



LAWS OF KENYA

THE ALIENS RESTRICTION ACT

CHAPTER 173

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CHAPTER 173
THE ALIENS RESTRICTION ACT

5 of 1973,
L.N. 65/1974,
19 of 1982.

Commencement: 18th May, 1973

An Act of Parliament to enable restrictions to be imposed on aliens, and to make such provisions as are necessary or expedient to carry such restrictions into effect

Short title.

1. This Act may be cited as the Aliens Restriction Act.

Interpretation.
19 of 1982, Sch.

2. In this Act, unless the context otherwise requires-

“alien” means any person who is not a citizen of Kenya;

“aliens order” means an order made by the Minister under subsection (1) or (2) of section (3);

Power with respect to
aliens.
L.N. 65/1974.

3. (1) The Minister may, at any time when a state of war exists between Kenya and any foreign power or when it appears that an occasion of imminent danger or great emergency has arisen, by order impose from time to time restrictions on aliens and provision may be made by the order-

- (a) for prohibiting aliens from landing in or otherwise entering Kenya either generally or at certain places and for imposing restrictions or conditions on aliens landing or arriving at any port in Kenya;
- (b) for prohibiting aliens from embarking in or otherwise leaving Kenya either generally or at certain places, and for imposing restrictions and conditions on aliens embarking or about to embark in Kenya;
- (c) for requiring aliens to reside and remain within certain places or districts;
- (d) for prohibiting aliens from residing or remaining in any areas specified in the order;
- (e) for the appointment of officers to carry the order into effect, and for conferring on those officers such powers as may be necessary or expedient for the purposes of the order;
- (f) for imposing penalties on persons who aid or abet any contravention of the order, and for imposing such obligations

and restrictions on masters of ships or any other persons specified in the order as appear necessary or expedient for giving full effect to the order;

(g) for conferring upon such persons as may be specified in the order such powers with respect to arrest, detention, search of premises or persons, and otherwise, as may be specified in the order, and for any other ancillary matters for which it appears expedient to provide with a view to giving full effect to the order; and

(h) for any other matters which appear necessary or expedient with a view to the safety of the country.

(2) Notwithstanding subsection (1), the Minister may at any time by order require aliens residing in Kenya to comply with such provisions as to registration, notification of change of abode, travelling or otherwise, and in such manner, as may be specified in the order.

(3) A person who contravenes any provision or requirement of an aliens order shall be guilty of an offence and liable to a fine not exceeding three thousand shillings, or to imprisonment for a term not exceeding six months, or to both and the court before which he is convicted may, either in addition to or in lieu of any such punishment, require that person to enter into recognizances with, or without sureties to comply with the provision of the order or such provision thereof as the court may direct, and if the person fails to comply with the order of the court requiring him to enter into recognizances he may be committed by the court to imprisonment for a term not exceeding six months.

(4) Any provision of an aliens order may relate either to aliens in general or to any class or description of aliens.

(5) If any question arises in any proceedings under an aliens order, or with reference to anything done or proposed to be done under any such order, as to whether any person is an alien or not, or is an alien of a particular class or not, the onus of proving that that person is not an alien, or, as the case may be, is not an alien of that class, shall lie upon that person.

(6) The Minister may at any time revoke, alter, or add to any aliens order.

(7) Any powers given under this section, or in any aliens order, shall be in addition to, and not in derogation of, any powers with respect to the expulsion of aliens or the prohibition of aliens from entering Kenya or any other powers conferred on the Minister or any other authority by any other written law.

[Subsidiary]

L.N. 139/1981,
L.N. 299/1988,
L.N. 128/1996,
L.N. 72/1999,
L.N. 11/2000.

SUBSIDIARY LEGISLATION

Orders under section 3 (2)

THE ALIENS RESTRICTION ORDER

- Citation. 1. This Order may be cited as the Aliens Restriction Order.
- Interpretation. 2. In this Order, unless the context otherwise requires-
- Cap. 172. “entry permit or pass” means an entry permit or pass issued under the Immigration Act;
- “registration officer” means-
- (a) in the Kisumu, Mombasa, Kilifi and Lamu districts and in the Nairobi Area, an immigration officer appointed under the Immigration Act;
- (b) in any other district specified in the Second Schedule, a police officer of or above the rank of inspector attached to the police station specified for that district.
- Application. 3. This Order applies to every alien of or above the age of eighteen years residing in Kenya other than-
- (a) a serving member of the armed forces, or the armed forces of a friendly power, and his wife and children;
- (b) a public officer and his wife and children;
- Cap. 172. (c) a person who has been exempted from the provisions of the Immigration Act under section 4 (3) of that Act;
- (d) a person who resides in Kenya for a continuous period not exceeding three months and is in possession of a valid visitor’s pass or other authority under the Immigration Act.
- Requirement to register. 4. (1) An alien to whom this Order applies shall, within ninety days of the date when it first applies to him, report to a registration officer to be registered at the place specified in the Second Schedule which relates to the area in which the alien resides, and give to the registration officer the particulars set out in the First Schedule.
- (2) A reporting alien shall produce a valid passport or some other official document to establish his identity and nationality and permit the registration officer to take his finger and thumb impressions in the Form prescribed in the First Schedule and shall give to the registration officer four copies of a photograph of himself and any additional particulars that the registration officer may require.
- L.N. 11/2000.

