

SPECIAL ISSUE

Kenya Gazette Supplement No. 68 (Senate Bills No. 15)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

SENATE BILLS, 2024

NAIROBI, 14th March, 2024

CONTENT

Bill for Introduction into the Senate—	PAGE
The Statute Law (Miscellaneous Amendments) Bill, 2024	221

**THE STATUTE LAW (MISCELLANEOUS
AMENDMENTS) BILL, 2024**

A Bill for

**AN ACT of Parliament to make minor amendments to
statute law; and for connected purposes**

ENACTED by the Parliament of Kenya as follows—

1. This Act may be cited as the Statute Law (Miscellaneous Amendments) Act, 2024. Short title.

2. The several laws specified in the first column of the Schedule are amended in the provisions respectively specified in the second column, in the manner respectively specified in the third column. Insertion of new section 54A in No. 4 of 2007.

SCHEDULE

<i>Written law</i>	<i>Provision</i>	<i>Amendment</i>
The Kenya Roads Board Act, 1999 (No. 7 of 1999)	s. 7(1)	Delete paragraph (g).
	s. 7(1)(h)	Delete the word “eight” and substitute therefor the word “five”
	First Schedule	Delete paragraph 4. Delete paragraph 5. Delete paragraph 6.
The unclaimed Financial Assets Act, 2011 (No. 40 of 2011)	s. 28(5)	Insert the words “or such other person as the claimant may designate” immediately after the word “claimant”.
The Statutory Instruments Act, 2013 (No. 23 of 2013)	Heading to Part V	Delete and substitute therefor the following—

**“PART V – PURPOSE FOR
REVIEW OF STATUTORY
INSTRUMENTS”**

s. 21 Repeal.

New. Insert the following new section
immediately after section 21 —

Saving. **21A.** Any statutory
instrument that was in
operation on or before
the 24th January, 2024,
and on any day
thereafter shall continue
to operate and to have
effect as if the statutory
instrument had not been
automatically revoked
on that date.

MEMORANDUM OF OBJECTS AND REASONS

The Statute Law (Miscellaneous Amendments) Bill, 2024, seeks to make various amendments to various statutes. It is in keeping with the practice of making various amendments which do not merit the publication of separate Bills into one Bill.

The Bill contains proposed amendments to the following statutes which were enacted through the Finance Bill, 2023 (No. 4 of 2023) but were declared unconstitutional by the Court for being extraneous to a money Bill—

The Kenya Roads Board Act, 1999 (No. 7 of 1999)

The Bill seeks to amend section 7(1) and the First Schedule to the Kenya Roads Board Act, 1999, to reduce the membership of the Board and the institutions from which the membership may be nominated from.

The Unclaimed Financial Assets Act, 2011 (No. 40 of 2011)

The Bill seeks to amend section 28 of the Unclaimed Assets Act, 2011, to provide for the appointment of other persons as beneficiaries of a claimant.

The Statutory Instruments Act, 2013 (No. 23 of 2013)

The Bill proposes to amend section 20 and 21 of the Statutory Instruments Act, 2013, to remove the mandatory requirement for the review of subsidiary legislation and the expiration of statutory instruments to align the Statutory Instruments Act, 2013 with the Revision of Laws Act. The Bill also proposes to insert a new section 21A to provide for the saving of statutory instruments affected by the judgment of the High Court in Constitutional Petition E181 of 2023 given on the 28th November, 2023, and the ruling of the Court of Appeal in Civil Application No. E588 of 2023 given on the 26th January, 2024.

Dated the 13th March, 2024.

AARON CHERUIYOT,
Senate Majority Leader.

Section 7 of No. 7 of 1999 which it is intended to amend—

7. Membership of the Board

(1) The Board shall consist of—

(h) five other members comprising, representatives of each of the organisations specified in the First Schedule and appointed by the Minister from amongst three persons nominated by each of the organisations.

Section 28 of No. 40 of 2011 which it is intended to amend—

(5) Where a claim is allowed, the Authority shall pay over or deliver to the claimant or such other person as the claimant may designate the assets or the amount the Authority actually received or the net proceeds if it has been sold by the Authority.