

# **THE TAITA TAVETA COUNTY TOURISM ACT, 2026**

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## **PART I — PRELIMINARY**

### **1. Short title and commencement**

This Act may be cited as the Taita Taveta County Tourism Act, 2026 and shall come into operation on such date as the County Executive Committee Member responsible for tourism may appoint by notice in the Gazette.

### **2. Interpretation**

In this Act, unless the context otherwise requires—

“**Board**” means the Taita Taveta County Tourism Board established under section 12;

“**County**” means the County Government of Taita Taveta;

“**County Executive Committee Member**” means the County Executive Committee Member responsible for tourism;

“**Directorate**” means the County Directorate responsible for tourism administration;

“**Fund**” means the Taita Taveta County Tourism Fund established under section 56;

“**Tourism enterprise**” includes accommodation facilities, tour operators, travel agencies, tourism attractions, community tourism enterprises and related tourism businesses.

### **3. Objects of the Act**

The objects of this Act are to—

- (a) operationalize the County Tourism Policy;
- (b) promote sustainable tourism development;
- (c) enhance tourism investment and revenue generation;
- (d) strengthen tourism governance and coordination;
- (e) promote community participation and equitable benefit sharing;

- (f) establish sustainable financing mechanisms for tourism development; and
- (g) strengthen tourism marketing and destination competitiveness.

#### **4. Guiding principles**

Tourism development shall be guided by—

- (a) environmental sustainability;
- (b) biodiversity conservation;
- (c) cultural heritage preservation;
- (d) community participation;
- (e) equitable benefit sharing;
- (f) transparency and accountability; and
- (g) public-private partnerships.

#### **5. Nature of this Act and institutional relationships**

- (1) This Act shall be implemented in a manner that respects the constitutional division of functions between the national and county governments under the Fourth Schedule of the Constitution.
- (2) Nothing in this Act shall be construed as conferring upon the county government any mandate reserved for the national government under any written law.
- (3) All institutions established under this Act shall operate within existing national legal and regulatory frameworks.

#### **6. Application of the Act**

This Act applies to all tourism activities, enterprises, and developments within the territorial jurisdiction of Taita Taveta County.

## **PART II — COUNTY TOURISM POLICY AND PLANNING**

## **7. County Tourism Policy**

The County Executive Committee Member shall ensure the development, implementation, and periodic review of a County Tourism Policy aligned with national tourism policies and the objects of this Act.

## **8. County Tourism Master Plan**

(1) The County Executive Committee Member shall, within two years of the commencement of this Act, develop a County Tourism Master Plan.

(2) The Master Plan shall provide a strategic framework for tourism development, zoning, infrastructure, marketing, and investment for a period of not less than ten years.

## **9. Tourism development objectives**

The county government shall pursue tourism development objectives that include increasing visitor numbers, lengthening average stay, enhancing visitor expenditure, creating employment, and promoting local enterprise development.

## **10. Tourism development zones**

The county government may, in consultation with the Board and relevant national agencies, designate tourism development zones to concentrate investment, infrastructure, and promotional efforts.

## **11. Intergovernmental cooperation**

The county government shall cooperate with national tourism agencies, neighboring counties, and other relevant bodies to ensure coherent tourism planning and avoid duplication of functions.

# **PART III — COUNTY TOURISM GOVERNANCE (BOARD)**

## **12. Establishment of the Taita Taveta County Tourism Board**

(1) There is established the Taita Taveta County Tourism Board as a semi-autonomous county entity.

(2) The Board shall be a body corporate capable of—

- (a) suing and being sued;
- (b) acquiring and disposing of property; and
- (c) entering into contracts necessary for the discharge of its functions.

### **13. Functions of the Board**

The Board shall—

- (a) coordinate tourism mapping, packaging, promotion, branding and marketing;
- (b) oversee tourism circuits and product development;
- (c) promote investment and partnerships;
- (d) support implementation of the County Tourism Policy;
- (e) provide strategic oversight over the County Tourism Fund;
- (f) approve marketing strategies and destination branding;
- (g) monitor tourism sector performance;
- (h) advise the county government on tourism policy and strategy;
- (i) coordinate tourism stakeholders;
- (j) promote community-based tourism initiatives; and
- (k) facilitate tourism research and statistics.

### **14. Powers of the Board**

The Board may do all things necessary for the performance of its functions, including entering into partnerships, commissioning studies, and making recommendations to the county government.

