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NATIONAL ASSEMBLY BILLS, 2016

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THE KENYATTA MAUSOLEUM BILL, 2016

A Bill for

AN ACT of Parliament to provide for the access, control, management and development of the Kenyatta Mausoleum and for connected purposes

ENACTED by the Parliament of Kenya, as follows—

PART I—PRELIMINARY

1. This Act may be cited as the Kenyatta Mausoleum Act, 2016.

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

"Mausoleum" means the Kenyatta Mausoleum as established under section 3;

"Board" means the National Museums Board established under the National Museums and Heritage Act;

"Cabinet Secretary" means the Cabinet Secretary for the time being responsible for the National Museums;

"maintenance" has the meaning assigned to it under the National Heritage and Museums Act.

3. Kenyatta Mausoleum is all that building adjacent to the Parliament Buildings on plot No. 209/5444 which measures approximately 4.48 acres along Parliament Road within the Nairobi Central Business District, Central Division in Nairobi County.

4. The Kenyatta Mausoleum shall—

(a) serve as a national repository for artefacts of the late President Jomo Kenyatta which are of cultural and human interest;

(b) serve as a place where research and dissemination of knowledge on the late President Jomo Kenyatta can be undertaken;

(c) protect and conserve the cultural and natural heritage of Kenya and the late President Jomo Kenyatta; and

(d) serve a tourist attraction site for both domestic and international tourists.

5. The Kenyatta Mausoleum shall be managed by the National Museums of Kenya established under the National Museums and Heritage Act.
6. The Kenyatta Mausoleum shall be accessible to the public upon the payment of a fee as prescribed by the Cabinet Secretary.

7. (1) The sources of the Mausoleum shall be —

(a) such sums as may be appropriated to the Mausoleum by the National Museums of Kenya;
(b) any funds provided by bilateral or multilateral donors, for the purpose of the Mausoleum;
(c) gifts, grants, donations or endowments as may be given to the Mausoleum; and
(d) monies from any other source provided for the Mausoleum.

(2) The annual estimates by the Board shall make provisions for all estimated expenditure of the Mausoleum for the financial year concerned, and in particular shall provide for the —

(a) proper maintenance and expansion of the Mausoleum;
(b) payment of salaries, allowances and other charges in respect of the staff of the Mausoleum; and
(c) payment of pensions, gratuities and other charges in respect of staff of the Mausoleum.

8. The National Museums and Heritage Act shall apply Mutatis Mutandis to this Act.

9. (1) The Cabinet Secretary may, make Regulations generally for the better carrying into effect the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Regulations shall —

(a) prescribe the amount to be paid by the public for accessibility to the Mausoleum;
(b) prescribe the nature of artefacts of the late President to be kept in the Mausoleum; and
(c) establish mechanisms to facilitate research and dissemination of knowledge in the cultural heritage of Kenya and that of the late President Jomo Kenyatta.
MEMORANDUM OF OBJECTS AND REASONS

The objective of this Bill is to provide a legal framework through which the Kenyatta Mausoleum can be made accessible to the public upon the payment of a prescribed fee.

This will create more revenue to the government and jobs to Kenyans since the Mausoleum will serve as a domestic and international tourist attraction. Further, the Mausoleum will serve as a repository of the artefacts of the late President Jomo Kenyatta.

The Bill does not infringe or limit any fundamental rights or freedoms.

The Bill does not concern County governments.

The enactment of this Bill shall not occasion additional expenditure of public funds.

Dated the 30th March, 2016.

MUTHOMI NJUKI,
Member of Parliament.