

**PECIAL ISSUE**

*Kenya Gazette Supplement No. 79 (National Assembly Bills No. 40)*



REPUBLIC OF KENYA

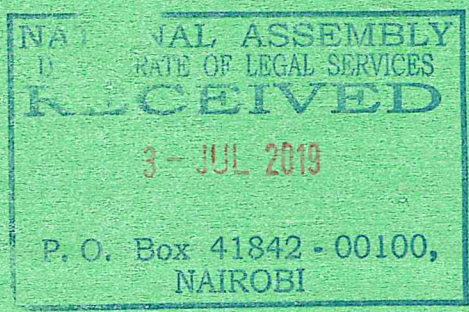
***KENYA GAZETTE SUPPLEMENT***

**NATIONAL ASSEMBLY BILLS, 2019**

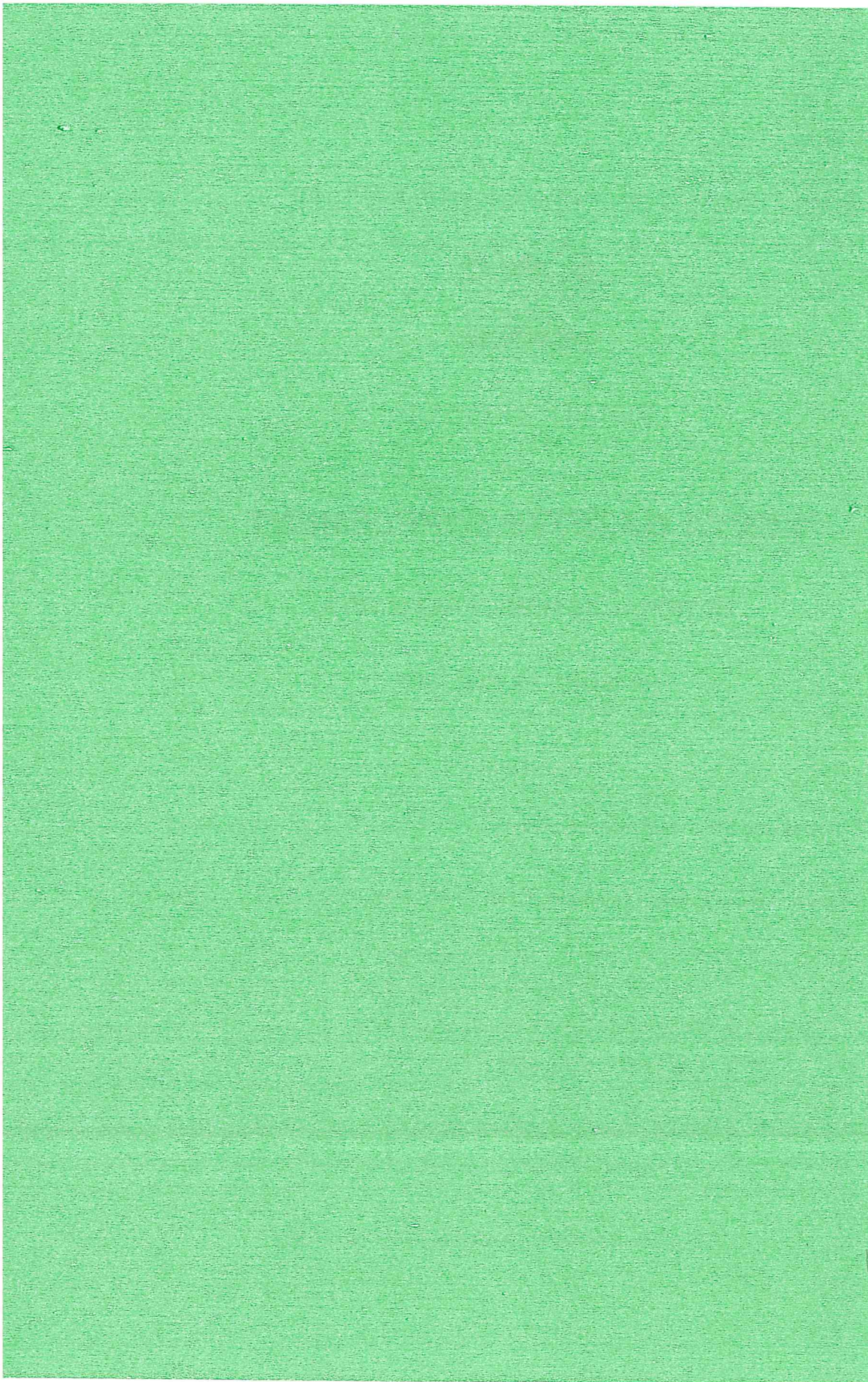
**NAIROBI, 7th June, 2019**

CONTENT

Bill for Introduction into the National Assembly—	PAGE
The Constitution of Kenya (Amendment) (No. 2) Bill, 2019 .....	591









**THE CONSTITUTION OF KENYA (AMENDMENT)  
(NO. 2) BILL, 2019**

**A Bill for**

**AN ACT** of Parliament to amend the Constitution of Kenya

**ENACTED** by Parliament of the Republic of Kenya as follows—

**1.** This Act may be cited as the Constitution of Kenya (Amendment) No. 2 Act, 2019.

Short title.

**2.** Article 97 (1) of the Constitution is amended in paragraph (c) by inserting the words “Kenyans in the diaspora,” immediately after the word “including”.

Amendment of Article 97 of the Constitution.



## **MEMORANDUM OF OBJECTS AND REASONS**

### **Statement of objects and reasons for the Bill**

The principal object of this Bill is to amend Article 97 (1) (c) of the Constitution to expressly include Kenyans in the diaspora as a special interest group to be catered for in the party lists from which twelve Members are nominated to the National Assembly.

Kenyans in the diaspora contribute significantly to the economy and therefore require an avenue to participate in the political space of their home country. The nomination of a Member to represent the special interests of Kenyans in the diaspora will give them an adequate opportunity to voice concerns for resolution by the House.

### **Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms**

This Bill does not delegate legislative powers nor does it limit any fundamental rights and freedoms.

### **Statement as to whether the Bill is a money Bill within the meaning of Article 114 of the Constitution**

The enactment of this Bill shall not occasion additional expenditure of public funds.

Dated the 6th June, 2019.

**GEORGE KARIUKI GK,**  
*Member of Parliament.*



*Article 97 of the Constitution which it is proposed to be amended*

**Membership of the National Assembly**

**97. (1)** The National Assembly consists of—

- (a) two hundred and ninety members, each elected by the registered voters of single member constituencies;
- (b) forty-seven women, each elected by the registered voters of the counties, each county constituting a single member constituency;
- (c) twelve members nominated by parliamentary political parties according to their proportion of members of the National Assembly in accordance with Article 90, to represent special interests including the youth, persons with disabilities and workers; and
- (d) the Speaker, who is an *ex officio* member.

(2) Nothing in this Article shall be construed as excluding any person from contesting an election under clause (1) (a).