### **15. Limitation of role**

- (1) The Board shall exercise strategic, advisory and oversight functions only.
- (2) The Board shall not engage in operational activities.
- (3) Operational functions remain vested in the Department and Directorate.
- (4) The Board shall not exercise regulatory powers assigned to national institutions.

## **16. Composition of the Board**

The Board shall comprise—

- (a) a Chairperson appointed by the Governor with approval of the County Assembly;
- (b) the Chief Officer responsible for Tourism or their representative;
- (c) the Chief Officer responsible for Finance or their representative;
- (d) a representative of the Office of the County Attorney;
- (e) the Director of Tourism who shall be the Secretary (non-voting);
- (f) six (6) competitively appointed members representing—
  - (i) licensed tourism operators;
  - (ii) community-based tourism enterprises;
  - (iii) cultural and heritage institutions;
  - (iv) private sector / Chamber of Commerce;
  - (v) investment and marketing expertise;
  - (vi) special interest groups (youth, women, persons with disabilities);
- (g) ex-officio (non-voting) representatives from—
  - (i) Kenya Wildlife Service (KWS);
  - (ii) Tourism Regulatory Authority (TRA);
  - (iii) Kenya Tourism Board (KTB);
  - (iv) National Museums of Kenya (NMK).

## **17. Appointment of members**

The appointed members under section 16(f) shall be selected through a competitive, transparent process as prescribed by regulations.

## **18. Tenure of office**

- (1) Members appointed under section 16(a) and (f) shall serve for a term of three (3) years, renewable once.
- (2) Ex-officio members serve at the pleasure of their appointing institutions.

### **19. Vacation of office**

The office of a member becomes vacant if the member—

- (a) resigns in writing;
- (b) is removed under section 20;
- (c) dies; or
- (d) is absent from three consecutive meetings without reasonable cause.

### **20. Removal from office**

A member may be removed by the Governor for serious violation of this Act, gross misconduct, bankruptcy, incapacity, or conflict of interest, after affording the member a fair hearing.

### **21. Conduct of business and affairs of the Board**

- (1) The Board shall meet at least once every quarter, and not less than four times in each financial year.
- (2) A quorum shall be half of the voting members.
- (3) Decisions shall be made by a majority vote of members present and voting.
- (4) The Chairperson shall preside, and in their absence, members shall elect a presiding member from among themselves.

### **22. Conflict of interest**

- (1) A member who has a direct or indirect interest in any matter before the Board shall disclose that interest immediately.
- (2) Such member shall not take part in any deliberation or vote on that matter, and shall recuse themselves from the meeting during that agenda item.
- (3) Disclosure of interest shall be recorded in the minutes.

### **23. Secretariat**

The Directorate of Tourism shall provide secretariat and administrative support to the Board.

## **PART IV — COUNTY DIRECTORATE OF TOURISM**

## **24. Establishment of the Directorate**

There is established the County Directorate of Tourism as the department responsible for the day-to-day operational management of tourism functions.

## **25. Functions of the Directorate**

The Directorate shall—

- (a) implement decisions of the Board and the County Executive Committee Member;
- (b) manage tourism development programmes;
- (c) maintain the County Tourism Register;
- (d) coordinate tourism promotion activities;
- (e) provide technical support to community tourism enterprises; and
- (f) perform any other operational function assigned under this Act.

# **PART V — COUNTY TOURISM COORDINATION FORUM**

## **26. Establishment of the Forum**

There is established a County Tourism Coordination Forum (hereinafter “the Forum”).

## **27. Purpose of the Forum**

The Forum shall—

- (a) provide a stakeholder engagement platform;
- (b) support coordination across actors;
- (c) align county and national tourism actions; and
- (d) facilitate partnerships and collaboration.

## **28. Composition of the Forum**

The Forum shall comprise broad stakeholder representation including—

- (a) county departments;

- (b) national tourism agencies;
- (c) private sector associations;
- (d) community-based tourism enterprises;
- (e) civil society organizations;
- (f) special interest groups; and
- (g) any other relevant actor as determined by the Board.

## **29. Functions of the Forum**

The Forum shall—

- (a) provide advisory input to the Board and county government;
- (b) identify sector challenges and opportunities;
- (c) support tourism circuits and product development;
- (d) facilitate public participation; and
- (e) strengthen coordination among tourism actors.

## **30. Legal status of the Forum**

- (1) The Forum is advisory only.
- (2) It shall not exercise executive authority.
- (3) The Forum shall not bind the county government or the Board.

## **31. Integration clause**

Any reference in any county policy or document to a “Steering Committee” or similar tourism coordination body shall be deemed to refer to the County Tourism Coordination Forum established under this Part.

