

THE CONSTITUTION OF KENYA REVIEW (AMENDMENT) ACT

No. 3 of 2002

Date of Assent: 19th August, 2002

Date of Commencement: 23rd August, 2002

An Act of Parliament to amend the Constitution of Kenya Review Act

ENACTED by the Parliament of Kenya, as follows:-

1. This Act may be cited as the Constitution of Kenya Review (Amendment) Act, 2002. Short title.

2. The Constitution of Kenya Review Act, in this Act referred to as "the principal Act", is amended in section 21 by deleting the proviso to subsection (6). Amendment of section 21 of Cap. 3A.

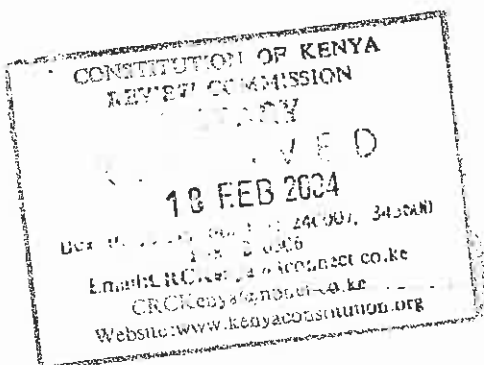
3. Section 27 of the principal Act is amended - Amendment of section 27 of Cap. 3A.

(a) in subsection (1) -

(i) by deleting the words "sixty" appearing in subparagraph (a)(i) and substituting therefor the word "thirty";

(ii) by deleting paragraph (b);

(iii) by deleting the words "upon the completion of the public hearings provided for in paragraph (b)" appearing in paragraph (c) and substituting therefor the words "upon the expiry of the period specified in paragraph (a)(i)";



(iv) by renumbering paragraph (c) as paragraph (b);

(b) in subsection (2), by inserting a comma and the words "all of who shall be" immediately after the word "councillor" appearing in paragraph (c);

(c) in subsection (5) -

(i) by inserting the words "present and voting" immediately after the words "National Constitutional Conference" appearing at the end of paragraph (i);

(ii) by inserting the words "present and voting" immediately after the words "National Constitutional Conference" appearing in paragraph (ii);

(iii) by removing the fullstop appearing at the end of paragraph (ii) and substituting therefor a semi-colon and the word "and";

(iv) by inserting the following new paragraph immediately after paragraph (ii) -

(iii) if on taking a further vote under paragraph (ii), any question on a proposal for inclusion in

the Constitution is not determined, the National Constitutional Conference may, by a resolution supported by at least two-thirds of the voting members present, determine that the question be submitted to the people for determination through a referendum.

(v) - in subsection (6) -

(i) by deleting the words "in the absence of a consensus";

(ii) by inserting the words "supported by a resolution under subsection (5)(iii)" immediately after the words "question or questions";

(d) in subsection (1) - deleting the words "two months" and substituting therefor the words "one month".

3. Section 28 of the principal Act is amended -

(a) in subsection (3), by deleting the word "fourteen" and substituting therefor the word "seven";

(b) in subsection (4) -

(i) by deleting the word "fourteen"

Amendment of
section 28 of
Cap. 3A

and substituting therefor the word
"seven";

(ii) by deleting the words "of the day
when the Assembly next sits".

Replacement of
section 33 of
Cap. 3A.

4. The principal Act is amended by repealing section
33 and replacing it with the following new section -

Dissolution of the
Commission.

33. Upon the enactment of the
Bill to alter the Constitution tabled
before the National Assembly pursuant
to section 28, the Commission shall
stand dissolved and the terms of office
of the Commissioners shall thereupon
expire, save that the secretary and such
number of staff as shall be necessary,
shall remain in office for a period of
three months to conclude the financial
and administrative affairs of the
Commission.