

**THE CONSTITUTION OF KENYA (AMENDMENT)
ACT, 1985**

No. 6 of 1985

Date of Assent: 11th July, 1985

Date of Commencement: 19th July, 1985

An Act of Parliament to amend the Constitution

ENACTED by the Parliament of Kenya as follows:—

Short
title.

1. This Act may be cited as the Constitution of Kenya (Amendment) Act, 1985.

Replacement
of section
89.

2. Section 89 of the Constitution is repealed and replaced by—

Persons
born in
Kenya after
11th
December,
1963.

89. Every person born in Kenya after 11th December, 1963 shall become a citizen of Kenya if at the date of his birth one of his parents is a citizen of Kenya; except that a person shall not become a citizen of Kenya by virtue of this section if at the date of his birth—

(a) his father possesses immunity from suit and legal process as is accorded to the envoy of a foreign state accredited to Kenya; or

(b) his father is a citizen of a country with which Kenya is at war and the birth occurs in a place then under occupation by that country.