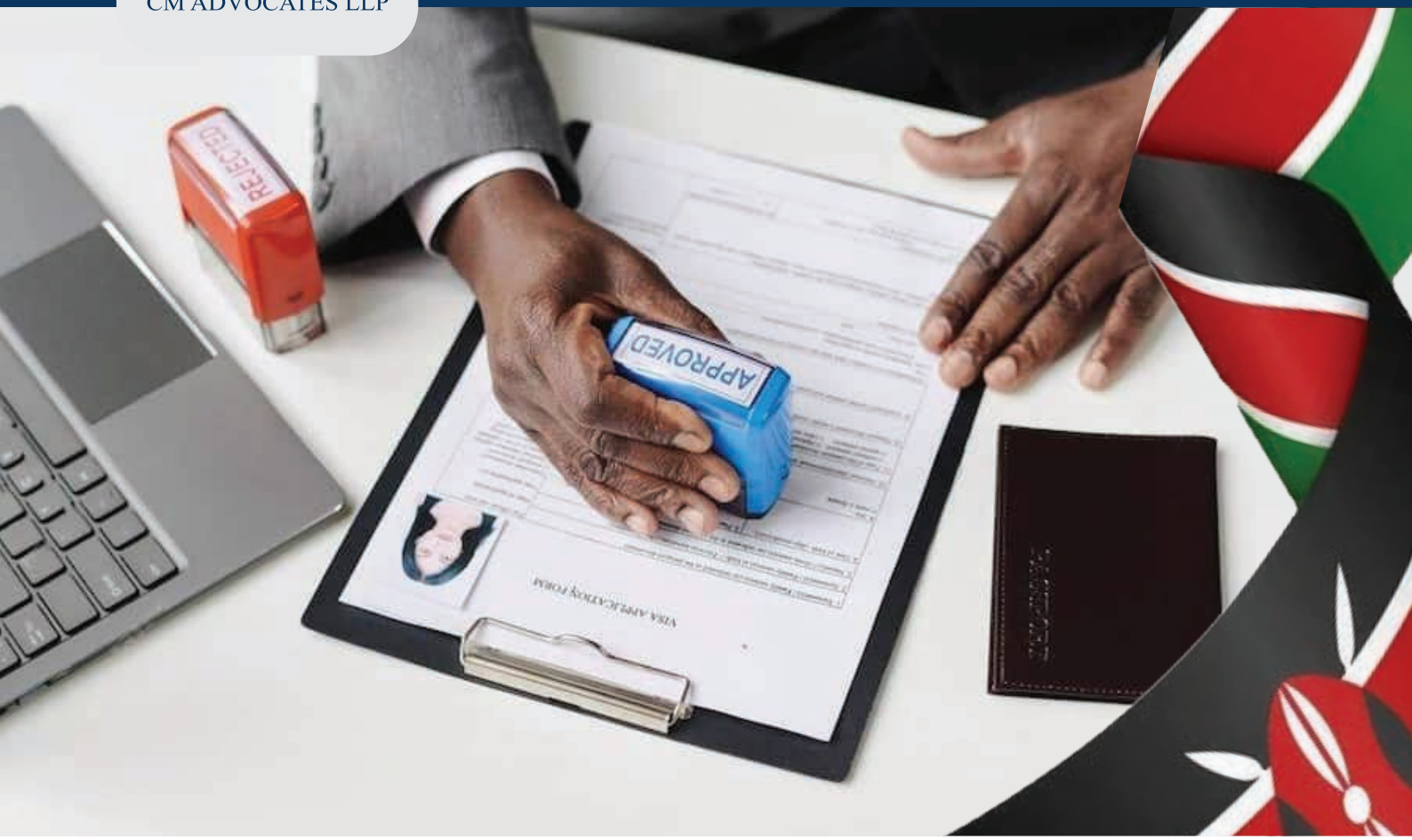
CM ADVOCATES LLP

IMMIGRATION ALERT!



AMENDMENTS TO THE KENYA CITIZENSHIP AND IMMIGRATION REGULATIONS;

INTRODUCTION OF NEW CLASSES OF WORK PERMITS AND NEW PERMIT FEES.

INTRODUCTION

The Government of Kenya through the Ag. Cabinet Secretary for the Ministry of Interior and National Administration has recently published Legal Notice No. 198 (Kenya Gazzette Supplement No. 255) and dated 16th December 2024 seeking to amend various regulations under the Kenya Citizenship and Immigration Regulations 2012.

