest in land within the registration unit shall henceforth be carried out at the registry.

(2) Any registers maintained in other registries previously dealing with the parcels within a registration unit shall be closed for any subsequent dealings.

(3) The transition register maintained under section 104 (1) of the Act shall from the date specified in paragraph 5(4) be closed for further entries in respect of the affected parcels and all subsisting particulars entries and documents in the transition register for the affected parcels shall be migrated to the new registry and be noted in the registers established under section 7 of the Act and maintained at the respective registries in the registration units under regulation units.

(4) The land register closed under subparagraph (2) and the supporting documents shall be maintained in both physical and electronic formats in the new land registration unit.

(5) The closing of the transition register or any other register and the migration of the subsisting particular entries and documents to the register in the respective registries in the registration units under regulation 3, shall be carried out simultaneously and expeditiously to avoid inconvenience to members of the public.

9. (1) The Registrar shall publish, in at least two newspapers of nationwide circulation and announce in radio stations of nationwide coverage, a notice inviting the registered owners to make applications for replacement of title documents issued from the closed registers.

Migration of titles.

(2) The registered owners of parcels within a registration unit shall make an application to the registrar in Form LRA 97 set out in the Second Schedule for replacement of the title issued from the closed registers.

(3) The application made under subparagraph (2) shall be accompanied by the original title and copies of the owner's identification documents.

(4) On any subsequent dealing or transaction, over a parcel within a registration unit, whose owner has not complied with subparagraph (2), the Registrar shall replace its title documents issued from the closed registers.

(5) On the replacement of title documents issued from the closed registers, the Registrar shall cancel the previous title documents and retain them for safe custody.

10. The Registered Land (Districts) Order, 1981 is revoked.

Revocation.
LN 124/1981

FIRST SCHEDULE

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LAND REGISTRATION UNITS AND LAND REGISTRIES IN RESPECTIVE COUNTIES

	<i>Land Registration Unit</i>	<i>Land Registry</i>	<i>County</i>
1.	Mombasa	Mombasa	Mombasa
2.	Kwale	Kwale	Kwale
3.	Kilifi	Kilifi	Kilifi

4.	Tana River	Hola	Tana River
5.	Lamu	Lamu	Lamu
6.	Taita Taveta	Wundanyi	Taita Taveta
7.	Garissa	Garissa	Garissa
8.	Wajir	Wajir	Wajir
9.	Mandera	Mandera	Mandera
10.	Marsabit	Marsabit	Marsabit
11.	Isiolo	Isiolo	Isiolo
12.	Imenti	Meru	Meru
13.	Meru North	Maua	Meru
14.	Meru South (Nithi)	Chuka	Tharaka Nithi
15.	Embu	Embu	Embu
16.	Mbeere	Siakago	Embu
17.	Kitui	Kitui	Kitui
18.	Mwingi	Mwingi	Kitui
19.	Machakos	Machakos	Machakos
20.	Makueni	Wote	Makueni
21.	Nyandarua	Ol Kalou	Nyandarua
22.	Nyeri	Nyeri	Nyeri
23.	Kirinyaga	Kerugoya	Kirinyaga
24.	Muranga	Muranga	Muranga
25.	Kiambu	Kiambu	Kiambu
26.	Thika	Thika	Kiambu
27.	Gatundu	Gatundu	Kiambu
28.	Turkana	Lodwar	Turkana
29.	West Pokot	Kapenguria	West Pokot
30.	Samburu	Maralal	Samburu
31.	Trans Nzoia	Kitale	Trans Nzoia
32.	Uasin Gishu	Eldoret	Uasin Gishu
33.	Keiyo	Iten	Elgeiyo Marakwet
34.	Nandi	Kapsabet	Nandi
35.	Baringo	Kabarnet	Baringo
36.	Koibatek	Eldama Ravine	Baringo
37.	Laikipia	Nanyuki	Laikipia
38.	Nakuru	Nakuru	Nakuru
39.	Naivasha	Naivasha	Nakuru
40.	Narok	Narok	Narok
41.	Transmara	Kilgoris	Narok
42.	Kajiado	Kajiado	Kajiado
43.	Ngong	Ngong	Kajiado
44.	Kericho	Kericho	Kericho
45.	Bomet	Bomet	Bomet
46.	Kakamega	Kakamega	Kakamega
47.	Vihiga	Vihiga	Vihiga
48.	Bungoma	Bungoma	Bungoma
49.	Busia	Busia	Busia
50.	Siaya	Siaya	Siaya
51.	Ukwala	Ugunja	Siaya
52.	Bondo	Bondo	Siaya
53.	Kisumu East	Kisumu	Kisumu
54.	Nyando	Awasi	Kisumu
55.	Homa Bay	Homa Bay	Homa Bay

