



LEGAL ALERT

IMMINENT ROLL OUT OF THE NATIONAL
LAND INFORMATION MANAGEMENT
SYSTEM (NLIMS)

NLIMS ROLL OUT

One of the main priorities of the Ministry of Lands and Physical Planning (the “Ministry”) for the financial year 2020/2021, was the digitization of land systems due to recurrent challenges including poor record management and unnecessary bureaucracy within the Ministry. This has significantly affected the turnaround time for business transactions in Kenya. As such, the Ministry has been developing the National Land Information Management System (“NLIMS”), to improve service delivery in the land sector for the benefit of the general public.

On 10th February 2021, the Cabinet Secretary for Lands and Physical Planning, Hon. Farida Karoney (the “Cabinet Secretary”), stated that the Ministry is engaging various stakeholders, including the Department of Surveys, ahead of the intended NLIMS roll out. It is therefore expected that the Ministry will implement the system imminently.

Legal Underpinning of NLIMS

The intended rollout of NLIMS has legal underpinning as follows:

a. Land Act, 2012

Under section 6 (h) of the Land Act, 2012, the Cabinet Secretary has the express power to coordinate the development and implementation of a National Land Information System in collaboration with the National Land Commission.

b. Land Registration (Electronic Transactions)

Regulations, 2020

The regulations seek to introduce changes to the current land registration process in the country, by introducing the electronic land registry which shall be maintained by the Chief Land Registrar.

Purpose of NLIMS

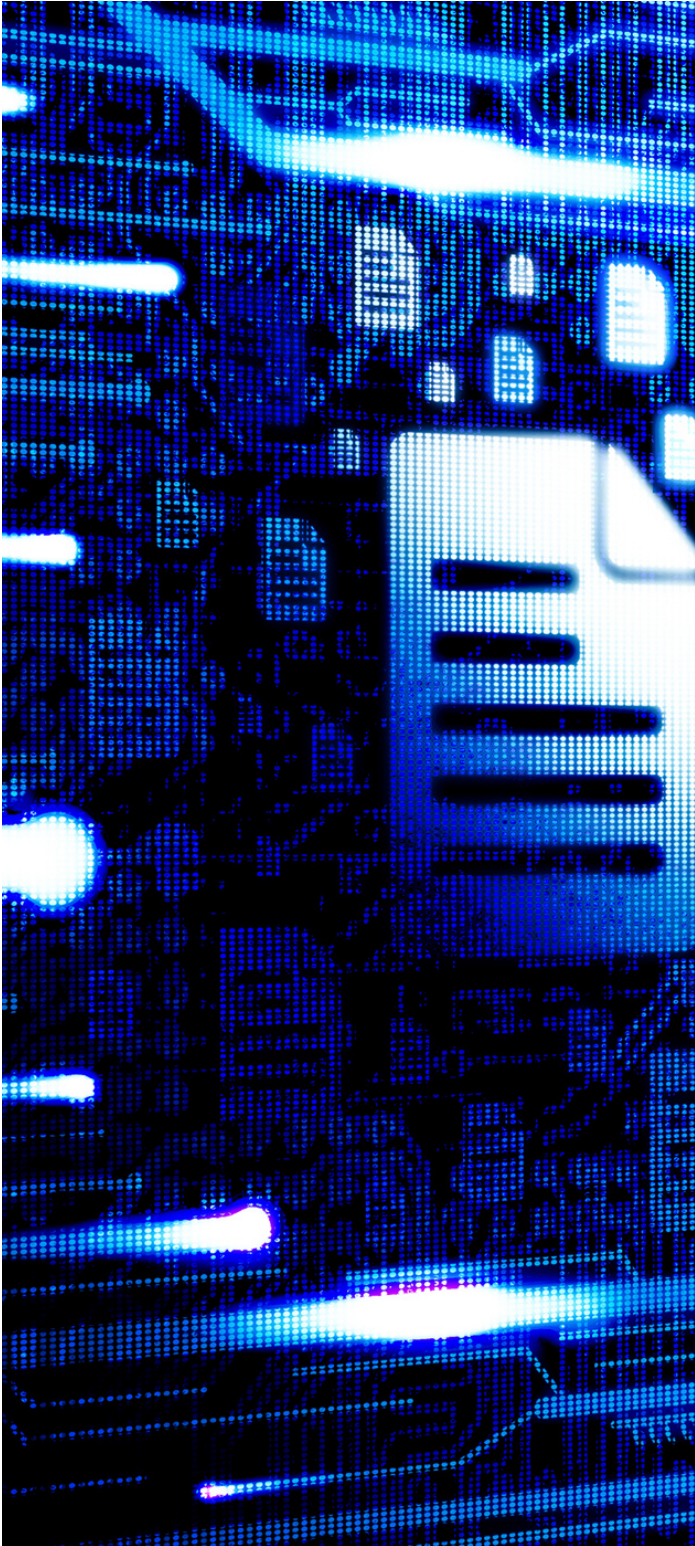
The introduction of NLIMS is aimed at enhancing accessibility and security of land records, while reducing land transaction costs and minimizing opportunities for fraud, through the digitization of land data and service delivery by the Ministry.

In summary, the introduction of NLIMS is expected to:

- Increase revenue collection for the Government
- Improve efficiency and enhance service delivery
- Reduce land transaction costs
- Incentivize investment
- Reduce opportunities for fraud and corruption

Through the introduction of NLIMS the Ministry has taken a bold step that is expected to revolutionize how land transactions are undertaken in future. Lands Office personnel should find it easier to retrieve records and process documents, which in turn, should see a significant reduction in the turnaround time for land transactions. It is incumbent upon the general public to support such initiatives, as being the end-consumers, it is the general public who stand to benefit from a more effective and efficient Lands Office.

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This alert is for informational purposes only and should not be taken as or construed to be legal advice. If you have any queries or need clarifications, please do not hesitate to contact Pamella Ager, Partner (pamella@oraro.co.ke) or James Kituku, Senior Associate (james@oraro.co.ke) or your usual contact at our firm, for legal advice relating to the Regulations and how the same might affect you.



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