



REPUBLIC OF KENYA

OFFICE OF THE ATTORNEY GENERAL AND DEPARTMENT OF JUSTICE

BUSINESS REGISTRATION SERVICE

OFFICIAL RECEIVER IN INSOLVENCY

CUSTOMER SERVICE DELIVERY CHARTER

Revised July, 2018

This Customer Service Delivery Charter is a declaration of our commitment to provide quality services. It outlines the services rendered, requirements to obtain the services, costs and timelines within which the Department of Companies undertakes to provide the services.

VISION

To be a world –class leader in providing quality and efficient services.

MISSION

To make the business sector competitive by streamlining and automating the business registration processes, in line with international best practices and global trends to ensure quality delivery of services.

The Official Receiver of the Republic of Kenya deals with Licensing and Supervision of Insolvency Practitioners, administration and supervision of Bankruptcy of Natural persons and Administration and Liquidation of Companies. He carries out the functions under the **Insolvency Act No 18 of 2015** and Bankruptcy Act (Cap 53 Laws of Kenya (repealed) and Companies Act (Cap 486 Laws of Kenya (repealed) respectively.

CORE VALUES

- Integrity
- Transparency and Accountability
- Excellence and Quality of service
- Professionalism
- Competence
- Stewardship
- Confidentiality
- Fairness and Diligence
- Equity and Fairness
- Efficiency and Effectiveness
- Courtesy and Customer Focus
- Non-discrimination

OUR COMMITMENT

Customers should expect the following: -

- Quality services for all;
- Prompt, accurate and relevant information;
- Courteous service;
- Results Oriented;
- Strive to continuously improve our processes and the way we offer services
- Be responsive to complaints

INSOLVENCY FUNCTIONS AND PROCESSES

NO.	SERVICES OFFERED.	REQUIREMENTS FROM CUSTOMERS.	CHARGES.	TIME LINE.
1.	Issuance of Compliance Certificate for debtor petition.	<ul style="list-style-type: none">▪ Form No.9▪ Form No.10▪ Form No 11.	KSh 30,000/-	1 Day
2.	Issuance of Compliance Certificate for creditor petition.	<ul style="list-style-type: none">▪ Form No. 3▪ Form No.4▪ Form No,5▪ Form No.9▪ Form No. 6	KSh 50.000	1 Day
3.	Holding of first creditors meeting.	<ul style="list-style-type: none">▪ Debtors' & creditors presence and co-operation.	Nil.	30 days after issuance of order.
4.	Gazettement of Adjudication Order	<ul style="list-style-type: none">▪ Court to forward the Adjudication Order to the Official Receiver.	Paid from the amount deposited.	Gazette within 30 days after issuance
5.	Holding 1 st Creditors Meetings.	<ul style="list-style-type: none">▪ Debtor's presence is mandatory▪ Creditors to File Proof of Debt Forms.	KSh 500/-	30 days after issuance of order.
6.	Public Examination.	<ul style="list-style-type: none">▪ Attendance of debtor and creditor/s in court.	Nil.	Determined by the Court.
7.	Supervising Bankrupt/No Asset Procedure/Summary Installment orders.	<ul style="list-style-type: none">▪ The applicants are expected to fully comply with the insolvency Act	Nil.	Every 3 Months.
8.	Application for Insolvency Practitioners	<ul style="list-style-type: none">▪ Applicants to fill form 1 and supply all the requisite documents.	50.000	5 days

