



LEGAL NOTICE NO.....

**THE KENYA INFORMATION AND COMMUNICATIONS ACT
(Cap. 411A)**

**THE KENYA INFORMATION AND COMMUNICATIONS
(POSTAL & COURIER SERVICES) REGULATIONS, 2026**

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THE KENYA INFORMATION AND COMMUNICATIONS ACT

(Cap. 411A)

IN EXERCISE of the powers conferred by sections 59 and 66 of the Kenya Information and Communications Act, Cap 411A, the Cabinet Secretary for Information and Communications and the Digital Economy in consultation with the Communications Authority of Kenya, makes the following Regulations—

THE KENYA INFORMATION AND COMMUNICATIONS (POSTAL AND COURIER SERVICES) REGULATIONS, 2026

PART I – PRELIMINARY

Citation. **1.** These Regulations may be cited as the Kenya Information and Communications (Postal and Courier Services) Regulations, 2026.

Interpretation. **2.** In these Regulations, unless the context otherwise requires—

Cap. 411A. “Act” means the Kenya Information and Communications Act;

 “agent” means a person authorized by a licensee to operating an outlet for the receipt (drop off) and release (collection) of postal articles on behalf of a licensee excluding the provision of delivery services as part of the agency agreement;

“Authority” means the Communications Authority of Kenya established under section 3 of the Act;

“basic postal services” means a defined set of postal services that are essential for public use including postage stamps, private letter boxes, acceptance, conveyance and delivery of letters delivered under certain prescribed standards and postal financial services;

“commemorative stamps” means postage stamps used as a mark of honour for events or matters of national or international significance and for philatelic purposes with a validity period of five years from the date of issue;

“courier services” means any service for the collection, dispatch, conveyance, handling and delivery of postal articles by post for which a stamp is not required;

“Courier Agent” means a person contracted or engaged by a courier licensee to provide Courier delivery services

“Courier Hailing Service” means a service to facilitate linking of consumers of courier services to its Courier Agents or Requesting Licensees.

“Courier Hailing Service Provider” means a Licensee authorized to operate a platform for linking Courier Agents or other licensed courier operators to consumers

“definitive stamp” means a stamp depicting nature or natural heritage and which is valid for a maximum of ten years from the date of issue;

“delivery” means the postal or courier process in which a parcel or postal article leaves a point of collection and transported to the point of delivery to be handed over to, or left for collection by, the addressee, the mailee or an authorized representative, or deposited in a private letter-box;

“digital delivery boxes” means secure package delivery box with an application that manages access, deliveries, tampering and monitors;

“Extra-Territorial Office of Exchange (ETOE)” means an office of exchange operated by or in connection with a postal licensee outside its national territory;

“licensee” means a person licenced under the Act to provide postal or courier services;

“mail” means a letter, document, packet or parcel transmissible by post;

“Platform” means an interface to connect a Licensee to consumers for the provision of on-demand delivery services.

“post” means any system for the collection, dispatch, conveyance, handling and delivery of postal articles;

“postal article” means any item or mail transmissible by post, including but not limited to letters, aerogrammes, postcards and parcels but does not include such item or mail as the Authority determines not to be transmissible by post;

“post code” means a set of characters used primarily for routing and delivering mail to an address, which uniquely identifies a service delivery area or administrative locality in the country;

“postal service” means any service by post;

“Public Postal Licensee” means a postal licensee designated by the Authority as the Public Postal Licensee;

“reserved postal services” means—

- (a) the collection, transportation, sorting, and delivery, for hire or reward of letters and

postcards weighing up to fifty grams, subject to the exemptions provided under the Act;

(b) the production and issuance of postage stamps, pre-stamped envelopes, aerogram, and international reply coupons bearing the official national identifiers; and

(c) the rental or lease of private letter boxes, digital delivery boxes or bags including use of postal addresses and post codes.

“terminal dues” means remuneration by the administration of the origin of a postal article to the administration of the destination of the postal article;

“universal postal services” means the consistent supply of basic postal services at affordable prices at all points within the country;

“universal service obligations” means obligations prescribed by the Authority and assumed by postal licensees to achieve provision of universal postal services; and

“unreserved postal services” means postal and courier services not designated as reserved postal services, including expedited mail services, parcel services, counter services and such other services as may be prescribed.

Application.

3. These Regulations shall apply to any person carrying out or intending to carry out postal or courier services in Kenya.

PART II — LICENSING OF POSTAL AND COURIER SERVICES

Licence
categories.

