legal notice: .......... 

the societies act  
(cap.i08) 

in exercise of the powers conferred by section 53 of the societies act, the 
attorney general makes the following rules- 
the societies (religious societies) rules, 2015 

citation. 

interpretation. 

cap. 108. 

application of these rules. l. n. 62 of 1968. 

1. these rules may be cited as the societies (religious societies) 
rules, 2015. 

2. in these rules, unless the context otherwise requires—— 

"act" means the societies act; 

"officer" includes the chairperson, secretary, treasurer, committee members and 
registered trustees of a religious society; 

"registrar" has the same meaning as assigned to it under the act, 

"religious leader" includes a clergy, imam, swami, rabbi or any other title assigned 
to a religious leader; 

"religious society" means a society which is of a religious nature registered or 
exempted from registration under section 9 of the act; 

"umbrella religious society" means a society consisting of religious societies which 
share a common doctrine. 

application of these rules. l.n. 62 of 1968. 

3. these rules shall apply to a religious society and shall apply in addition to the 
societies rules, 1968. 

requirements for registration of religious society with headquarters outside 
kenya. 

4.(1) a religious society which has its headquarters outside kenya shall during 
registration— 

(a) submit the same name as its headquarters and shall add the word "kenyan 
chapter" at the end of that name; 

(b) submit a letter of authorization from the headquarters and a copy of a duly 
notarized registration certificate of the headquarters; 

(c) comply with the registration requirements set out under section 9 of the act,
the Societies Rules 1968 and these Rules

(d) specify the physical address from which it intends to operate, which shall include details on the land reference number or plot number, building, floor and the street or road on which the religious society shall be situated;

(e) have at least a third of its officers being Kenyan citizens; and

(f) where it has foreign religious leaders and officers, submit in respect of each religious leader and officer—
   i. a certified copy of a work permit issued under the Kenya Citizenship and Immigration Act, 2011; [no 12 of 2011]
   ii. an alien identification card issued under the Kenya Citizenship and Immigration Act, 2011; [no 12 of 2011]
   iii. one passport size photograph; and
   iv. a letter of recommendation from the relevant embassy;

(g) where the religious society has designated local religious leaders and officers, submit details of the documents specified in rule 6.

Religious Society with Headquarters in Kenya

5. (1) A religious society with headquarters in Kenya shall-
   (a) comply with the registration requirements set out under section 9 of the Act, the Societies Rules, 1968 and these Rules;
   (b) submit a copy of its Constitution which shall contain- 
      i. a clause clearly indicating the statement and doctrine of faith; and
      ii. programmes, ministries, charitable activities and education activities undertaken by the religious society and details of persons coordinating these activities.
   (c) have at least a third of its officers being Kenyan citizens;
   (d) specify the location from which it intends to operate which shall include the details on the land reference number or plot number, building, floor and the street or road on which the religious society shall be situated;
   (e) where it has foreign religious leaders and officers, submit in respect of each religious leader and officer—
      i. a certified copy of the work permit issued under the Kenya Citizenship and Immigration Act, 2011;
      ii. an alien identification card issued under the Kenya Citizenship and Immigration Act, 2011;
      iii. one passport size photograph; and
   (f) register all its branches established in Kenya in the prescribed form and specify the location from which the branches are to operate.
(2) For purposes of paragraph (l)(f), a branch religious society shall—

(a) submit to the Registrar—
   i. the same name as its headquarters and shall add the word “Branch” at the end of that name;
   ii. a letter of authorisation from the headquarters and a copy of a duly certified registration certificate of the headquarters;

(b) comply with the other registration requirements set out under section 9 of the Act, the Societies Rules 1968 and these Rules;

(c) specify the location from which it intends to operate;

(d) have at least a third of its officers being Kenyan citizens; and

(e) where it has foreign religious leaders and officers, submit for each religious leader and officer—
   i. a certified copy of the work permit issued under the Kenya Citizenship and Immigration Act, 2011;
   ii. an alien identification card issued under the Kenya Citizenship and Immigration Act, 2011;
   iii. one passport photograph; and
   iv. a letter of recommendation from the relevant embassy.

