

**THE CONSTITUTION OF KENYA (AMENDMENT)
ACT, 1977**

~~No. 13 of 1977~~

Date of Assent: 25th October, 1977

Date of Commencement: 28th October, 1977

An Act of Parliament to amend the Constitution

ENACTED by the Parliament of Kenya, as follows:—

1. This Act may be cited as the Constitution of Kenya (Amendment) Act, 1977, and shall be construed as one with the Constitution.

Short title.

2. The Constitution is hereby amended by the repeal of section 64 and the substitution therefor of the following—

Amendment of section 64 of the Constitution.

Establishment
of Court
of Appeal.

64 (1) There shall be a Court of Appeal which shall be a superior court of record, and which shall have such jurisdiction and powers in relation to appeals from the High Court as may be conferred on it by law.

(2) The judges of the Court of Appeal shall be the Chief Justice and such number, not being less than two, of other judges (herein referred to as judges of appeal) as may be prescribed by Parliament.

(3) The foregoing provisions of this Part shall apply in respect of the judges of appeal as they apply to puisne judges.

3. The Constitution is hereby amended by the deletion of subsections (4) and (5) of section 75.

Amendment of section 75 of the Constitution.

4. Section 104 of the Constitution is hereby amended by the deletion of subsection (5) and the substitution therefor of the following new subsection—

Amendment of section 104 of the Constitution.

(5) This section applies to the offices of judge of the High Court, judge of the Court of Appeal, member of the Public Service Commission, member of the Electoral Commission, Attorney-General and Controller and Auditor-General.