4. (1) The Authority may grant licences under these Regulations in the following categories or as may be determined in the market structure—

(a) Public Postal Operator;

(b) International Courier Operator;

(c) National Courier Operator;

(d) Courier Hailing Service Provider; and

(e) Independent Courier Personnel.

(2) A Public Postal Operator shall be a licensee designated by the Authority to provide universal postal services in accordance with the Act and these Regulations.

(3) An International Courier Operator may—

(a) collect, dispatch, convey and deliver postal articles between Kenya and other countries; and

(b) receive inbound postal articles from foreign operators for onward handling within Kenya in accordance with applicable law.

(4) A National Courier Operator may collect, dispatch, convey and deliver postal articles within Kenya.

(5) A Courier Hailing Service Provider may operate a digital or electronic platform that facilitates the linking of customers with licensed courier operators but shall not itself undertake physical collection or delivery of postal articles unless separately licensed.

(6) An Independent Courier Personnel licence may be issued to an individual who undertakes the collection, conveyance or delivery of postal articles within Kenya using approved modes of transport and in accordance with the conditions of licence.

Application and grant procedures.

5. (1) The grant, renewal, variation, suspension and revocation of a licence to provide postal or courier services shall be in accordance with the Kenya Information and Communications (General Licensing) Regulations, 2025.

(2) The procedure for renewal of a licence shall be the same as that applicable to the grant of the original licence.

(3) The Authority may reject an application that does not comply with the Act or the General Licensing Regulations, including where the application is incomplete or contains false, misleading or fraudulent information.

(4) A person whose licence has expired, lapsed, been suspended or revoked shall cease to provide postal or courier services.

Duration of licence. **6.** (1) A licence granted under these Regulations shall be valid for the period specified in paragraph (2), unless suspended, revoked or otherwise terminated in accordance with the Act.

(2) The duration of each licence category shall be as follows—

(a) Public Postal Operator, for fifteen years;

(b) International Courier Operator, for ten years;

(c) National Courier Operator, for ten years; and

(d) Courier Hailing Service Provider ten years.

Lapse of a licence. **7.** A licence that remains unutilized for a continuous period of six months from the date of grant shall lapse

unless the Authority determines otherwise for good cause shown.

Transfer of licence and change of control. **8.** (1) A licence issued under these Regulations shall not be assigned, transferred or otherwise disposed of without the prior written approval of the Authority.

(2) A licensee shall notify the Authority in writing of any proposed transaction that may result in—

(a) a change in ownership or control of the licensee;

(b) a merger, acquisition or amalgamation involving the licensee; or

(c) the transfer of all or a substantial part of the licensee's assets relating to licensed activities.

(3) The Authority may approve, approve with conditions or decline approval of a proposed transfer or change of control where the transaction—

(a) would result in non-compliance with the Act, these Regulations or licence conditions;

(b) may adversely affect competition, consumer protection or universal service obligations; or

- (c) may compromise the financial, technical or operational capacity of the licensee.

PART III —REGULATION OF POSTAL AND COURIER SERVICES

Delivery and
acceptance.

9. (1) A postal article shall be considered to have been delivered to the addressee where it is—

- (a) deposited into a private letter box or bag of the addressee;
- (b) handed to the addressee or to an employee, agent or other person authorised to receive it at the address indicated on the postal article; or
- (c) in the case of a guest or resident at a hotel, lodging house, institution or similar premises, handed to the proprietor, manager or an authorised representative of that premises.

(2) A postal article shall be considered to have been received by a postal licensee when it is deposited into a posting box or handed over to an employee or agent of a licensee authorized to receive it.

(3) The time of receipt under paragraph (2) shall be the time at which responsibility for the postal article passes to the licensee.

Postal licensee
to make rules.

10. (1) A licensee shall submit to the Authority for approval the terms and conditions governing the services it offers, including —

- (a) letters;
- (b) parcels;
- (c) documents;
- (d) postal financial services;
- (e) registered items;
- (f) insured items;
- (g) post restante services;
- (h) private letter boxes or bags; and
- (i) any additional service introduced by the licensees.

(2) The terms and conditions submitted under paragraph (1) shall clearly specify—

(a) service standards and delivery timelines;

(b) applicable tariffs and charges;

(c) liability and compensation limits;

(d) prohibited items and packaging requirements; and

(e) complaint handling and dispute resolution procedures.

(3) A licensee shall not implement or vary its terms and conditions without prior approval of the Authority.

(4) A licensee shall publish the terms and conditions and make them readily accessible to consumers at its outlets and on its official website, where applicable.

Issuance of
postage stamps.

11.(1) The Public Postal Licensee shall have the exclusive responsibility for the production and issuance of postage stamps and other authorised postage indicia.

