

**SPECIAL ISSUE**

*Kenya Gazette Supplement No. 22 (National Assembly Bills No. 4)*

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REPUBLIC OF KENYA

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**KENYA GAZETTE SUPPLEMENT**

**NATIONAL ASSEMBLY BILLS, 2025**

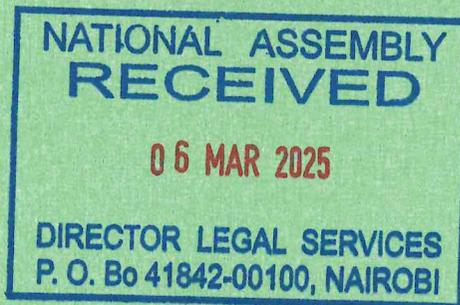
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**NAIROBI, 26th February, 2025**

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NATIONAL ASSEMBLY  
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**THE CONSTITUTION OF KENYA (AMENDMENT)  
BILL, 2025**

**A Bill for**

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

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

1. This Act may be cited as the Constitution of Kenya (Amendment) Act, 2025.

Short title.

2. The Constitution is amended by inserting the following new Articles immediately after Article 204—

Insertion of new  
Articles in the  
Constitution.

National Government  
Constituencies Fund.

**204A.** (1) There is established the National Government Constituencies Fund.

(2) The National Government Constituencies Fund is established for the purpose of ensuring the provision of exclusive national government functions in each constituency.

(3) The National Government Constituencies Fund shall be a national government fund consisting of monies appropriated from the national government's share of revenue as divided by the annual Division of Revenue Act enacted pursuant to Article 218.

(4) All monies allocated under this Article shall be considered as funds allocated to constituencies to be administered in accordance with the provisions of an Act of Parliament.

(5) Parliament shall enact legislation to make further provisions for the operation of this Article.

Senate Oversight  
Fund

**204B.** (1) There is established the Senate Oversight Fund.

(2) The Senate Oversight Fund is established for the purpose of ensuring that the Senate is adequately resourced and

empowered to perform its oversight functions.

(3) The Senate Oversight Fund shall be a national government fund consisting of monies appropriated from the national government's share of revenue as divided by the annual Division of Revenue Act enacted pursuant to Article 218.

(4) All monies allocated under this Article shall be considered as funds allocated to the Senate to be administered in accordance with the provisions of an Act of Parliament.

(5) Parliament shall enact legislation to make further provision for the operation of this Article.

National Government  
Affirmative Action  
Fund.

**204C.** (1) There is established the National Government Affirmative Action Fund.

(2) The National Government Affirmative Action Fund is established for the purpose of enhancing the measures of the national government on affirmative action.

(3) The National Government Affirmative Action Fund shall be a national government fund consisting of monies appropriated from the national government's share of revenue as divided by the annual Division of Revenue Act enacted pursuant to Article 218.

(4) Parliament shall enact legislation to make further provision for the operation of this Article.

## **MEMORANDUM OF OBJECTS AND REASONS**

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

The principal object of this Bill is to amend the Constitution to entrench the following Funds in the Constitution—

- (a) the National Government Constituencies Fund;
- (b) the Senate Oversight Fund; and
- (c) the National Government Affirmative Action Fund.

The establishment of the National Government Constituencies Fund in the Constitution will ensure reasonable access to exclusive national government functions in all constituencies as envisaged in Article 6(3) of the Constitution and ensure the participation of the people in the identification and implementation of priority national government programmes.

The establishment of the Senate Oversight Fund in the Constitution will ensure that the Senate is adequately empowered and resourced to perform its oversight functions.

The establishment of the National Government Affirmative Action Fund shall enhance the measures of the national government on affirmative action.

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

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

### **Statement on whether the Bill concerns county governments**

Pursuant to Article 256 of the Constitution, a Bill to amend the Constitution through a parliamentary initiative is considered by both Houses of Parliament.

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

The Bill contains provisions dealing with appropriation and issue of public money.

Dated 25th February, 2025.

SAMUEL CHEPKONG'A,  
*Member of Parliament.*

OTIENDE AMOLLO,  
*Member of Parliament.*