Below is a highlight of some of the proposed Amendments;

1. REVISION OF CLASS I WORK PERMIT (APPROVED RELIGION/CHARITABLE WORKS).

Since the introduction of the Kenya immigration regulations in 2012, the Class I work permit has been designated for individuals engaged in religious or missionary activities, as well as charitable / non-profit work within Kenya. However, recent amendments stipulate that the Class I work permit will now be exclusively available to those involved in religious activities, such as preaching or conducting religious ceremonies. This category will encompass ministers of faith and missionaries whose contributions are deemed beneficial to society.

Individuals working for religious or charitable organizations will now be eligible for a newly established category of work permits, as outlined in the amendments discussed below.

2. INTRODUCTION OF NEW CLASSES OF WORK PERMITS.

The new classes which have been introduced are;

(i.) Class Q Work Permit (Professional working for Religious or Charitable Organizations).

This category of work permit shall be applicable to professionals working for religious or charitable organizations and who are not involved in preaching or conducting of religious worship/rituals. In that regard such members shall now not be eligible for class I work permit which was previously available to them.

(ii.) Class R Work Permit: Citizens of East African Community.

Citizens of the East African Community, which includes Uganda, Tanzania, Rwanda, Burundi, and any other state recognized as a member, will now be required to apply for this category of work permit. This permit shall enable them to engage in employment, business, trade, prescribed professions or any other approved activity. Previously, individuals were required to apply for specific classes of work permits as outlined in the regulations e.g D(Employment) G(Investors) etc for their intended activities. However, with the recent amendments, they can now apply for the class **R work permit**, which consolidates all East African work permit applications for any activities they wish to pursue in Kenya, including investment, employment, and other approved activities. Furthermore, even with the new class of work permit (R) members of the East African Community will continue to benefit from waived work permit processing and issuance fees as it has been with their applications.

(iii.) Class N Work Permit-Digital Nomad

This category of work permit shall be applicable to persons who have been offered employment by a company based outside Kenya but works remotely from Kenyaor as a freelancer remotely working for a company based outside Kenya. Suitable professions include ICT professionals, project managers, online instructors, virtual assistants, software developers, graphic designers, marketers, and such other similar roles.

Such person must have an assured annual income of $ 24,000 USD derived from sources outside Kenya, proof of remote work, proof of a clean criminal record rom the country of origin , not to accept any employment here in Kenya and demonstrate that their presence is of benefit to Kenya.

(iv.) Class P Work Permit -Staff of the United Nations, Diplomatic Missions, Inter-Governmental Organizations and International Non -governmental Organizations accredited to Neighboring Hardship Countries.

As highlighted by the Ag. Cabinet Secretary for the Ministry of Interior and National Administration in his statement said , that the essence of introduction of this class of work permit is to enable such staff to reside in Nairobi Kenya together with their families while working in the neighboring countries for a short period. In that regard ,they can be able to work in their designated stations in the neighboring countries and still manage to get back to Nairobi to meet and reside with their families.

The Ag. CS further emphasized that, Nairobi-Kenya is more preferred by the international community due to its security peace, stability and convenience of various basic amenities such as reputable international schools, among other preferences.

3. NEW WORK PERMIT FEES FOR SOME CLASSES OF WORK PERMITS.

Paragraph (d) of the Ninth schedule of the Regulations has now been amended by inserting the following new permit fees;

No.	Class of Permit	Paragraph Regulation	Current Charges/Fees (Per Year)	New Charges/Fees (Per Year)
1.	Class I: Approved Religious Activities	9A	Gratis	Ksh 20,000
2.	Class N: Digital Nomad	9B	$200	$1,000
3.	Class P: Staff of the United Nations, Diplomatic Missions, Inter-Governmental Organizations and International Non-governmental Organizations accredited to Neighboring Hardship Countries	9C	$200	$1,000
4.	Class Q: Professional working for Religious Charitable Organizations.	9D	Kshs 20,000	Kshs 100,000
5.	Class R: Citizens of East African Community.	9E	Gratis	Gratis

CONCLUSION

For further inquiries please do not hesitate to contact our Immigration Global Mobility Practice Group;

CONTRIBUTOR(S)



Wahu Wambugu
Associate Advocate
mwambugu@cmadvocates.com

Whether you are based in Kenya or abroad we offer support over email, phone call, WhatsApp call, videoconferencing etc.

Email; *immigration@cmadvocates.com* or book a virtual consultation here *https://cmadvocates.com/cm-request-consultation/*
Call: +254202210978 / +254716209673

Disclaimer; This Alert is for informational purposes only and should not be construed as legal advice.