(2) Postage stamps issued under paragraph (1) shall—

- (a) be of secure design and quality sufficient to prevent unauthorised reproduction;
- (b) comply with national philatelic and security standards; and
- (c) bear such markings, denominations and identifiers as may be approved.

(3) When considering any expedient issuance of definitive, commemorative and special stamps and related activities, the public postal licensee shall be fair to all interested parties.

(4) A definitive stamp shall—

- (a) be issued once every five years;
- (b) run for a period of not less than five years and not exceeding ten years;
- (c) concern subject matters approved by the Authority at least fourteen days before the issue; and
- (d) bear face values chosen by the public postal licensee.

(5) A commemorative stamp may be issued at such intervals as the public postal licensee determines to be commercially viable and shall—

(a) concern a subject matter approved by the Authority at least fourteen days before the issue; and

(b) bear face values chosen by the public postal licensee.

Sale of postage stamps.

12. (1) The Public Postal Licensee shall establish standard terms and conditions for the sale of postage stamps.

(2) The terms and conditions referred to in paragraph (1) shall be submitted to the Authority for approval.

(3) The Authority shall communicate its decision within thirty days of receipt of the submission.

(4) Approved terms and conditions shall be published and made available to the public.

Issuance of
certificates of
posting.

13. The Public Postal Licensee shall, at the request of the sender of an unregistered postal article intended for transmission by letter box, give the sender a certificate of posting.

Undeliverable
postal articles.

14. (1) Where a postal article cannot be delivered due to an incorrect, incomplete or non-existent address, the licensee may open the article solely for the purpose of identifying the sender or facilitating delivery.

(2) Where delivery is possible based on information contained in the article, the licensee shall deliver it accordingly.

(3) Where delivery is not possible but the sender's address is identifiable, the article shall be returned to the sender.

(4) An undeliverable postal article that has been opened and remains undeliverable may be kept for a minimum period of three months and may thereafter be destroyed.

(5) Where the letter or postal article opened contains anything of value or a saleable article, it shall be kept safely and a record thereof opened and maintained by a postal licensee for a period of six months and if not claimed, the

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contents shall be disposed of in accordance with the Disposal of Uncollected Goods Act.

(6) Where a letter or postal article is opened as provided by this regulation, the licensee shall affix a mark on the letter or postal article indicating the—

(a) date and time of opening;

(b) period it has remained undelivered;

(c) contents; and

(d) manner the licensee decides to deal with the undelivered article.

(7) A licensee shall keep a record of postal article including an electronic record of the transaction of both the sender and the recipient of a postal article.

Postal articles of deceased persons.

15. Where a licensee is satisfied that the addressee of a postal article is deceased, it may—

(a) retain the postal article and on production of letters of administration or grant of probate to the

estate of the addressee, deliver or release the article in accordance with such request; or

- (b) treat the postal article in accordance with the provisions of these regulations that relate to undeliverable postal articles.

Prohibited
articles.

16.(1) All licensees shall, where applicable before accepting any item for postage, require the sender to declare its contents.

(2) Subject to section 58 of the Act, a person shall not send, by post—

- (a) any explosive, inflammable, dangerous, noxious or deleterious substance, filthy, sharp instrument not properly protected;
- (b) any article or thing whatsoever which is likely to injure either other postal articles in the course of conveyance or any person handling the article;
- (c) any article for export, import or carriage which is prohibited under any law in Kenya, or which, being subject to any restriction imposed by such law, is transmitted otherwise than in accordance with that restriction;

- (d) any article which may not, under the law of the country to which it is addressed, be imported or transmitted by post;
- (e) any article sent by post in a stamped or embossed envelope wrapper, card forms or paper in imitation of the one issued under the authority of the public postal licensee;
- (f) any article of such form or colour or so made up for transmission by post or that is likely, in the opinion of the postal licensee, to embarrass the officers of the organizations dealing with the article;
- (g) any article bearing any stamp or impression of a stamping machine denoting payment of postage or fee which is imperfect or mutilated or defaced in any way or across which is written or printed or otherwise impressed;
- (h) any article whereon the payment of any postage or fees purports to be denoted by any stamp or impression which has been previously used to denote payment of the postage or fees on any

other postal article or any other stamp duty or tax;

(i) betting advertisements relating to illegal business;

(j) fortune-telling advertisements;

(k) sweepstake or lottery tickets, or advertisement and other notices relating to sweepstake or lottery that are unlawful;

(l) money lenders circulars that are enclosed;

(m) any article which infringes trademark or copyright laws;

(n) any sample packets consisting of literature for the blind containing any article liable to customs duty in the country or place of destination;

(o) any living creature, other than bees, leeches and silkworms, parasites or destroyers for noxious insects; and

- (p) any other article which is prohibited from being posted or accepted for transmission by post by the Act or these Regulations.

