

**THE CONSTITUTION OF KENYA (AMENDMENT)
ACT, 1988**

No. 4 of 1988

Date of Assent: 11th August, 1988

Date of Commencement: 19th August, 1988

An Act of Parliament to amend the Constitution

ENACTED by the Parliament of Kenya as follows:—

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| 1. This Act may be cited as the Constitution of Kenya (Amendment) Act, 1988. | Short title, |
| 2. Section 61 (6) of the Constitution is amended by repealing the words "subject to subsections (4) and (7) of section 62". | Amendment of section 61. |
| 3. Section 62 of the Constitution is amended by repealing subsections (3), (4), (5), (6) and (7). | Amendment of section 62. |
| 4. Section 69 (3) of the Constitution is amended by repealing paragraph (b) and inserting the following— | Amendment of section 69. |
| (b) the office of the Chief Magistrate, the Principal Magistrate, the Senior Resident Magistrate, Resident Magistrate or District Magistrate. | |
| 5. Section 72 (3) of the Constitution is amended by inserting the expression "or within fourteen days of his arrest or detention where he is arrested or detained upon reasonable suspicion of his having committed or about to commit an offence punishable by death" immediately after the words "twenty-four hours of his arrest or the commencement of his detention". | Amendment of section 72. |
| 6. Section 106 of the Constitution is amended— | Amendment of section 106. |
| (a) in subsection (5), by repealing the words "subject to subsection (7)"; | |
| (b) by repealing subsections (6), (7), (8) and (9); | |
| (c) in subsections (10) and (11), by repealing the words "subject to subsections (5), (7) and (9)". | |