[Subsidiary]

(3) The photograph referred to in subparagraph (2) may be black and white or coloured and shall-

- (a) measure not less than 3 centimetres by 3 centimetres and not more than 3.5 centimetres by 3.5 centimetres;
- (b) show the head and shoulders only of the alien to be registered;
- (c) have been taken not more than twelve months before the date of attendance; and
- (d) be a true likeness of the alien to be registered.

5. (1) Subject to subparagraph (2), where a registered alien changes his residence, he shall report the fact of his arrival at, and the address of, his new residence to the registration officer of the area in which it is situated within seven days of the date of his arrival. Notification of change of residence and address.

(2) Where a registered alien is absent from his residence for a continuous period exceeding twenty-one days without affecting a change of residence-

- (a) if he is in Kenya at the expiry of the period of twenty-one days he shall within seventy-two hours given his temporary address to the registration officer for the area in which his residence is situated; and
- (b) within seven days of his return to his residence notify the registration officer of that area of his return.

(3) A registered alien who has not established residence in Kenya and who moves from one registration area to another shall, after he has remained in a registration area for twenty-one days, report his arrival there to the registration officer for that area.

6. (1) A registered alien shall upon payment of a fee of two thousand shillings, be issued with a certificate of registration, but a certificate of registration shall be issued to a recognized refugee to Kenya free of charge. Certificate of registration. L.N. 299/1988,

(2) Subject to subparagraph (3), a certificate of registration issued under subparagraph (1) shall be valid for a period not exceeding two years in the first instance and may be renewed for a further period of two years. L.N. 128/1996, L.N. 72/1999.

(3) Where a certificate of registration is issued or renewed and the holder thereof is the subject of an entry permit or pass which will expire within two years of that issue or renewal, the certificate shall expire on the same date as the entry permit or pass expires.

(4) A certificate of registration shall remain the property of the Government and the holder shall surrender it at a place specified in the Second Schedule when he ceases to reside in Kenya or to an immigration officer or police officer at the port of departure from Kenya.

[Subsidiary]

Renewal of certificate
of registration.
L.N. 299/1988,
L.N. 128/1996,
L.N. 72/1999.

7. (1) A registration officer may, upon receipt of an application in the form prescribed in the Fourth Schedule, renew a certificate of registration.

(2) The fee for renewal shall be one thousand shillings for each year or part of a year of the validity of the renewal certificate.

(3) Where a certificate of registration has been lost, destroyed or mutilated, a registration officer may, upon payment of a fee of two thousand shillings, issue a duplicate.

Production of
certificate.

8. A person who has been issued with a certificate of registration under paragraph 6 shall produce it if so required by a registration officer or police officer within 48 hours.

[Subsidiary]
L.N. 11/2000.
(para. 4 (2))

FIRST SCHEDULE

Form A1 Computer

REPUBLIC OF KENYA



THE ALIENS RESTRICTION ACT
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APPLICATION FORM FOR REGISTRATION AS AN ALIEN

<u>Initial Registration</u>	1	<input type="checkbox"/>	Registration office n°	
<u>Renewal</u>	2	<input type="checkbox"/>	Individual n°	
<u>Duplicate</u>	3	<input type="checkbox"/>	PIN n°	
<u>Correction on civil status</u>	4	<input type="checkbox"/>		
<u>Other corrections</u>	5	<input type="checkbox"/>	Serial number of the previous Alien Card	
1	Surnames			
2	Other names in full			
3	Alias (if any)			
4	Date of birth			
		D	M	Y
5	Sex	M	F	
6	Place of birth			
7	Nationality			
8	Married/Single	M	F	
9	Full names of husband/wife or Father if unmarried			
10	Passport n°			
	Date of issue			
11	Place of issue			
	Valid until			
12	Occupation			
13	Employed in Kenya	Own business	Student	Other
14	Full names of employer/Business Or University College or School			
	Postal address			Position held
	Physical address			

[Subsidiary]

15	For Student duration of course	
----	--------------------------------	--

16	For Refugee date of arrival							Accepted as refugee Y/N
----	-----------------------------	--	--	--	--	--	--	-------------------------