(3) The prohibited postal articles may, in exceptional circumstances, be sent by post in accordance with the First Schedule to these Regulations.

Postal security
and safety.

17. A licensee shall take reasonable steps to improve mail security and combat postal crimes that include among others—

- (a) mail violation;
- (b) mail conveying dangerous (chemicals or bombs, biological attack substances); and
- (c) illicit drug trafficking or firearms.

Compensation.

18. (1) A licensee shall develop and file with the Authority its compensation policies for the loss or damage of postal articles.

(2) A compensation for an insured postal article shall not exceed the actual market value of the contents at the time of posting.

(3) A licensee shall not be liable to pay compensation—

(a) where the article is prohibited and is not sent as provided under these Regulations;

(b) in the case of an insured postal article, where—

(i) a false statement has been made by the sender or addressee for the postal article;

(ii) the addressee of the postal article has signed and returned the delivery note without objection;

(iii) any bill of exchange, bond, coupon, or other negotiable security particulars that are required to sufficiently identify the contents of the postal article are not presented to the postal licensee; or

(iv) the cover or seal of the article bears traces of theft or damage.

Universal
service
obligation.

19.(1) The Authority shall designate a Public Postal Licensee responsible for the provision of universal postal services.

(2) The Public Postal Licensee shall provide universal postal services in accordance with service standards, coverage requirements and performance targets determined by the Authority.

(3) The Authority may, where necessary, impose universal service obligations on other licensees.

(4) The Public Postal Licensee may provide universal postal services through a contract, an agency or a franchise and the Authority shall not require such agent or franchisee to hold a licence under the Act.

(5) The Public Postal Licensee shall notify the Authority of any contract, agency or franchise entered into under sub-regulation (4).

(6) The Public Postal Licensee shall not suspend the provision of basic postal service except in case of a force majeure event.

(7) To the extent necessary to ensure the maintenance of universal service, the Authority may continue to reserve services for Public Postal Licensees.

Extra-Territorial
Offices of
Exchange.
(ETOE's)

20.(1) A foreign licensee shall not establish an Extra-Territorial Office of Exchange in Kenya or use the Universal Postal Union system, without approval of the Authority.

(2) Postal articles originating from a foreign postal operator and delivered into Kenya through an ETOE shall be subject to applicable customs and regulatory requirements.

(3) Terminal dues payable in respect of international postal articles shall be administered in accordance with Universal Postal Union arrangements and applicable law.

(4) A person who contravenes sub-regulation (1) commits an offence.

Quality of
courier service.

21.(1) All licensees shall be required to comply with Quality-of-Service requirements set out by the Authority from time to time.

(2) The Authority shall monitor the quality of services provided by a licensee.

**PART IV—REQUIREMENTS FOR POSTAL AND
COURIER SERVICES**

Arrangements
between
licensees.

22. (1) A licensee may sign an agreement with another licensee for the purposes of enhancing service delivery and efficiency.

(2) An agreement under paragraph (1) shall be submitted to the Authority for prior written approval where it—

- (a) affects service coverage;
- (b) involves sharing of operational infrastructure;
- or
- (c) has implications for competition or consumer protection.

(3) The Authority shall communicate its decision within thirty days of receipt of the agreement.

(4) Where the Authority declines to approve the agreement, it shall communicate the same to the licensee with reasons.

Arrangements
with agents.

23.(1) A licensee may enter into agency or franchise arrangements for the provision of postal and courier services.

(2) The licensee shall ensure its agents and franchisee operate in compliance with legal and regulatory requirements.

Suspension or
revocation of
licence.

24.(1) Where the Authority is satisfied that a licensee does not comply with or has not complied with the requirements under the Act, these regulations and the licence terms and conditions, the Authority may suspend the services of the licensee or revoke the licence.

(2) In complying with the provisions of sub-regulation (1), the Authority shall be guided by the terms and conditions of the licence.

Customer care
service.

25. A licensee shall—

- (a) display the customer care call number, List of prohibited items, List of tariffs and a designated contact point for all customer complaints;
- (b) have up-to-date complaints procedures and dispute resolution mechanisms which shall be submitted to the Authority and be made available to the licensee's customers; and

- (c) resolve all complaints received from the consumers within fourteen days of receipt of the complaint.

Reports to the
Authority.

26.(1) All licensees shall submit quarterly reports to the Authority on customer complaints it receives.

