



MINISTRY OF LANDS AND PHYSICAL PLANNING

PUBLIC NOTICE

REGISTRATION OF SECTIONAL UNITS UNDER THE SECTIONAL PROPERTIES ACT (No. 21 of 2020)

The Ministry of Lands and Physical Planning hereby notifies the public that the Sectional Properties Act (No. 21 of 2020) was enacted into law on December 11, 2020. The new Act provides for the division of buildings into units to be owned by individual proprietors based on a sectional plan prepared by a surveyor.

The Act requires conversion of all long-term sub-leases intended to confer ownership of apartments, flats, maisonettes, town houses, villas, go-downs or offices that do not conform to Section 54(5) of the Land Registration Act, 2012 within two (2) years of the commencement of the Act.

The Sectional Properties Act, 2020 and the Land Registration Act, 2012 require that all sectional plans submitted for registration:

- i. be geo-referenced
- ii. indicate the parcel number
- iii. indicate units' numbers
- iv. indicate approximate floor area of each unit
- v. be signed by the proprietor
- vi. be signed and sealed by the Director of Surveys
- vii. clearly indicate the user of the unit

In this respect, the Ministry has embarked on the process of converting long-term leases registered on the basis of architectural drawings shall be converted to conform to the Sectional Properties Act, 2020 and the Land Registration Act, 2012.

The process of conversion entails submission of:

1. Sectional plan
2. Original title
3. Long term lease previously registered
4. Rent apportionment for the unit where applicable

Once a sectional plan is registered, the original registers shall be closed and new registers opened with respect to each of the unit described in the plan.

Owners will not incur additional stamp duty upon conversion if they paid the requisite stamp duty fees when registering the long-term leases.

A conversion manual to guide the process is available on the Ministry's website: www.lands.go.ke

Members of the public are therefore notified that the Ministry shall no longer register long-term leases supported by architectural drawings with effect from **10th May 2021**.

**FARIDA KARONEY, EGH
CABINET SECRETARY**