

NATIONAL COUNCIL FOR LAW REPORTING  
1001-1002, P.O. BOX 2694  
NAIROBI, KENYA

**SPECIAL ISSUE**

*Kenya Gazette Supplement No. 3 (Senate Bills No. 1)*



REPUBLIC OF KENYA

**KENYA GAZETTE SUPPLEMENT**

**SENATE BILLS, 2016**

---

---

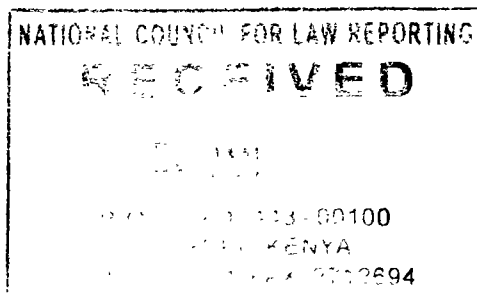
**NAIROBI, 15th January, 2016**

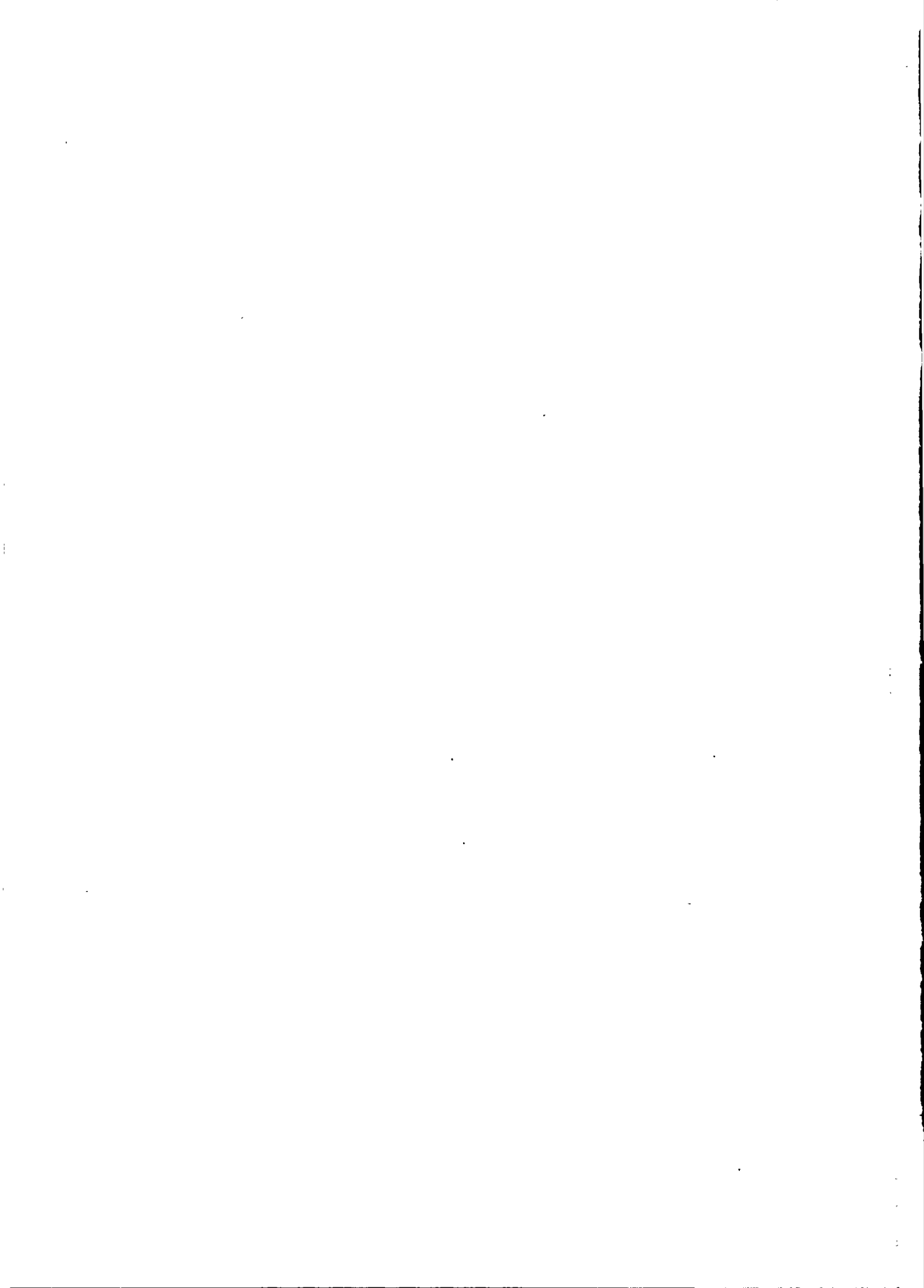
---

---

CONTENT

Bill for Introduction into the Senate—	PAGE
The Constitution of Kenya (Amendment) Bill, 2016.....	1





**THE CONSTITUTION OF KENYA (AMENDMENT)  
BILL, 2016**

**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, 2016.

Short title.

**2.** Section 15 of the Sixth Schedule to the Constitution is amended by inserting the following new subsection immediately after subsection (1)—

Amendment of Section 15 of the Sixth Schedule to the Constitution.

(1A) Despite subsection (1), the Senate may, by resolution, extend the period specified under subsection (1) for a further period of not more than three years.

**MEMORANDUM OF OBJECTS AND REASONS**

The principal object of this Bill is to amend Section 15 of the Sixth Schedule to the Constitution so as to allow for the extension of the period for transfer of functions from the National Government to the County Governments by a maximum of three years after the expiry of the three years period currently specified in Section 15 of the Sixth Schedule.

The purpose of this amendment is therefore to enable the completion of the pending transition work. This is in view of the fact that the transition period contemplated in Section 15 of the Sixth Schedule to the Constitution is set to lapse on 4th March, 2016 yet there are critical elements of transfer of functions which are still outstanding and may not be completed by that date. These include the development of a framework to unbundle the concurrent functions, transfer of seconded staff resources from the national to county governments, rationalization and deployment of human resource, transfer of secondary functions to county governments, auditing of all the assets and liabilities of the defunct local authorities and the preparation and validation of an inventory of existing assets and liabilities of national government and other public entities and publishing of the mechanism for transfer and sharing of assets and liabilities between the two levels.

Dated the 13th January, 2016.

**AMOS WAKO,**  
*Chairperson, Committee on Legal Affairs and Human Rights.*