# **PART VI — TOURISM DEVELOPMENT AND PROMOTION**

## **32. Tourism development strategy**

The County Executive Committee Member, in consultation with the Board, shall develop and implement a comprehensive tourism development strategy.

### **33. Tourism product diversification**

The county government shall promote diversification of tourism products beyond wildlife tourism, including cultural, historical, eco, agri, sports, and adventure tourism.

### **34. Wildlife tourism promotion**

The county shall collaborate with Kenya Wildlife Service and other agencies to promote sustainable wildlife tourism within the Tsavo ecosystem and other conservation areas.

### **35. Cultural and heritage tourism**

The county government shall support the preservation and promotion of Taita Taveta's tangible and intangible cultural heritage for tourism purposes.

### **36. Ecotourism and environmental tourism**

The county shall promote ecotourism practices that conserve natural resources, benefit local communities, and minimize environmental impacts.

### **37. Historical and battlefield tourism**

The county shall identify, protect, and promote World War I heritage sites (including the Taita Hills, Salaita Hill, and Taveta) and other historical landmarks for tourism.

### **38. Sports and adventure tourism**

The county government shall encourage the development of sports tourism and adventure tourism activities, including hiking, cycling, bird watching, and water-based recreation at Lake Chala and Lake Jipe.

## **PART VII — TOURISM MARKETING AND DESTINATION BRANDING**

### **39. Destination branding**

(1) The Board shall oversee the development and approval of a distinctive destination brand for Taita Taveta.

(2) The brand shall reflect the county's unique natural, cultural, and historical assets.

#### **40. Tourism marketing strategy**

The County Executive Committee Member, with the Board's approval, shall prepare a three-year rolling tourism marketing strategy covering domestic, regional, and international markets.

#### **41. Domestic tourism promotion**

The county shall actively promote domestic tourism through campaigns, discounts, school programmes, and partnerships with local media.

#### **42. Tourism information systems**

The county shall develop and maintain a digital tourism information system, including a county tourism portal, mobile applications, and visitor information centers.

### **PART VIII — TOURISM INVESTMENT AND ENTERPRISE DEVELOPMENT**

#### **43. Tourism investment promotion**

The county government shall promote tourism investment through identification of bankable projects, investor forums, and facilitation of licensing and approvals.

#### **44. Investment incentives**

The county may, within its legal mandate, offer incentives to tourism investors including waiver of county fees, expedited approvals, and provision of basic infrastructure.

#### **45. Public-private partnerships**

The county may enter into public-private partnerships for the development, financing, and management of tourism assets and services in accordance with the Public Private Partnerships Act.

#### **46. Tourism enterprise development**

The county shall support small and medium tourism enterprises through business development services, access to finance linkages, and capacity building.

## **PART IX — COMMUNITY PARTICIPATION AND BENEFIT SHARING**

### **47. Community tourism development**

The county government shall promote community-based tourism enterprises and ensure local communities participate in planning and decision-making for tourism affecting their areas.

### **48. Benefit sharing mechanisms**

(1) The county may establish mechanisms for equitable sharing of tourism revenues with local communities, including community conservancies and trusts.

(2) Benefit sharing shall prioritize communities living adjacent to tourism attractions and protected areas.

### **49. Protection of indigenous knowledge**

(1) Indigenous knowledge, cultural expressions, and traditional practices used for tourism shall be protected from exploitation.

(2) Any commercial use of indigenous knowledge shall require prior informed consent and fair compensation.

### **50. Promotion of local tourism enterprises**

The county shall give preference, where feasible, to locally owned tourism enterprises in public procurement and partnership opportunities.

### **51. Public participation in tourism development**

(1) All major tourism programmes, strategies, and projects shall be subject to meaningful public participation.

(2) The Forum shall facilitate stakeholder engagement in the public participation process.

## **PART X — TOURISM INFRASTRUCTURE AND STANDARDS**

## **52. Tourism infrastructure development**

The county shall, in collaboration with relevant authorities, develop and maintain tourism-supporting infrastructure including access roads, signage, sanitation facilities, and visitor centers.

## **53. Accessibility and inclusive tourism**

The county shall promote universal design and accessibility for persons with disabilities, older persons, and other vulnerable groups in tourism facilities and services.

## **54. Environmental sustainability**

(1) All tourism developments shall comply with environmental impact assessment requirements.

(2) The county shall promote sustainable practices including waste management, water conservation, and renewable energy use in tourism enterprises.