(3) A religious society which fails to register any of its branches and each officer of the religious society who is in default commits an offence and shall be liable, on conviction, to a fine not exceeding twenty thousand shillings and each officer shall be liable to imprisonment for a term not exceeding three years, or to both.

Documents to be submitted during Registration

6.(l) In addition to the requirements for registration provided under rules 4 and 5, a religious society shall submit—

(a) the following information relating to each of its local officers and local religious leaders—
   i. a copy of the national identification card, personal identification number and one passport photograph;
   ii. a certified copy of the theological certificate from a duly registered and accredited theological institution;
   iii. a tax clearance or exemption certificate;
   iv. a membership recommendation from letter of umbrella and relevant certificate from the religious society;
v. a declaration of any familial relations of the religious leaders and officers;

(b) details of affiliations or partnerships of the religious society within and outside Kenya;

(c) a list of all religious leaders, including a copy of their personal identification number, national identification card and are passport photograph; and

(d) a list and information on all the branches of the religious society.

**Requirement to display the Certificate of Registration**

7. (1) A religious society shall display, in a conspicuous place at the location of its operations, the certificate of registration issued under these Rules.

(2) A religious society which fails to display the certificate of registration as required under paragraph (1) and each officer of the religious society who is in default, commits an offence and shall be liable, on conviction, to a fine not exceeding ten thousand shillings and each officer shall be liable to imprisonment for a term not exceeding three years, or to both.

**Inspection by Registrar**

8. The Registrar may, at any time, inspect the operations of a religious society to confirm compliance with the provisions of these Rules.

**Requirement for Registration of Umbrella Religious Society**

9. (1) A religious society intending to be registered as an umbrella religious society shall apply for registration in the manner set out under section 9 of the Act.

(2) For the purposes of registering the umbrella religious society under paragraph (1), the religious society shall—

(a) have a membership of not less than two thousand five hundred religious societies;

(b) submit to the Registrar—

i. the names of the officers of the umbrella religious society;

ii. a copy of the national identification card, personal identification number and one passport photograph of each of its officers; and

iii. details of the physical location and address of the registered office which shall include the details on the land reference number or plot number, building, floor and the street or road in which the religious society shall be situated; and

(3) Subject to paragraph (4), the Registrar may, with the approval of the Minister,
register an umbrella religious society with two thousand five hundred members on an interim basis.

(4) The interim registration under paragraph (3) shall be for a period of two years within which the umbrella religious society shall register five thousand members.

(5) The interim registration of an umbrella religious society which shall not have registered five thousand members as prescribed under paragraph (4) shall lapse.

(6) Each religious society shall be a member of an umbrella religious society.

(7) A religious society which fails to register as a member of an umbrella body and each officer of the religious society who is in default commits an offence and shall be liable, on conviction to a fine not exceeding twenty thousand shillings and each officer shall be liable to a imprisonment for a term not exceeding one year, or to both.

Responsibilities of umbrella religious society

10. (1) An umbrella religious society shall provide a forum for consultation among the religious societies and shall form the platform for self-regulation of the religious society.

(2) Without prejudice to the generality of the provisions of paragraph (1), an umbrella religious society shall be required to-

   (a) develop a code of conduct for its members;
   (b) review doctrines and religious teachings of its membership;
   (c) review the qualifications of a religious leader;
   (d) review the curriculum and training offered by theological institutions and the educational activities of religious societies;
   (e) establish an internal dispute resolution mechanism;
   (f) recommend new applications for registration of a religious society;
   (g) provide a platform for consultation, engagement and dialogue between the Government and religious societies;
   (h) promote the sharing of knowledge amongst religious communities of their respective principles and values, with the aim to build a peaceful and just society in Kenya;
   (i) promote interfaith cooperation and create a culture of peace, justice and healing amongst religious societies;
   (j) establish a forum for deliberating on areas of common interest and concern; and
   (k) formulate plans and implement collaborative action programs based on shared moral commitments.
Power of Registrar to settle disputes under section 18 of the Act

11 (1) Subject to section 18 of the Act, the Registrar may, on request by any concerned party or on his own motion, form a committee comprising of such number of members of the religious society as the Registrar may consider necessary to manage the religious society, pending the final outcome of the internal dispute resolution process.

