

SPECIAL ISSUE

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REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

NATIONAL ASSEMBLY BILLS, 2026

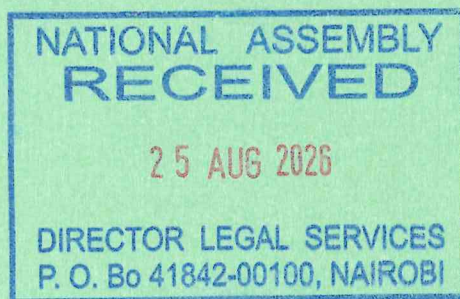
NAIROBI, 9th July, 2026

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REPUBLIC OF KENYA

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THE HERALDRY BILL, 2026

A Bill for

AN ACT of Parliament to provide for the establishment of the College of Arms; grant of arms and heraldic representations; registration of such grants; and prohibition of misuse of arms and heraldic representations; and for connected purposes.

ENACTED by the Parliament of Kenya, as follows—

PART I—PRELIMINARY

1. This Act may be cited as the Heraldry Bill, 2026.

Short title

2. In this Act, unless the context otherwise requires—

Interpretation.

“Arms” means a heraldic representation of a Coat of Arms with or without any other armorial bearings including a crest, motto, flag, medal, seal, insignia, uniform, emblem, all of which, may be represented separately or in any combination other than the prescribed emblem;

“blazon” means a description of Arms in the heraldic language;

“Coat of Arms” means a shield or badge heraldically designed and represented that may or may not include other armorial bearings;

“College” means the College of Arms established under section 4 of the Act;

“design” means to conceive and graphically arrange and represent Arms;

“heraldry” means the system by which a Coat of Arms and other armorial bearings are designed described and regulated;

“institution” means an organization or a public body;

“public entity” includes—

- (a) the National Government;
- (b) the County Government;
- (c) a state corporation established by law;
- (d) a university established under the Universities Act or any other written law;

(e) a tertiary institution funded or controlled by the government, including technical and vocational education and training (TVET) institutions; and

(f) any other educational institution that is publicly funded or regulated by the government;

“register” means the register of Arms established under section 24;

“Registrar” means the Registrar of Arms appointed under section 10 of the Act;

“specified emblem” has the meaning assigned to it in the National Flag, Emblems and Names Act; and

Cap.99.

“visual arts” means creative art whose products are to be appreciated by sight.

3. The object of the Act is to—

Objects of the Act.

(a) provide a framework for the registration of Arms and Coat of Arms; and

(b) to protect the identity of persons and institutions by ensuring their unique representation is protected

PART II—THE COLLEGE OF ARMS

4. (1) There is established a college to be known as the College of Arms.

Establishment of the College.

(2) The College shall consist of—

(a) the Attorney General who shall be the chairperson of the College;

(b) a deputy chairperson person appointed by the Attorney General;

(c) four members appointed by the Attorney-General; and

(d) one member nominated by the Council of Governors and appointed by the Attorney General.

(3) The person appointed as a member under subsection 2(b) shall serve as the Chairperson in the absence of the Attorney General.

(4) The College shall be a successor to the College of Arms established under College of Arms Act.

Cap. 98

5. (1) The College shall perform its functions relating to the registration of arms. Functions of the College.

(2) Without prejudice to the provisions of subsection (1) the College shall—

- (a) receive applications for the Grant of Arms;
- (b) examine and approve the design of Arms;
- (c) advise the applicants on the design of Arms;
- (d) direct the Registrar to effect the registration of Grant of Arms;
- (e) suspend or cancel the application of the Grant of Arms; and
- (f) perform such other functions as may be assigned to the College under this Act.

6. The College shall have all the powers necessary for the performance of its functions under this Act. Powers of the College.

7. The meetings of the College shall be conducted in accordance with the procedures set out in the Schedule. Meetings of the college.

(a) (1) A person appointed under section 4(2)(c) and (d) shall be qualified for appointment as a member of the College if that person — Qualification.

- (b) is a Kenyan citizen;
- (c) has a degree from a university recognized in Kenya in visual arts, history of art or any other related field; and
- (d) meets the requirements of Chapter Six of the Constitution.

8. The members of the College shall hold office for a term of three years and shall be eligible for reappointment for one further term of three years. Tenure of Office.

9. The Chairperson and members of the College shall be paid such remuneration or allowances as the Attorney General may in consultation with the Salaries and Remuneration Commission determine. Remuneration.