## **55. Safety and security of tourists**

The county shall coordinate with national security agencies to ensure the safety and security of tourists, including through tourism police, emergency hotlines, and safety awareness campaigns.

# **PART XI — TAITA TAVETA COUNTY TOURISM FUND**

## **56. Establishment of the Fund**

There is established a fund to be known as the Taita Taveta County Tourism Fund.

## **57. Sources of the Fund**

The Fund shall consist of—

- (a) monies appropriated by the County Assembly;
- (b) tourism levies imposed under county legislation;
- (c) grants, donations, and gifts;
- (d) tourism-related revenues collected by the county; and
- (e) development partner support.

## **58. Administration of the Fund**

- (1) The Chief Officer responsible for Tourism shall be the Fund Administrator.
- (2) The Fund shall operate under the oversight of the County Treasury.
- (3) The accounts of the Fund shall be kept in accordance with the Public Finance Management Act.
- (4) No expenditure shall be incurred unless—
  - (a) appropriated by the County Assembly; and
  - (b) supported by an Authority to Incur Expenditure (AIE).

## **59. Application of the Fund**

The Fund shall be used to support—

- (a) tourism infrastructure development;
- (b) tourism marketing and branding;
- (c) community tourism initiatives;
- (d) tourism research and training;
- (e) conservation and heritage restoration;
- (f) tourism investment incentives; and
- (g) any other purpose consistent with this Act.

## **60. Financial management and accountability**

- (1) The Board shall provide strategic oversight over the Fund.
- (2) The Board shall not undertake day-to-day financial administration.
- (3) The Fund shall be audited annually by the Auditor General.

## **61. Emergency response**

The Fund may, with proper authorization, be used to support tourism-related emergency response in coordination with relevant national and county authorities.

## **PART XII — TOURISM REGISTRATION AND COORDINATION**

### **62. County Tourism Register**

- (1) The Directorate shall maintain a County Tourism Register of all tourism enterprises operating within the county.
- (2) The register shall contain information on ownership, location, facilities, licenses, and compliance status.

### **63. Registration of tourism enterprises**

- (1) Every tourism enterprise within the county shall register with the Directorate within six months of the commencement of this Act or before commencing operations.
- (2) The County Executive Committee Member may prescribe registration fees.

### **64. Tourism certification programmes**

The county may, in collaboration with national agencies, establish voluntary certification programmes for sustainable tourism, quality assurance, and cultural authenticity.

### **65. Tourism events and festivals**

The county shall support the development of a calendar of tourism events and festivals, including cultural festivals, agricultural shows, and sports events.

## **PART XIII — CONSERVATION AND RESOURCE PROTECTION**

### **66. Protection of tourism resources**

No person shall destroy, deface, or damage any tourism resource including natural features, cultural heritage sites, or historical artifacts within the county.

### **67. Environmental conservation obligations**

Tourism enterprises shall adopt environmental conservation measures including waste reduction, energy efficiency, and protection of water resources.

#### **68. Collaboration with national agencies**

The county shall collaborate with Kenya Wildlife Service, National Museums of Kenya, Kenya Forest Service, and other national agencies in the conservation of tourism resources.

### **PART XIV — HUMAN RESOURCE DEVELOPMENT**

#### **69. Tourism training and skills development**

The county shall, in partnership with training institutions and industry, promote tourism skills development including guiding, hospitality management, and tour operations.

#### **70. Tourism research and innovation**

The county may support tourism research and innovation through partnerships with universities, research institutions, and the private sector.

### **PART XV — INTERGOVERNMENTAL AND REGIONAL COOPERATION**

#### **71. Inter-county tourism cooperation**

The county may enter into cooperation agreements with neighboring counties for joint marketing, circuit development, and sharing of best practices.

#### **72. Cross-border tourism development**

The county shall engage with national government to promote cross-border tourism with the Republic of Kenya (through Taveta border) and other neighboring countries.

### **PART XVI — TOURISM SAFETY AND EMERGENCY RESPONSE**

#### **73. Tourist safety measures**

The county shall work with security agencies to implement tourist safety measures including signage, lighting in tourism zones, and community safety committees.

#### **74. Tourism emergency response mechanisms**

- (1) The county shall develop a tourism emergency response plan in coordination with national disaster management authorities.
- (2) The plan shall cover medical emergencies, accidents, natural disasters, and security incidents.

#### **75. Tourism rapid response facility**

The County Executive Committee Member may establish a rapid response facility within the Fund to address urgent tourism safety or reputational threats.

