

**THE CONSTITUTION OF KENYA (AMENDMENT)  
ACT 1968**

**No. 16 of 1968**

*Date of Assent: 10th April 1968*

*Date of Commencement: By Notice*

**An Act of Parliament to amend the Constitution, and for matters incidental thereto or connected therewith**

ENACTED by the Parliament of Kenya, as follows:—

Short title,  
construction and  
commencement.

**1.** (1) This Act may be cited as the Constitution of Kenya (Amendment) Act 1968.

(2) This Act shall be construed as one with the Constitution, in so far as it makes amendments to the Constitution.

(3) This Act shall come into operation on such day as the President may, by notice in the Kenya Gazette, appoint.

Interpretation.

L.N. 718/1963.  
28 of 1964.  
38 of 1964.  
14 of 1965.  
16 of 1966.  
17 of 1966.  
18 of 1966.  
40 of 1966.  
4 of 1967.

**2.** In this Act, “the Constitution” means the Constitution of the Republic of Kenya contained in Schedule 2 of the Kenya Independence Order in Council 1963, as amended by the Constitution of Kenya (Amendment) Act 1964, the Constitution of Kenya (Amendment) (No. 2) Act 1964, the Constitution of Kenya (Amendment) Act 1965, the Constitution of Kenya (Amendment) Act 1966, the Constitution of Kenya (Amendment) (No. 2) Act 1966, the Constitution of Kenya (Amendment) (No. 3) Act 1966, the Constitution of Kenya (Amendment) (No. 4) Act 1966 and the Constitution of Kenya (Amendment) Act 1967.

Amendment of  
Constitution.

**3.** The provisions of the Constitution specified in the first column of the Schedule of this Act are amended in the manner specified in relation thereto in the second column of that Schedule.

District and  
Provincial  
boundaries.

**4.** Notwithstanding the repeal by this Act of subsections (1) and (2) of section 36, section 91 and Schedule 11 of the Constitution, those provisions shall, except as may be otherwise provided by or under an Act of Parliament, continue in force as if they had been re-enacted as part of this Act.

5. All laws made by the Provincial Councils or the former Regional Assemblies, other than those which by virtue of section 6 (2) of the Constitution of Kenya (Amendment) Act 1965 have effect as if they had been made by Parliament, are repealed.

Repeal of Provincial Enactments, etc. 14 of 1965.

6. Sections 11 and 12 of the Constitution of Kenya (Amendment) Act 1965 are repealed.

Repeal of sections 11 and 12 of Act 14 of 1965.

## SCHEDULE

(s. 3)

## AMENDMENTS TO THE CONSTITUTION

*Amendment**Provision*

Chapter II.	
Section 20 (2) (c).	Delete the words "or of a Province" and "Province".
Chapter IV.	
Section 36.	Delete whole section.
Section 41 (3).	Delete the words "or of a Provincial Council".
Section 48 (2).	Delete the words "a member of a Provincial Council or a member of a committee of a Provincial Council".
Section 66.	Delete subsections (2) and (4).
Chapter VI.	Delete whole Chapter.
Chapter XIV.	Delete whole Chapter.
Chapter XV.	
Section 244 (1).	(a) Delete paragraph (b) of the proviso. (b) In paragraph (c) of the proviso, delete the words "or a Provincial Council" and the words "or the Chairman of that Provincial Council". (c) In paragraph (d) of the proviso, delete the words "or a committee of a Provincial Council" and the words "or to the Chairman of that Provincial Council, as the case may require".
Section 247 (3) (a).	Delete the words "the Chairman or Vice-Chairman of a Provincial Council, a member of a Provincial Council" and the words "or a Provincial Council".
Schedule 5, Part III.	Delete whole Part.
Schedule 7.	Delete whole Schedule.
Schedule 8.	Delete whole Schedule.
Schedule 11.	Delete whole Schedule.