10. (1) There shall be a Registrar of arms and staff of the college appointed by the Attorney General in consultation with the college. Registrar of Arms and staff of the College

(2) The Attorney General, in consultation with the College, may appoint such other officers and employees as it considers necessary for the efficient discharge of duties and responsibilities of the College.

11. (1) A person shall be qualified for appointment as the Registrar if the person—

Appointment of Registrar

- (a) is an advocate of the High Court of Kenya of not less than ten years standing;
- (b) holds a degree from a university recognized in Kenya
- (c) has had at least ten years of experience in legal practice, five of which shall be in a senior management position or management; and
- (d) satisfies the requirements of Chapter Six of the Constitution.

(2) The Registrar shall be responsible for the day to day management of the affairs of the College.

(3) The Registrar shall be an ex officio member of the College.

12. (1) The functions of the Registrar shall be to—

Functions of the Registrar.

- (a) receive applications for the Grant of Arms;
- (b) register the Grant of Arms;
- (c) maintain the Register of Arms;
- (d) determine fees for application of Grant of Arms; and
- (e) perform any other function related to the office of the registrar.

13. (1) In the performance of the functions specified under this Act, the Registrar may on the direction of the College—

Powers of Registrar.

- (a) issue a Grant of Arms and Coat of Arms upon application by applicant;
- (b) rectify errors or omissions on a Grant of Arms upon application by the applicant;
- (c) suspend or cancel a Grant of Arms;

- (d) prohibit, control or restrict the use of specified Arms, specified likeness or specified name;
- (e) regulate the manner in which an application may be made; or
- (f) notify the deregistration of Arms in the *Gazette*.

PART III-REGISTRATION OF HERALDIC REPRESENTATIONS AND GRANT OF ARMS

14. (1) All public entities at both national and county levels shall register their Arms in accordance with this Act. Entities to Register Arms.

(2) Any person or private entity may register its Arms in accordance with this Act.

15. (1) Any person or public entity or private entity, who seeks for a grant of arms may apply to the College of Arms. Application for registration of grant of Arms.

(2) An application made under subsection (1) shall be accompanied by—

- (a) particulars of the design of the Arms applied for;
- (b) such fees as may be prescribed; and
- (c) the postal and physical address, telephone number and email address of the applicant.

(3) The design accompanying the application shall be—

- (a) in soft and hard copies;
- (b) rendered in colour and in black and white; and
- (c) have a blazon to explain the symbolism of the chosen designs and the accompanying components in the drawing.

(4) Where the design of the application includes a specified emblem or its likeness, written permission shall be obtained from the Cabinet Secretary as specified in the National Flag, Emblems and Names Act

Cap. 99

(5) In considering an application made under this section, the College shall take into consideration the following matters—

- (a) the propriety of the design.

(b) whether the design resembles that of any other arms registered under this Act or granted by authority in another country or a specified emblem, whether; and

(c) whether the design accords with the principles of heraldry and is of sufficient artistic merit to warrant a Grant of Arms.

(6) Where an application does not comply with this section, the College shall inform the applicant and direct that the design be adjusted to align with the principles of heraldry and be resubmitted to the College within thirty days.

(7) Where an application is returned by the College under subsection (6), the original artist shall be given priority to adjust the application however, members of the College may appoint another artist to make adjustments to the application.

(8) Upon approval of an application by the College, the design of the Coat of Arms shall be engrossed onto an A1-size vellum.

(9) Where the College appoints an artist under subsection (7) the costs of such artist shall be met by the applicant.

16. An applicant may withdraw an application made under section 15 at any time before the grant is made.

Withdrawal of application.

17. (1) After making a grant of Arms, the College shall direct the Registrar to register the Arms within seven days of the Grant and issue a certificate of registration in the prescribed form.

Registration of grant of Arms.

(2) The Registrar shall forward the engraved design of the Arms to the applicant together with the certificate of registration and shall file a copy thereof in the register

(3) The Registrar shall cause all Arms granted under this Act to be notified in the *Gazette*.

18. (1) Any person or institution established in a foreign country may, with the consent of the College, apply to the Registrar for the registration of Arms or for an amendment of or the deletion of any Arms registered in its name.

Registration of foreign Arms.

(2) The Registrar may, if satisfied that the Arms are not similar to any other Arms registered under this Act, register the Grant accordingly.

19. (1) The College may cancel or suspend the registration of a Grant of Arms where—

Cancellation or suspension of registration of Arms.