(2) The report shall include—

- (a) number of complaints received during the reporting period, including unresolved complaints;
- (b) the general nature of complaint received;
- (c) average resolution time for all complaints resolved.

Complaints
escalated to the
Authority.

27.(1) A complainant may refer a complaint to the Authority if—

- (a) the complainant is dissatisfied with the outcome received from a licensee; or
- (b) a licensee has either failed to respond or respond adequately, within the specified period.

(2) Upon receipt of an escalated complaint from a consumer, the Authority shall—

(a) acknowledge receipt of the escalated complaint;

(b) request further information;

(c) direct the licensee to investigate the complaint;
or

(d) determine the complaint in accordance with the Act.

(3) A licensee shall comply with any lawful direction issued by the Authority under this regulation in a manner as may be specified.

Confidentiality
of consumer
personal data.

28. Processing of personal data under these Regulations shall be in accordance with the requirements as set out in the Data Protection Act.

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PART V — MISCELLANEOUS PROVISIONS

Offences.

29.A person who contravenes these Regulations commits an offence and shall be liable on conviction to a fine not exceeding one million shillings, or to imprisonment for a term not exceeding six months, or to both.

Revocation.
L. No. 56 of
2010.

30. The Kenya Information and Communications (Postal and Courier Services) Regulations, 2010 are revoked.

Savings and
transitional
provisions.

31. (1) Any licence, approval, direction, determination or instrument issued under the revoked Regulations and subsisting immediately before the commencement of these Regulations shall continue in force as if issued under these Regulations.

(2) Any proceedings, investigation, review or appeal commenced under the revoked Regulations and pending at the commencement of these Regulations shall continue and be concluded as if commenced under these Regulations.

(3) Where a period of time began to run under the revoked Regulations and had not expired at the commencement of these Regulations, that period shall continue to run as if commenced under these Regulations.

FIRST SCHEDULE

(r. 16(3))

ARTICLES QUALIFIED FOR ACCEPTANCE UNDER SPECIFIED CONDITIONS

Item	Description of Article	Conditions for Acceptance
1.	Dangerous goods	By insured parcel or insured box only, and only where sent for medical or scientific purposes to a country that permits their importation for such purposes.
2.	Live bees, leeches, silkworms, parasites or destroyers of noxious insects	By letter post where addressed to officially recognised institutions.
3.	Postal article enclosed with an open panel	By inland service only.
4.	Paper currency not crossed for payment solely through a banking institution	(a) By inland service through registered letter post or registered parcel post; (b) By international service through registered letter post, insured letter post or insured parcel post, where permitted by destination country laws.
5.	Jewellery and other valuables	By registered letter post, insured parcel post or insured box.
6.	Articles required to be registered or bearing the word “registered” or	By registered post only.

Item	Description of Article	Conditions for Acceptance
	similar marking and having monetary value	
7.	Deleterious liquids, perishable biological substances or similar materials	By letter post at letter rate, where sent for medical examination or analysis to a recognised medical practitioner or qualified veterinary surgeon.
8.	Inflammable liquids	Where the flash point is 32°C or above but below 65°C, in quantities not exceeding one litre, and properly packaged.
9.	Radioactive materials	Small quantities suitably packaged, provided radiation measured at the outer surface does not exceed 10 milliroentgens per 24 hours, and accepted only by letter post at letter rate.
10.	Articles liable to customs duty	To countries that permit importation by post, and by registered post where required by the destination country.
11.	Advertisements and publications relating to treatment of general diseases or related preparations	Where addressed to a duly qualified medical practitioner or chemist.

SECOND SCHEDULE (r. 5(2) and 16(2)(h))

PART A — LICENCE FEES

Licence Category	Application Fee (KES)	Initial Licence Fee (KES)	Annual Operating Fee
Public Postal Operator	5,000	1,500,000	500,000
International Courier Operator	5,000	100,000	KES 100,000 or 0.4% of gross annual turnover, whichever is higher
National Courier Operator	5,000	30,000	KES 30,000 or 0.4% of gross annual turnover, whichever is higher
Courier Hailing Service Provider	5,000	100,000	KES 100,000 or 0.4% of gross annual turnover, whichever is higher
Independent Courier Personnel	Not applicable	3,000	1,000

Notes:

- (a) Universal Service Levy shall be payable in accordance with the Universal Service Fund Regulations.
- (b) Gross annual turnover shall be based on audited financial statements for the relevant financial year.

- (c) Annual operating fees and Universal Service Levy contributions shall be payable within the period specified by the Authority.

Made on the....., 2026.

William Kabogo Gitau,
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