LEGAL NOTICE NO. 161

THE MICROFINANCE ACT
(No. 19 of 2006)

EXEMPTION

IN EXERCISE of the powers conferred by section 19(3)(b) of the Microfinance Act, 2006, the Cabinet Secretary for the National Treasury and Planning exempts the Micro Enterprise Support Programme Trust from the provisions of section 19(1) of the Act in connection with acquisition and direct or indirect holding of ordinary shares in Century Microfinance Bank Limited, for a period of five years.

Dated the 27th June, 2018.

HENRY K. ROTICH,
Cabinet Secretary for the National Treasury and Planning.

LEGAL NOTICE NO. 162

THE ENERGY ACT, 2006
(No. 12 of 2006)

IN EXERCISE of the powers conferred by section 111(1)(c) of the Energy Act, 2006, the Cabinet Secretary for Energy and Petroleum makes the following Order—

THE ENERGY (ENERGY REGULATORY COMMISSION PETROLEUM LEVY) ORDER, 2018

1. This Order may be cited as the Energy (Energy Regulatory Commission Petroleum Levy) Order, 2018 and shall come into operation on the 15th July, 2018.

2. In this Order unless the context otherwise requires —

“Act” means the Energy Act;

“Commission” means the Energy Regulatory Commission established under section 4 of the Act;

“Director General” means the Chief Executive Officer of the Commission;

“Kenya Revenue Authority” means the Kenya Revenue Authority established under section 3 of the Kenya Revenue Authority Act, 1995.

3. (1) There is imposed a levy to be known as the Energy Regulatory Commission Petroleum Levy.

(2) The purpose of the Levy referred to in subparagraph (1) shall be to finance the operations of the Commission.

(3) The Levy shall be paid on the petroleum products consumed in Kenya bearing the codes and descriptions specified in the first and second columns respectively of the Schedule to this Order, at the rates specified in the third column of the Schedule.

(4) Any company licensed to import petroleum products shall remit the Levy referred to in this paragraph to the Kenya Revenue Authority.

4. The Kenya Revenue Authority shall on or before the thirtieth day of each month remit to the Director General, the Levy in respect of the immediately preceding month.

5. The Kenya Revenue Authority shall maintain or cause to be maintained monthly records of the total petroleum products sold and the Levy due in respect thereof and shall submit such records and the Levy remitted under paragraph 4 to the Commission.

6. The Commission shall ensure that all proper books of accounts in relation to the Levy are kept and audited in accordance with section 22 of the Act.

7. The Energy Act (Petroleum Regulation Levy) Order, 2014 is hereby revoked.

SCHEDULE

<table>
<thead>
<tr>
<th>Tariff Code</th>
<th>Product Description</th>
<th>Rate of Levy (Kshs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2710.11.10</td>
<td>Motor spirit (gasoline) regular.</td>
<td>250.00 per 1,000 litres at 20°C</td>
</tr>
<tr>
<td>2710.11.20</td>
<td>Motor spirit (gasoline) premium</td>
<td>250.00 per 1,000 litres at 20°C</td>
</tr>
<tr>
<td>2710.11.22</td>
<td>Kerosene</td>
<td>250.00 per 1,000 litres at 20°C</td>
</tr>
<tr>
<td>2710.19.31</td>
<td>Automotive gas oil</td>
<td>250.00 per 1,000 litres at 20°C</td>
</tr>
<tr>
<td>2710.19.32</td>
<td>Diesel oil (industrial, heavy black for low speed marine and stationary engines)</td>
<td>250.00 per 1,000 litres at 20°C</td>
</tr>
</tbody>
</table>

Dated the 20th June, 2018.

JOHN MUNYES,
Cabinet Secretary for Petroleum and Mining.