- (a) there is reasonable cause to believe that the registration should be cancelled on the grounds of misuse of Arms;
- (b) the person or institution has wilfully, despite receiving notice from the Registrar, contravened any provisions of this Act; or
- (c) the person or institution has failed to furnish the Registrar with requirement under section 16 (2) of this Act.

(2) Where the Registrar intends to cancel or suspend a registration under subsection (1), the Registrar shall notify the applicant in writing of such intention.

(3) The notice issued under subsection (2) shall be in writing and shall require the applicant to show cause within twenty-one days of receipt of the notice as to why the registration should not be cancelled or suspended.

(4) Where the applicant fails to show cause as specified in subsection (3), the Registrar may proceed to suspend or cancel the registration of the grant of arms.

20. The College may refuse to approve an application for a Grant of Arms where the—

Refusal of approval of Grant of Arms.

- (a) proposed name, special name or design is similar to another person or institution;
- (b) design of the Arms does not comply with the principles and rules of heraldry;
- (c) applicant does not comply with the provisions of this Act or rules made hereunder; or
- (d) the entity whose name has been registered no longer exists.

21. (1) Any person or institution aggrieved by a decision of the College to refuse registration of its Arms, or to cancel or suspend such registration, may apply in

Review of the decision for refusal, cancellation or suspension.

writing to the College for a review of that decision, within thirty days of the date of the decision, .

(2) The College may consider the application under subsection (1) where—

(a) the applicant presents new information that could not be presented at the time the decision was made by the College; or

(b) there is an error apparent on the record of the decision for which a review has been applied

(3) The College shall consider, determine and communicate the decision on the application for review within ninety days of the application.

(3)A person or institution aggrieved by the decision of the college may appeal to the High Court.

22. (1) A grant of Arms registered under this Act shall not be amended or deleted from the register without the prior consent of the Registrar.

Consent before amending
or deletion of Grant of
Arms.

(2) An application for amendment or deletion from the register made under subsection (1) shall be made in writing to the Registrar stating the particulars of the amendment or deletion.

(3) Once an application for amendment or deletion has been approved the applicant shall make a new application in compliance with section 16 of the Act.

PART IV-REGISTER

23. (1) The Registrar shall establish and maintain a register of Arms in such form as the Registrar may determine.

Register.

(2) The register shall contain the names and addresses of persons to whom Arms have been registered by the College together with a representation of the Arms so registered.

24. The register shall be open for inspection by the members of the public during working hours upon payment of the prescribed fees.

Inspection of register.

PART V-OFFENCES

25. (1) Where Arms have been registered pursuant to this Act, no person shall display or otherwise use those Arms except with the consent of the grantee in writing.

Misuse of Arms

(2) Any person who contravenes subsection (1) commits an offence and shall be liable on conviction to a fine not exceeding five hundred thousand shillings, or imprisonment for a term of two years or to both.

26. Any person who—

Penalty for false entries in the register.

- (a) makes or causes to be made a false entry in the register;
- (b) makes or causes to be made any document falsely purporting to be a copy of an entry in the register;
- (c) produces or tenders or causes to be produced or tendered as evidence any false entry or copy thereof; or
- (d) makes any false statement or representation with the intention of deceiving the Registrar, the members of the College of Arms in the execution of the provisions of this Act,

commits of an offence, and shall be liable on conviction to a fine not exceeding two hundred thousand shillings or in default of payment to imprisonment for a period not exceeding two years.

PART VI—GENERAL PROVISIONS

27. (1) Any part of the register which is a copy of grants of Arms shall in all legal proceedings be presumed to be true copies of such grants until the contrary is proved.

Evidence.

(2) An extract from the register kept under this Act, or a copy of any part of the register, which is certified by the Registrar to be a true extract or copy of the entry in the register shall in all legal proceedings be admissible as prima facie evidence of the contents of the register.

(3) A certificate issued under the hand of the Registrar certifying that particular Arms are registered, or that they are not so registered, shall, in all legal proceedings, constitute prima facie evidence of such registration or non-registration, as the case may be, unless the contrary is proved

(4) The Registrar shall not, in any legal proceedings to

which the Registrar is not a party, be compelled to—

- (a) produce any documents, the contents of which can be proved under subsection (1) of this section; or
- (b) appear as a witness to prove the matter recorded in the register, unless the court for special cause otherwise orders.

28. No act or omission by a member of the College, or by any officer or agent thereof, shall, if done in good faith in the exercise or performance of the functions, powers, or duties of the College, render such member, officer, or agent personally liable to any action, claim, or demand whatsoever.