(2) The committee formed under paragraph (1), may convene dispute resolution meetings to arbitrate the disputes among religious society officers and members.

Register of Members

12. (1) A religious society shall maintain a register of its members in accordance with section 25 of the Act.

(2) The register of members shall be updated every year.

(3) The register referred to under paragraph (1) shall be in Form RS A set out in the Schedule.

(4) A religious society which fails to register the members of the religious society as required under this rule and each officer who is in default commits an offence and shall be liable, on conviction to a fine not exceeding ten thousand shillings and each officer shall be liable to imprisonment for a term not exceeding one year, or to both.

Documents required to be submitted after holding an annual general meeting

13. Upon holding an annual general meeting in accordance with section 29 of the Act, a religious society shall, within fourteen days after the annual general meeting, submit to the Registrar---

(a) a notice of the meeting issued and signed by the Secretary or by any other authorized officer;

(b) minutes of the annual general meeting duly signed by the chairman, secretary and treasurer and duly stamped with the official stamp of the religious society; and

(c) a list of members in attendance during the annual general meeting, which list shall specify the full names, membership number, the national identification card number and signature of the member.

Documents accompanying Annual Returns

14. A religious society shall submit, together with the annual accompanying returns

(a) audited accounts for the financial year;
(b) a revised register of members indicating changes in the number of members and providing details of any new members and the members who have ceased to be members;

(c) a list of all religious leaders for that year, indicating any new religious leaders as set out in Form RS.B;

(d) a declaration of the assets and liabilities of the religious society;

(e) a tax exemption or clearance certificate of the religious society;

(f) bank statements of all accounts operated by the religious society;

(g) the details of the physical address of the religious society and branches, if any, which shall include the details on the land reference number or plot number, building, floor and the street or road on which the religious society shall be situated;

(h) and relevant operating licenses and permits as shall be determined by the Registrar;

(i) a statement on the source of funding of the religious society;

(j) a detailed statement of the charitable, educational and commercial activities carried out by the religious society which shall be duly authenticated by two thirds of the members present during the annual general meeting; and

(k) the dates when the name of the religious society was changed or the Constitution of the religious society was amended.

Appointment of Trustees

15. (1) A religious society shall subject to section 29 (l) (b) appoint trustees who shall be duly registered by the Registrar of Trusts through a Trust Deed.

(2) Upon the issuance of a certificate of incorporation of the Trust pursuant to paragraph (1), the secretary of the religious society shall submit to the Registrar —

(a) a certified copy of the Trust Deed;

(b) a certified copy of the Certificate of Incorporation of the Trust; the minutes of the meeting appointing the trustees;

(c) two passport size photographs of each trustee; and

(d) a list of members in attendance during the meeting.

(3) The secretary of a religious society shall within fourteen days of any change of trustees, in writing, notify the Registrar of the change.

(4) A religious society shall publish the appointment and change of the trustees of the religious society in two daily newspapers of national circulation.

Submission of Fraudulent Documents
16. A religious society which submits fraudulent or falsified documents for registration under rules 4, 5, 6, 13 and 15 and each officer of the religious society who is in default commits an offence and shall be liable, on conviction to a fine not exceeding twenty thousand shillings and, each officer shall be liable to imprisonment for a term not exceeding one year, or to both.

**Transitional Provision**

17. A religious society and an umbrella religious society existing immediately before the coming into operation of these Rules shall be required to comply with the provisions of these Rules, within one year from the date these Rules come into operation.