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**SPECIAL ISSUE**

*Kenya Gazette Supplement No. 169 (National Assembly Bills No. 28)*



REPUBLIC OF KENYA

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**KENYA GAZETTE SUPPLEMENT**

**NATIONAL ASSEMBLY BILLS, 2020**

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**NAIROBI, 24th September, 2020**

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CONTENT

Bill for Introduction into the National Assembly—	PAGE
The Health (Amendment) Bill, 2020.....	819

**THE HEALTH (AMENDMENT) BILL, 2020****A Bill for**

**AN ACT of Parliament to amend the Health Act to provide that male circumcision shall be performed under medically safe and hygienic conditions and for connected purposes**

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

1. This Act may be cited as the Health (Amendment) Act, 2020.

Short title.

2. The Health Act is amended by inserting the following new section immediately after section 74—

Amendment of section 74 of No. 21 of 2017.

Safe male  
circumcision.

“74A. (1) The national Government and the county governments shall formulate policies to guide the practice of male circumcision.

(2) The objectives of the policies developed under subsection (1) shall be to—

- (a) provide that male circumcision shall be performed by trained and registered persons;
- (b) ensure that the health condition of the initiate is considered prior to circumcision;
- (c) ensure the safety of male circumcision procedures;
- (d) ensure that male circumcision is performed in hygienic environments; and
- (e) provide mechanisms for the religious or customary mentorship and counselling of young initiates.

**MEMORANDUM OF OBJECTS AND REASONS****Statement of Objects and Reasons for the Bill**

The principal object of the Bill is to amend the Health Act, No. 21 of 2017 to provide that male circumcision shall be performed under medically safe and hygienic conditions. The Bill also seeks to regulate the practice by ensuring that male circumcision is performed by trained and registered persons.

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

This Bill does not delegate legislative powers neither does it limit fundamental rights and freedoms.

**Statement on how the Bill affects county governments**

This Bill concerns county governments in terms of Article 110 (1) of the Constitution as it affects the functions and powers of 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 shall not occasion additional expenditure of public funds.

Date the 13th June, 2020.

ALICE WAHOME,  
*Member of Parliament.*

*Section 74 of No. 21 of 2017 which it is proposed to amend—*

Promotion of  
practice.

74. (1) The national Government Department of Health shall formulate policies to guide the practice of traditional and alternative medicine.

(2) The county executive department for health shall ensure implementation of any policies thereto.

