



SINGLE BUSINESS PERMITS

The case precedent and Order issued by the High Court sitting in Nairobi on 7th December, 1999 restricted the Nairobi City Council and in extension all other Counties from collecting Single Business Permit fees from members of the Institute of Certified Public Accountants of Kenya who are in practice. (*HCCC No. 1624 of 1999*) and the Court Ruling in the High Court Miscellaneous Application No. 782 of 2000, *Republic – Vs – Municipal Council of Thika and Another EX-PARTE Kenya Medical Association and 5 others.*) The order operated as a stay of proceedings and decision of the City Council of Nairobi concerning any demand for applications from the members of ICPAK and the Law Society of Kenya for Single Business Permits and fees thereof.

In Constitutional Petition No. 97 of 2016, The Kenya Pharmaceutical Association and Pharmaceutical Society of Kenya sought the Court's intervention to prohibit County Governments from demanding, seeking or receiving applications for Single Business Permits or fees for such application or permit or license or otherwise from its members. The Judge explained the crucial difference between trade license fees and practicing license fees stating that the County Government is prohibited from issuance of Regulatory Licenses. The trade licensing fee is paid for trading in the County. The Judge further reiterated that the function of the County Government is trade development and regulation which excludes the regulation of professions which render services only.

Consequently, we request members of the Institute who have been requested to pay for or produce Single business permits to report the same to Ms. Harriette Chiggai through email address harriette.chiggai@icpak.com. and copy Ms. Cynthia Walucho email address cynthiah.anne@icpak.com. Kindly include the County in question and OB number or case number if any.

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