Protection from personal liability.

PART VII - PROVISIONS ON DELEGATED LEGISLATION

29. The Attorney General may make regulations under this Act for the better carrying out of the provisions of this Act.

Regulations.

PART VIII - REPEALS AND SAVINGS

30. (1) The College of Arms Act is hereby repealed.

Repeal of Cap. 98.

31. Notwithstanding subsection (1)—

Savings

- (a) the Chairperson and members of the former College in office immediately before the commencement of this Act shall serve the remainder of their terms of office after which new appointments shall be made under this Act;
- (b) the Registrar, and public officers in office immediately before the commencement of this Act shall be deemed to be Registrar, and public officers respectively appointed under this Act;
- (c) an application pending immediately before the commencement of this Act shall be considered by the College as if the application had been filed under this Act and shall be considered under the provisions of this Act;
- (d) all Grants of Arms made before the commencement of this Act shall be deemed to have been made under this Act.

(3) In this Part “former College” means the College of Arms established under section 3 of the College of Arms Act Chapter 98 of the Laws of Kenya (now repealed).

SCHEDULE

(s.7)

MEETINGS

1. The College shall meet at least four times in every financial year and not more than four months shall elapse between the date of one meeting and the date of the next meeting.
2. The Chairperson shall preside over all meetings of the College and in the absence of the Chairperson, the vice chairperson shall act as Chairperson for purposes of that meeting.
3. The quorum for a meeting of the College shall be three members.
4. The College may from time to time co-opt into its membership any person whose skills and expertise are necessary for the performance of any particular issue currently before the College.
5. The decisions at a meeting of the College shall be carried by a majority of the members present, but in the event of an equality of votes the chairperson or person presiding shall have a casting vote.
6. Subject to the provisions of this Act, the College may regulate its own procedure.

MEMORANDUM OF OBJECTS AND REASONS

The principal object and purpose of this Bill is to repeal the College of Arms Act and to provide for the establishment of the College of Arms; the grant of Arms and heraldic representations; the registration of such grants; and the prohibition of the misuse of Arms and heraldic representations.

Part I of the Bill (clauses 1 to 3) provides for the preliminary provisions of the Bill. It provides the definition of terms and the Objects and purposes of the Bill.

Part II (Clauses 4 to 14) provides for the establishment of the College of Arms. The part provides for the establishment and functions of the College of Arms; its powers and functions; the membership of the College and its administration including the appointment of the registrar and other staff

PART III (clauses 15 to 23) provides for the registration of heraldic representations and Grant of Arms. It sets out which entities are required to register arms; provides for the registration process for both local and foreign Arms; appeals from order or refusal cancellation or suspension and provisions for consent before amending a Grant of Arms.

PART IV (clause 24 to 25) of the Bill provides for a register of Arms that shall be maintained by the Registrar.

PART V (clauses 27 to 28) provides for offences emanating from the misuse of registered Arms; and the penalty for false entries in the register.

PART VI (Clauses 28-30) provides for the protection of the College from personal liability, a copy of Grant to be used as evidence in legal proceedings and that the Attorney General may make regulations under the Act for better carrying out the provision of this Act.

PART VII (Clause 30) provides that the Attorney General may make regulations under the Act for better carrying out the provision of this Act.

PART VIII (Clause 31) provides for the repeal of the College of Arms Act Cap 98 Laws of Kenya. This Part also provides for the transition of the members of the current College, Registrar, and the Secretariat.

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

This Bill does delegate legislative powers to the Attorney General or but does not limit fundamental rights and freedoms.

Statement of how the Bill concerns county governments

The Bill does not concern county governments in terms of Article 110(1) (a) of the Constitution as it does not contain provisions that affect the functions and powers of the county governments as set out in the Fourth Schedule to the Constitution.

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

The enactment of this Bill may occasion additional expenditure of public funds.

Dated the 18th June, 2026.

KIMANI ICHUNGWA,
Leader of Majority Party.

Statement of how the bill constrains county governments

The bill does not constrain county governments in terms of *Article 1* of the Constitution as it does not deprive counties the right to the functions and powers of the county government as set out in the *Local Government Act, 1992*.

Statement as to whether the bill is a money bill within the meaning of *Article 113* of the Constitution

The enactment of this bill may occasion additional expenditure of public funds.

Dated the 10th June 2020

KIMANICHURUWA
Speaker of Malawi House of Chiefs

