

SPECIAL ISSUE

Kenya Gazette Supplement No. 116 (Senate Bills No. 31)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

SENATE BILLS, 2023

NAIROBI, 21st July, 2023

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**THE PUBLIC HOLIDAYS (AMENDMENT) BILL,
2023**

A Bill for

**AN ACT of Parliament to amend the Public Holidays
Act to provide for the extension of public holidays
and for connected purposes**

ENACTED by the Parliament of Kenya, as follows—

1. This Act may be cited as the Public Holidays
(Amendment) Act, 2023.

Short title.

2. The Public Holidays Act is amended by inserting
the following new section immediately after section 3—

Insertion of new
section 3A.

Extension of public
holidays.

3A. Where in any year, a public
holiday under Part 1 of the schedule —

- (a) falls on a Tuesday, then the
preceding day, not being a public
holiday, shall also be a public
holiday; or
- (b) falls on a Thursday, the
succeeding day, not being a
public holiday, shall also be a
public holiday.

MEMORANDUM OF OBJECTS AND REASONS

Statement of the Objects and Reasons for the Bill

The principal object of the Bill is to provide for the extension of the public holidays to either the preceding day, where the holiday falls on a Tuesday, and the succeeding day, where the holiday falls on a Thursday. Public holidays are designed to provide workers with time off from their jobs to rest and recharge, spend time with family and friends, and celebrate important events or traditions, and are often associated with travel and tourism. Extending public holidays can help ensure that workers have enough time to fully enjoy their time off and take care of their physical and mental health. Public holidays also seek to support economic growth, as they are often associated with travel and tourism, and extending public holidays may encourage Kenyans to take longer trips or visit destinations farther away from their homes. Essentially, such an extension would promote the hospitality and tourism industries.

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

The Bill does not delegate legislative powers nor does it limit the fundamental rights and freedoms.

Statement on how the Bill concerns county governments

All Kenyans including those at the Counties are entitled to enjoy the public holidays under Part 1 of the schedule to the Public Holidays Act. Under the Fourth Schedule to the Constitution, Kenyans living and working in the counties are entitled to cultural activities, recreational facilities and sports for which Kenyans would travel between different counties.

This is therefore a Bill that concerns counties in terms of Article 110(1) (a) of the Constitution.

Statement that the Bill is not a money Bill, within the meaning of Article 114 of the Constitution

This Bill is not a money Bill within the meaning of Article 114 of the Constitution.

Dated the 7th March, 2023.

KARUNGO WA THANG'WA,
Senator.