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Startups Bill, 2020

Q&A

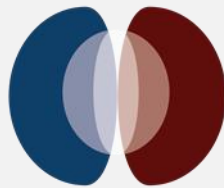
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The Startup Bill, 2020

What is the essence of the Startup Bill?	The drafters view it as a means to promote the development of start-ups by factoring in their key pain points such as incubation, access to financiers, regulatory factors. It is essentially meant to enhance a better development environment for start-ups.
How does the government intend to implement the Startup Bill?	<p>The Startup Bill focuses on utilizing all levels of governments; thus, the National and County Governments. The inclusion of the County Government enhances the spread of the operationalization of the Bill. The process will improve the development of policies and frameworks that will enable the purpose of the Bill.</p> <p>The need to enable the operation of the Bill will include entering into partnerships with local and international business incubators, how to access start-up incubator or incubator programs, keeping directories on start-ups and incubators, among others.</p>
How will the issue of Intellectual Property be handled?	The Bill considers the need to enhance the protection of intellectual property. Further, the government has recently effected substantial amendments to some of the intellectual property laws.
Considering that incubators have a higher advantage on matters control and finances, is the question of incubator's influence addressed?	The Bill does not categorically address how the incubator and start-ups will operate. However, the Bill provides that there must be standards and guidelines that will be developed to regulate the relationship between the incubator and start-ups.
What are some of the prequalifications for an entity to be considered under the incubation program?	<p>An entity must be registered – and with headquarters – in Kenya under the Companies Act, Partnership Act, Limited Liability Partnership Act, or Non-Governmental Organizations Co-ordination Act/Public Benefit Organisations Act.</p> <p>Further, among other factors, it should not be more than seven years for general innovation classification and not more than ten years for an entity focusing on biotechnology.</p>
Are there any requirements for incubators?	The entities that would like to operate as incubators will require certain certifications from the Agency. Some of the requirements include being a registered entity, has the facilities and adequate equipment.
What are the incentives for start-ups?	The Bill provides that it will enhance the support for start-ups, enable access to credit guarantee schemes, fiscal incentives, enhanced intellectual protection measures, training, and capacity-building schemes.

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