56.	Rachuonyo	Oyugis	Homa Bay
57.	Migori	Migori	Migori
58.	Kuria	Kehancha	Migori
59.	Kisii	Kisii	Kisii
60.	Nyamira	Nyamira	Nyamira
61.	Nairobi	Nairobi	Nairobi City

SECOND SCHEDULE

Date Received for registration	Presentation Book	Registration Fees Paid	Receipt no.
.....	No.....	Kshs.

Form LRA 96

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REPUBLIC OF KENYA

THE LAND REGISTRATION ACT

THE LAND REGISTRATION (GENERAL) REGULATIONS, 2017

PRESENTATION ON OBJECTIONS TO THE CONVERSION LIST

TITLE NUMBER:

Date of Presentation	
The Objector:	Give full name(s)
ID/Passport/Company Registration No. of the Trustee(if any)	
Nature of Interest in Land	

SIGNED by the Objector in the presence of:-	<div style="border: 1px solid black; width: 100px; height: 50px; margin: 0 auto;"> <p style="text-align: center; margin: 0;">Coloured Photograph</p> </div>
	ID/No.
	PIN No.
	Signature
Certificate of Verification	
<p>I CERTIFY that the above-named appeared before me on the day of20.... and being known to me/being identified by*..... of acknowledge the above signatures or marks to be his/hers/theirs and that he/she/they had freely and voluntarily executed this instrument and understood its contents.</p> <p style="text-align: right;">..... <i>Signature and Designation of Person Certifying*</i></p>	

The Objector is HEREBY aggrieved by the information in the conversion list /the cadastral maps on the following grounds:

.....
.....
.....
.....

EXECUTION:

Form LRA 97

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REPUBLIC OF KENYA
THE LAND REGISTRATION ACT
THE LAND REGISTRATION (GENERAL) REGULATIONS, 2017

Date Received	Presentation Book	Official Fees Paid
.....	No.....	Kshs.

APPLICATION FOR REPLACEMENT OF TITLE ISSUED FROM THE
CLOSED REGISTER

TITLE NUMBER:.....

Date of Application	
Proprietor	
ID/Passport/Company Registration No. of the Proprietor(<i>if any</i>)	

1. The Proprietor(s) HEREBY APPLIES for issue of Certificate of Title /Lease* in replacement of title issued from the closed register.
2. In support of this Application, the Proprietor(s) attaches the following documents:-
 - (a) Original title document to be replaced;
 - (b) Certified copies of National Identity Card/Passport of the registered Proprietor(s).
 - (c) Certified copies of certificate of registration/incorporation as well as copies of National Identity Cards/Passport of the directors/partners/officials of the registered Proprietor(s).

Dated thisday of20.....

* Delete where not appropriate

<p>SIGNED by the Proprietor in the presence of:-</p> 	<div style="border: 1px solid black; width: 80%; margin: 0 auto; text-align: center; padding: 10px;"> <p>Coloured Photograph</p> </div> <p>ID/No.....</p> <p>PIN No.....</p> <p>Signature.....</p>
<p>Certificate of Verification under Section 45 of the Land Registration Act</p>	
<p>I CERTIFY that the above-named appeared before me on the day of 20... and being known to me/being identified by*..... of acknowledge the above signatures or marks to be his/hers and that he/she had freely and voluntarily executed this instrument and understood its contents.</p> <p style="text-align: right; margin-top: 20px;">..... <i>Signature and Designation of Person Certifying**</i></p>	

EXECUTION:

LAND REGISTRAR

Name:

Signature:

Dated the 13th November, 2017.

JACOB KAIMENYI,
Cabinet Secretary for Lands and Physical Planning.