### **PART XVII — TOURISM DATA, MONITORING AND REPORTING**

#### **76. Tourism information system**

- (1) The county shall establish a tourism information system to collect, analyze, and disseminate tourism data.
- (2) The system shall include data on visitor arrivals, bed occupancy, revenue, employment, and visitor satisfaction.

#### **77. Data governance**

- (1) All data collected under this Act shall comply with the Data Protection Act.
- (2) The county retains ownership of data it collects.
- (3) Data sharing with third parties shall be subject to appropriate data protection safeguards.

#### **78. Monitoring and evaluation framework**

The County Executive Committee Member shall develop a monitoring and evaluation framework to track implementation of this Act and the County Tourism Policy.

#### **79. Tourism performance indicators**

The Board shall recommend key performance indicators for the tourism sector, including economic, social, and environmental indicators.

#### **80. Annual tourism sector report**

The County Executive Committee Member shall submit to the County Assembly an annual tourism sector report covering—

- (a) visitor statistics;
- (b) tourism revenue performance;
- (c) tourism investment levels;
- (d) employment created within the tourism sector;
- (e) fund utilization; and
- (f) challenges and recommendations.

### **PART XVIII — GOVERNANCE SAFEGUARDS**

#### **81. Institutional independence**

- (1) The Board shall exercise its functions independently and without undue influence.
- (2) The county government shall respect the operational autonomy of the Board in discharging its advisory and oversight role.

#### **82. Limitation of liability**

- (1) The county government shall not be liable for the acts or omissions of independent partners, contractors, or community enterprises.
- (2) All partnerships shall be governed by separate written agreements specifying liability.

#### **83. Non-duplication of national mandates**

- (1) The county shall not duplicate functions or regulatory powers assigned to national tourism institutions.
- (2) This Act shall be interpreted and applied in a manner consistent with national tourism legislation including the Tourism Act (No. 28 of 2011).

## **PART XIX — OFFENCES AND PENALTIES**

### **84. Offences**

A person who—

- (a) operates a tourism enterprise without registration under this Act;
- (b) destroys or damages a tourism resource;
- (c) obstructs any officer in the discharge of duties under this Act;
- (d) provides false information to the Board, Directorate, or Fund; or
- (e) contravenes any provision of this Act or regulations made under it, commits an offence.

### **85. General penalties**

A person convicted of an offence under this Act shall be liable to—

- (a) a fine not exceeding five hundred thousand shillings; or
- (b) imprisonment for a term not exceeding two years; or
- (c) both.

## **PART XX — MISCELLANEOUS PROVISIONS**

### **86. Regulations**

The County Executive Committee Member may, with the approval of the County Assembly, make regulations for the better carrying out of the purposes of this Act, including regulations on—

- (a) registration of tourism enterprises;
- (b) tourism levies and fees;
- (c) benefit sharing mechanisms; and
- (d) any other matter required to be prescribed.

## **87. Transitional provisions**

- (1) Any tourism board, committee, or fund existing before the commencement of this Act shall continue to operate subject to alignment with this Act within twelve months.
- (2) The first Board shall be constituted within ninety days of commencement.

## **88. Savings**

Nothing in this Act shall affect the validity of any license, permit, or approval issued under any other law in force before the commencement of this Act, so long as it remains consistent with this Act.

## **FIRST SCHEDULE — TOURISM BOARD PROCEDURES**

1. The Board shall meet at least four times in each financial year.
2. The Chairperson may call a special meeting on seven days' notice, or on three days' notice for urgent matters.
3. A quorum shall be half of the voting members.
4. Decisions shall be made by a majority of members present and voting.
5. The Secretary shall keep accurate minutes of all meetings.
6. The Board may co-opt any person with relevant expertise to attend and advise at a meeting, but such person shall not vote.

## **SECOND SCHEDULE — TOURISM FUND MANAGEMENT FRAMEWORK**

The Fund shall support—

1. Tourism infrastructure (roads, signage, sanitation, visitor centers).

2. Destination marketing and branding campaigns.
3. Community tourism initiatives and benefit sharing.
4. Tourism research, data systems, and training.
5. Conservation initiatives and heritage restoration.
6. Tourism investment facilitation and incentives.

### **THIRD SCHEDULE — TOURISM DEVELOPMENT PRIORITY AREAS**

1. Tsavo ecosystem tourism zone
2. Lake Chala tourism zone
3. Lake Jipe tourism zone
4. Taita Hills cultural tourism zone
5. World War I heritage tourism sites (including Salaita Hill, Taveta, and Taita Hills battlefields)