

**SPECIAL ISSUE**

*Kenya Gazette Supplement No. 115 (National Assembly Bills No. 36)*



REPUBLIC OF KENYA

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**KENYA GAZETTE SUPPLEMENT**

**NATIONAL ASSEMBLY BILLS, 2023**

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**NAIROBI, 21st July, 2023**

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**THE NATIONAL TRANSPORT AND SAFETY  
AUTHORITY (AMENDMENT) BILL, 2023**

**A Bill for**

**An ACT of Parliament to amend the National  
Transport and Safety Authority Act**

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

**1.** This Act may be cited as the National Transport and Safety Authority (Amendment) Act, 2023.

Short title.

**2.** The National Transport and Safety Authority Act in this Act referred to as the “principal Act”) is amended—

Insertion of a new subsection in Act No.33 of 2012.

- (a) by renumbering the existing provision as subsection (1); and
- (b) by inserting the following new subsection immediately after subsection (1) —

“(2) Without prejudice to the generality of subsection (1), the Cabinet Secretary may in consultations with the Authority make regulations prescribing—

- (a) the maximum and minimum fares payable by the passengers in the public service vehicles within the country;
- (b) the mechanisms of reviewing fares in the public service motor vehicles;
- (c) the measures for ensuring that fares imposed are fair and reasonable;
- (d) the modalities by which public service vehicles retain copies of timetables and fare tables to be displayed for all passengers to see; and
- (e) the means of ensuring that safety of the passengers in the public service vehicles is guaranteed.”



## **MEMORANDUM OF OBJECTS AND REASONS**

### **Statement of the Objects and Reasons for the Bill**

The principal object of this Bill is to amend the National Transport and Safety Authority Act No. 33 of 2012. The amendments seek to introduce a new section which provides for the development of policy guidelines to regulate the fares payable by passengers in the public service vehicles within the country.

The new section will ensure that the relevant stakeholders are involved in the process of developing such policy guidelines so as to ensure that there are maximum fares payable by passengers in the public vehicles from one point to another to avoid being subjected to abuse.

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

This Bill delegates legislative powers but does it limit fundamental rights and freedoms.

### **Statement of how the Bill concerns County Governments**

The Bill concerns County Governments as per Article 110(1)(a) of the Constitution as it contains provisions that affect the functions and powers of the County Governments as set out in the Fourth Schedule to the Constitution.

Paragraph 5 of Part 2 of the Fourth Schedule to the Constitution provides that the county transport including county roads is a function of the County Governments.

### **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 20th June, 2023.

**DIDMUS WEKESA BARASA,**  
*Member of Parliament.*



*Section 54 of No. 33 of 2012 which it is proposed to amend—*

**Section 54 of the National Transport and Safety Authority Act**

**54. Regulations**

The Cabinet Secretary may, in consultation with the Board, make regulations for the better carrying into effect of the provisions of this Act.









