

CALL FOR PUBLIC PARTICIPATION ON THE DRAFT PUBLIC HEALTH (PROHIBITION OF SHISHA SMOKING AND WATERPIPE TOBACCO PRODUCTS) RULES, 2026.

The State Department for Parliamentary Affairs wishes to draw the attention of stakeholders, and members of the public to a call for public participation issued by the Ministry of Health on the *Draft Public Health (Prohibition of Shisha Smoking and Waterpipe Tobacco Products) Rules, 2026* and the accompanying *Regulatory Impact Statement*.

The Rules have been developed pursuant to section 36(m) of the Public Health Act, Cap. 242. The main objective of the proposed Rules is to prohibit shisha smoking, as well as the importation, manufacture, supply, distribution, promotion, sale and use of shisha and any other waterpipe tobacco product in Kenya.

The Rules seek to enhance public health by closing enforcement loopholes stemming from the 2017 shisha ban, addressing new products such as herbal and flavored waterpipe variants, and protecting Kenyans from the harmful effects of tobacco use. Key features include prohibiting the entire supply chain of shisha and waterpipe tobacco products, including importation, manufacturing, and promotion, and the introduction of significant penalties for violations.

On a progressive note, the Rules are a strategic legislative intervention towards advancing the Micro, Small and Medium Enterprise (MSME) and Creative Economy pillars of the Bottom-Up Economic Transformation Agenda (BETA). In this regard, the Rules will safeguard the health of the Kenyan workforce, and particularly the youth, who are the cornerstone of MSMEs and Creative Economies; and reduce the economic burden of tobacco-related diseases, thereby contributing to a healthier and more productive population.

The Draft Rules and Regulatory Impact Statement are accessible on the Ministry's website at <https://www.health.go.ke> and in hard copy upon request, through the Ministry's email address during working hours. Written memoranda should be submitted via post and/or physically to the Cabinet Secretary, Ministry of Health, Afya House, Cathedral House, P.O. Box 30016-00100 Nairobi, or via email to shisharules@health.go.ke within fourteen (14) days from the date of the notice.

In addition, the Ministry has convened physical stakeholder consultation meetings from 18th June to 30th June 2026, as guided by the schedule provided in the notice.

Please refer to the attached notice for further guidance on how to participate. Your participation is essential in ensuring effective and inclusive governance.

THE STATUTORY INSTRUMENTS ACT

(Cap. 2A)

REGULATORY IMPACT STATEMENT AND PUBLIC PARTICIPATION

PURSUANT to section 8 of the Statutory Instruments Act, the Cabinet Secretary for Health notifies the public that a Regulatory Impact Statement has been prepared for the draft Public Health (Prohibition of Shisha Smoking and Waterpipe Tobacco Products) Rules, 2026, which have been made pursuant to section 36(m) of the Public Health Act (Cap. 242).

The main objective of the proposed Rules is to prohibit shisha smoking and the importation, manufacture, supply, distribution, promotion, sale and use of shisha and any other waterpipe tobacco product in Kenya.

This is therefore to request the public and all persons who are likely to be affected by the proposed Rules to submit written memoranda to reach the undersigned within fourteen (14) days from the date of this publication.

The written memoranda should be addressed to:

*The Cabinet Secretary,
Ministry of Health,
Afya House, Cathedral House
P. O. Box 30016-00100 Nairobi.
Telephone: +254-20-2717077
E-mail: shisharules@health.go.ke*

Further, the Ministry invites all stakeholders, members of the public, and interested parties to attend the public participation meetings scheduled as per the Schedule hereunder:

SCHEDULE

<i>Clustered Counties</i>	<i>Venue</i>	<i>Date</i>	<i>Time</i>
Mombasa, Kwale, Kilifi, Lamu, Taita Taveta	Technical University of Mombasa, Mombasa	18th June, 2026	9.00 a.m.–12.00 p.m.
Garissa, Tana River, Wajir, Mandera	Government Guest House, Garissa	18th June, 2026	9.00 a.m.–12.00 p.m.
Uasin Gishu, West Pokot, Elgeyo Marakwet, Turkana, Trans Nzoia, Nandi	Uasin Gishu County Hall, Uasin Gishu	22nd June, 2026	9.00 a.m.–12.00 p.m.
Meru, Tharaka Nithi, Embu, Isiolo, Marsabit	Kamunde Hall, Meru	22nd June, 2026	9.00 a.m. –12.00 p.m.

<i>Clustered Counties</i>	<i>Venue</i>	<i>Date</i>	<i>Time</i>
Kakamega, Vihiga, Bungoma, Busia	Magharibi Hall, Kakamega	24th June, 2026	9.00 a.m.–12.00 p.m.
Samburu, Laikipia, Nyeri	NGCDF Hall, Nanyuki	24th June, 2026	9.00 a.m.–12.00 p.m.
Kiambu, Murang'a, Kirinyaga	Murang'a University of Technology Hall, Murang'a	26th June, 2026	9.00 a.m.–12.00 p.m.
Kisumu, Siaya, Migori, Homa Bay, Kisii, Nyamira	Mama Grace Onyango Cultural Centre, Kisumu	26th June, 2026	9.00 a.m.–12.00 p.m.
Kericho, Bomet, Narok	ACK Church Hall, Kericho	29th June, 2026	9.00 a.m.–12.00 p.m.
Nakuru, Baringo, Nyandarua	Kenya Red cross, Nakuru	29th June, 2026	9.00 a.m.–12.00 p.m.
Nairobi, Machakos, Kajiado, Kitui, Makeni	Masinga Machakos Social Hall, Machakos	30th June, 2026	9.00 a.m.–12.00 p.m.

The draft Regulatory Impact Statement and the proposed Rules are available on the Ministry's website: <https://www.health.go.ke>. Hard copies may also be requested through the Ministry's email address during normal working hours.

Members of the public are also invited to submit their representations, comments and views and send them through the postal and physical addresses provided in this notice or through: shisharules@health.go.ke.

Dated the 3rd June, 2026.

ADEN DUALE,
Cabinet Secretary for Health.