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Kwale MMS Weekly Policy Digest

Legal and policy developments shaping Kwale County, and what they mean for the sectors that drive it.

IN THIS ISSUE

Welcome to the first edition of the Kwale MMS Weekly.

This newsletter tracks new, upcoming and ongoing legal and policy decisions affecting Kwale County, and what they mean economically across key sectors.

New professionals join Kwale’s Land Control Boards

By Gazette Notice No. 14415, the Cabinet Secretary for Lands gazetted new members to Land Control Boards nationwide, including Kwale’s six sub-county boards, for a three-year term from 1 October 2026. Each sub-county board now seats four professional posts — surveyors, physical planners, agricultural officers and land administration officers — alongside the Deputy County Commissioner as chair and seven other members.

WHY IT MATTERS

Land Control Boards clear subdivisions, transfers and charges of agricultural land — the gateway for rural investment and farm succession. Professional input should speed up consent decisions and, over time, reduce the boundary and title disputes that stall land in litigation.

NLC moves to acquire land for the Dongo Kundu Bypass

By Gazette Notice No. 15163, the National Land Commission intends to compulsorily acquire 0.0213 hectares in Ngombeni for KeRRA's upgrade of the Dongo Kundu Bypass Access Road to bitumen standard. A public inquiry is set for 22 October 2026 at the Ngombeni Chief's Office. Claimants must submit a written compensation claim with ID, PIN, land ownership documents and bank details on or before that date.

WHY IT MATTERS

A completed corridor eases movement of people and goods between Kwale and Mombasa, widening market access and drawing commercial, residential and tourism investment along the route — with knock-on demand for local transport, accommodation and construction suppliers.

COASTAL ADVISORY

Rough seas flagged through December

On 23 September 2026 the Kenya Maritime Authority issued a coastal advisory covering strong winds, rough seas, high waves, heavy rainfall and reduced visibility, running from September through December 2026.

WHY IT MATTERS

Fishing, boat and beach operators face weather-driven disruption risk for the rest of the year. Hotels and tour operators should factor the advisory into Q4 planning.

Mrima Hill tender nears its final stage — amid a court challenge

The Ministry of Mining, Blue Economy and Maritime Affairs has narrowed its tender for the Mrima Hill rare earth and niobium deposit in Lunga Lunga to two finalists: Critical Metals Corp's Mrima Earth Limited Consortium, and an Australian RareX–Iluka Resources consortium. At the UN General Assembly, President Ruto and US Secretary of State Rubio discussed the sector, building on a June 2026 minerals agreement.

WHY IT MATTERS

Kwale residents, via the Centre for Litigation Trust, have petitioned the High Court to halt any Kenya–US agreement, citing secrecy and Mrima Hill's status as a gazetted monument and sacred Kaya forest. A ruling is expected 9 October 2026 — community engagement will shape how the project proceeds.

TRADE & INVESTMENT

County moves to formalise investment promotion and industrial parks

The Kwale County Investment Corporation Bill, 2025 proposes a dedicated investment-promotion body, now out for public participation ahead of County Assembly approval. The 2026 County Fiscal Strategy Paper prioritises PPPs, SME financing and County Aggregation and Industrial Parks, with Lunga Lunga's CAIP earmarked as an industrial and value-addition hub.

WHY IT MATTERS

A single investment institution could improve predictability and investor confidence. The CAIPs signal a shift from raw exports to local processing — more stable jobs and stronger export competitiveness in agriculture, fisheries and light manufacturing, if the Bill passes.

TOURISM REGULATION

Senate reviews higher licensing fees for tourism enterprises

The Senate Committee on Delegated Legislation heard stakeholder views, including from the Kenya Coast Tourism Association, on the Tourism (Tourism Enterprises) Regulations, 2026 (Legal Notice No. 127), tabled 17 July 2026. The Regulations raise licensing fees; the Senate must now decide whether to let them stand or annul them.

WHY IT MATTERS

If the Regulations proceed, hotels, restaurants and tour operators should expect higher compliance costs and may need to revisit budgets and pricing ahead of the Senate’s decision.

Questions on any of this week's developments?

Speak to your Mwamuye Mzungu Solomon Advocates LLP relationship partner or contact us at info@mmsadvocates.co.ke or +254748998904

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