9.	Gazettement of the liquidation order	<ul style="list-style-type: none"> order 	Paid from the amount deposited.	Within 30 days after order
10.	Supervising the Bankrupt.	<ul style="list-style-type: none"> The Debtor/Bankrupt reports to Official Receiver after every three months. 	Fees as per remuneration order after conclusion	Within every Three Months.
11.	Gazettement of Insolvency Practitioners	<ul style="list-style-type: none"> The Official Receiver will keep updating the register 	As per the printer's rate	Annual
12.	Perusal of file	<ul style="list-style-type: none"> The customer to provide an official request. 	KSh 200 per file	1 day
13.	Inspection of Documents	<ul style="list-style-type: none"> The customer to provide an official request 	KSh 200 per file	1 day
14.	Request certified copy of documents	<ul style="list-style-type: none"> The customer to provide an Official with Official request 	KSh 500 per page	1 day
15.	Filing of No asset procedure	<ul style="list-style-type: none"> Form No. 12 Form No.11 	KSh 15.000	Subject to creditors objection
16.	Filing of summary Installment orders	<ul style="list-style-type: none"> Form No.25 Form No.9 	KSh 20.000	Subject to creditors objection
17.	Application for list of Insolvency practitioners	<ul style="list-style-type: none"> Official Request by clients. 	KSh 500	1 day
18.	Filing for voluntary arrangement of natural persons	<ul style="list-style-type: none"> Form No.23A Form No.32F 	KSh 30.000	Subject to Court direction
19.	Appointment of a Liquidator	<ul style="list-style-type: none"> Form No.35 IP to present the Notice to the Insolvency office 	KSh 10.000	1 day
20.	Appointment of administrator	<ul style="list-style-type: none"> IP to present the Notice to the Insolvency office 	KSh 10.000	1 day
21.	Filing of members voluntary liquidation	<ul style="list-style-type: none"> File form No.32A Form No.32B Form No.32 	Based on the subject matter. On the first KSh. 1,000,000/= pay KSh. 100,000/=	5 days
22.	Filing of creditors members voluntary liquidation	<ul style="list-style-type: none"> File form No.32A Form No.32B Form No.32 	Based on the subject matter. On the first KSh. 1,000,000/= pay KSh. 150,000/=	5 days
23.	Filing & approval of liquidation petition	<ul style="list-style-type: none"> Present liquidation petition for approval. Form No.32c 	KSh 40,000	1 day
24.	Gazettement of the liquidation order and convening 1st creditors meeting.	<ul style="list-style-type: none"> Order appointing Official receiver as liquidator presented 	As per the printer's rate	30 days
25.	Requesting for and Receiving the statements of affairs	<ul style="list-style-type: none"> Filled statements of financial position 	KSh 2000	14 days after the order
26.	Public examination of the directors	<ul style="list-style-type: none"> Attendance of the public examination in court by the directors, creditors and contributors. 	Nil	Determined by the Court
27.	Declaration of the dividends	<ul style="list-style-type: none"> Proof of debt forms. Official receiver's calculated accounts 	Nil	Determined by the court
28.	Application for release of the official receiver.	<ul style="list-style-type: none"> Application by the official receiver. Official receiver's final accounts 	Nil	Determined by the Court.

The Business Registration Services, Department of Official Receiver is a corruption free zone. It is an offense to compromise or give a bribe to a public servant for delivery of services.

“COMMITMENT TO COURTESY AND EXCELLENCE IN SERVICE DELIVERY”

Any service that does not conform to the above standards or any officer who does not live up to the commitments to Courtesy and excellence in service delivery should be reported to:

Board of Directors, Business Registration Service (BRS), Sheria House, 2nd Floor, P. O. Box 40112-00100, Harambee Av., Nairobi, Kenya. E-mail: contact@brs.go.ke	The Solicitor-General/Accounting officer, Office of the Attorney-General and Department of Justice, Sheria House, Harambee Avenue, P. O. Box: 40112-00200, Nairobi, Tel. No.: 254 20 2227461/ 254 20 2251355 Mobile: 254 711 944555/ 254 732 529995 E-mail: ag@ag.go.ke Website: www.statelaw.go.ke .	The Commission Secretary/Chief Executive Officer, Commission on Administrative Justice, West End Towers, 2nd floor, P. O. Box 20414-00200, Nairobi. Tel. No: 254 2 2270000 E-mail: complain@ombudsman.go.ke Website: www.ombudsman.go.ke
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“HUDUMA BORA NI HAKI YAKO”

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