



EMPOWER REGISTRARS

Company Secretaries

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Empower Registrars is a certified company secretary offering secretarial services and governance solutions

Introduction

Company secretarial services in Kenya cover a range of administrative and legal functions designed to safeguard a company's compliance with legal requirements, proper governance, and efficient operations. These services are crucial for all businesses, helping them navigate the complexities of corporate law and governance.

In Kenya, **Company Secretaries** play a critical role in ensuring that companies comply with statutory and regulatory requirements. Their services are particularly important for companies incorporated under the **Kenya Companies Act, 2015**.

Here are the **key services we provide in Empower Registrars**:

1. Statutory Compliance

- Ensuring compliance with the Companies Act and other applicable laws.
- Filing annual returns with the **Business Registration Service (BRS)**.
- Maintaining statutory registers (register of members, directors, charges, etc.).
- Preparing and filing board resolutions, special resolutions, and changes in company structure.

2. Board and Shareholder Meeting Management

- Organizing board meetings and annual general meetings (AGMs).
- Preparing and circulating notices and agendas.
- Recording and maintaining minutes of meetings.
- Advising the board on governance and compliance matters.

3. Corporate Governance Advisory

- Advising on best practices in corporate governance.
- Assisting with board evaluations and governance audits.
- Ensuring compliance with the **Code of Corporate Governance Practices** issued by relevant regulators such as the **Capital Markets Authority (CMA)**.

4. Company Formation and Structuring

- Assisting with company registration (limited, public, NGOs, SACCOs, etc.).
- Drafting Memorandum and Articles of Association.

5. Maintenance of Company Records

- Keeping up-to-date company records and minute books.
- Safekeeping company documents such as certificates and seals.

6. Changes in Company Structure

- Effecting changes in directors, shareholders, share capital, and registered office.
- Drafting and filing necessary documents for restructuring, mergers, or acquisitions.

7. Liaison with Government Authorities

- Dealing with the Registrar of Companies, Kenya Revenue Authority (KRA), CMA, NSSF, and NHIF.
- Handling compliance with tax obligations and licenses.

8. Winding Up and Liquidation

- Advising and facilitating voluntary or compulsory liquidation.
- Filing dissolution documents and final returns.

Consultancy services in marriage registration in Kenya typically help individuals and couples navigate the legal, procedural, and documentary requirements for registering a marriage under Kenyan law. These services are often offered by legal consultants, law firms, or professional service providers such as **Company Secretaries** or **Commissioners for Oaths**.

Here's an overview of what **marriage registration consultancy services in Kenya** generally include:

1. Advisory on Types of Marriages

Consultants provide guidance on the **different types of legally recognized marriages** under the **Marriage Act, 2014**, including:

- **Civil marriages**
- **Christian marriages**
- **Customary marriages**

They help clients choose the appropriate form based on religion, culture, or legal preference.

2. Pre-Marriage Documentation Support

Assistance with gathering and preparing required documents, such as:

- National ID or Passport (for both parties)
- Birth certificates
- Divorce decrees (if previously married)
- Death certificates (for widows/widowers)
- Affidavits of marital status or parental consent (if required)
- Passport-sized photos
- Foreigners: Certificates of no impediment from their home country

3. Application Process Facilitation

Consultants often:

- Help fill out the official **Notice of Marriage** form.
- Guide clients through the **eCitizen portal** for civil marriages.
- Submit documents to the Registrar of Marriages.
- Schedule appointments and follow up with government offices.
- Liaise with **Registrar of Marriages**, religious institutions, or embassies (for international marriages).

4. Customary Marriage Formalization

For customary marriages, services may include:

- Drafting and witnessing affidavits affirming the customary rites performed.
- Advising on registration of the marriage at the Registrar of Marriages.
- Documentation of dowry negotiations or family witnesses, where required.

5. Civil Wedding Ceremony Arrangement

If clients opt for a civil marriage at the Attorney General's office or a licensed venue:

- Consultants assist with booking the date.
- Organize required witnesses.
- Coordinate issuance of the **marriage certificate**.

6. Post-Marriage Certification and Legalization

- Collection of official **marriage certificate**.
- Apostille or authentication of marriage certificate for international use.
- Assistance with registration of the marriage abroad (if needed).

7. Special Cases

- **Interfaith or inter-country marriages.**
- **Same-day (special license) marriages.**
- **Legal advice on recognition of foreign marriages** in Kenya.
- Advising on **change of name**, spousal immigration issues, or spousal rights.

Consultancy services on registration of religious organizations in Kenya

We provide guidance and support to churches, mosques, temples, or other faith-based organizations seeking legal recognition. These services help navigate the process with the **Office of the Attorney General (Registrar of Societies)**, ensuring compliance with the **Societies Act (Cap 108)** and other relevant laws.

-Key Consultancy Services for Religion Registration in Kenya

1. Advisory on Legal Structure and Requirements

- Guidance on the appropriate legal vehicle:
 - **Religious Society** (under Societies Act)
 - **Company Limited by Guarantee** (under Companies Act, often for religious NGOs)
 - **Trust or Foundation** (for charitable/religious work)
- Clarifying which option is best for the mission, scope, and funding of the organization.

2. Name Search and Reservation

- Nowadays the names search and registration is done once with the **Registrar of Societies**.
- Reserving the chosen name for the religious body.

3. Document Preparation and Drafting

Consultants assist with drafting and compiling:

- **Constitution of the religious organization** (must include objectives, leadership structure, dispute resolution, etc.)
- **List of founders or officials** (minimum of 10 for societies)
- **Minutes of the founding meeting**
- **Identification documents** (ID/passports of officials)
- **Physical address and postal address** of the headquarters
- Passport-sized photos of office bearers
- Cover letter to the Registrar

4. Filing with Registrar of Societies

- Preparation and submission of the application to the **Registrar of Societies**.
- Responding to queries, if any, and ensuring completeness of documentation.

5. Follow-up and Liaison

- Regular follow-up with the Registrar's office on the status of registration.
- Communication with the client regarding approvals, rejections, or additional requirements.

6. Post-Registration Support

- **Obtaining certificate of registration**
- Registration for **PIN, NHIF, NSSF**, and **tax exemption** (if applicable).
- Guidance on **bank account opening** and compliance filings.
- Drafting internal policies, governance manuals, or employment contracts.

7. Compliance and Advisory

- Ensuring compliance with:
 - Annual filing of returns
 - Updates on office bearers
 - Adhering to provisions of the Societies Act
- Advising on **religious broadcasting licenses**, NGO coordination (if doing community work), and land ownership.

Typical Timeline

- **Registration of society:** ~3–6 months (can vary depending on Registrar's workload and document accuracy)