

## High Court addresses new fuel tax

Kenya's High Court has declined to suspend the recently introduced 16% tax on petroleum products despite suits by the Central Organisation for Trade Unions (Cotu) and activist Okiya Omtatah who argue that the levy is illegal. The [Daily Nation](#) reports that Justice Enoch Chacha Mwita ordered Cotu and Omtatah to furnish the National Treasury, the Energy Regulatory Commission, the Kenya Revenue Authority and the Attorney-General with their legal papers and to return to court today (Monday). **'The court cannot afford to hide under the doctrine of judicial deference. It has to listen to the voice of the people,'** Omtatah said. As previously reported in [Legalbrief Today](#), Kenyan MP Nelson Koech has written to the Speaker of the National Assembly to convene a special sitting to discuss the fuel taxes. He has informed Adan Duale that there was a public outcry over the high prices of fuel – US\$1.26 per litre in Nairobi. The fuel tax was introduced despite lawmakers amending the Finance Act 2018 to effectively delay the implementation of the tax by two years.