17	Full postal address in Kenya	
----	------------------------------	--

18	Full residential address in Kenya (including name of road/street and plot n°)	
----	---	--

19	Immigration status	
----	--------------------	--

21	Entry Permit/Pass n°	
----	----------------------	--

20	File R	
----	--------	--

22	Alien card valid until						
----	------------------------	--	--	--	--	--	--

Valid until					
-------------	--	--	--	--	--

Date						
------	--	--	--	--	--	--

SIGNATURE OF APPLICANT

FOR OFFICIAL USE ONLY		
SIGNATURE OF OFFICER RECEIVING THIS APPLICATION	Photo of Applicant	SIGNATURE OF ISSUING OFFICER
DATE		DATE
STATION STAMP		SIGNATURE OF REGISTRATION OFFICER
		DATE

[Subsidiary]

PLAIN IMPRESSIONS TAKEN SIMULTANEOUSLY

	LT
	LF
	LM
	LR
	LL

ROLLED IMPRESSIONS - LEFT HAND

RIGHT HAND

LEFT HAND

ROLLED IMPRESSIONS - RIGHT HAND

	RL
	RR
	RM
	RF
	RT

FOR OFFICIAL USE ONLY

[Empty box for left thumb impressions]

LEFT THUMB

Fingerprints taken by ___ Desg. _____ Date _____

F.P. Classified by _____ Desg. _____ Date _____

F.P. Tested by _____ Desg. _____ Date _____

F.P. Filed by _____ Desg. _____ Date _____

F.P. Class Keyed by ___ Desg. _____ Date _____

RIGHT THUMB

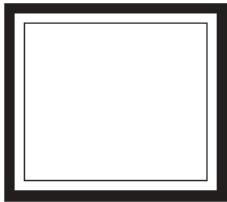
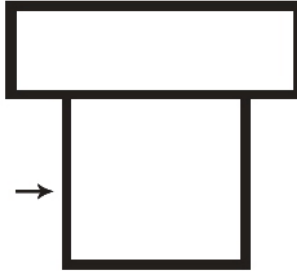
[Empty box for right thumb impressions]

[Subsidiary]



↓ SIGNATURE
Do not write over the rectangle

LEFT THUMB PRINT
Do not print over the square



↑ PHOTOGRAPH

Full names _____

Date of birth

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--	--

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D M Y

APPLICANT'S INFORMATION

SERIAL N°	SERIAL N°
<p><u>DUPLICATE</u></p> <p>REPUBLIC OF KENYA</p> <p>APPLICATION FOR ALIEN REGISTRATION ACKNOWLEDGEMENT</p> <p>1 Registration office _____</p> <p>2 Surnames _____</p> <p>3 Date of birth _____</p> <p>4 Passport N° _____</p> <p>5 File N°R _____</p> <p>6 Name of Registration Officer _____</p> <p>Signature _____</p> <p>Date _____</p>	<p><u>ORIGINAL</u></p> <p>REPUBLIC OF KENYA</p> <p>APPLICATION FOR ALIEN REGISTRATION ACKNOWLEDGEMENT</p> <p>1 Registration office _____</p> <p>2 Surnames _____</p> <p>3 Date of birth _____</p> <p>4 Passport N° _____</p> <p>5 File N°R≠ _____</p> <p>6 Name of Registration Officer _____</p> <p>Signature _____</p> <p>Date _____</p>

SECOND SCHEDULE

[Subsidiary]
(para. 4 (1))

<i>Area</i>		<i>Place</i>
1. Nairobi Area	Immigration Department Offices.
2. Kiambu District	Kiambu Police Station.
3. Nyeri District	Nyeri Police Station.
4. Murang'a District	Murang'a Police Station.
5. Kirinyaga District	Kerugoya Police Station.
6. Nyandarua District	Nyahururu Police Station.
7. Kajiado District	Kajiado Police Station.
8. Nakuru District	Nakuru Police Station.
9. Uasin Gishu and Elgeyo- Marakwet Districts	Eldoret Police Station.
10. Trans Nzoia and West Pokot Districts	Kitale Police Station.
11. Laikipia District	Nanyuki Police Station.
12. Turkana District	Lodwar Police Station and Lokitaung Police Station.
13. Kericho District	Kericho Police Station.
14. Samburu District	Maralal Police Station.
15. Narok District	Narok Police Station.
16. Baringo District	Kabarnet Police Station.
17. Nandi District	Kapsabet Police Station.
18. Bungoma District	Bungoma Police Station.
19. Busia District	Busia Police Station.
20. Kisumu District	Immigration Department Offices, Kisumu.

[Subsidiary]

SECOND SCHEDULE - (Contd.)

<i>Area</i>		<i>Place</i>
21. Kisii District	Kisii Police Station.
22. South Nyanza District	Homa Bay Police Station.
23. Marsabit District	Marsabit Police Station or Moyale Police Station.
24. Isiolo District	Isiolo Police Station.
25. Meru District	Meru Police Station.
26. Embu District	Embu Police Station.
27. Machakos District	Machakos Police Station.
28. Kitui District	Kitui Police Station.
29. Wajir District	Wajir Police Station.
30. Mandera District	Mandera Police Station.
31. Garissa District	Garissa Police Station.
32. Kwale District	Kwale Police Station.
33. Taita District	Voi Police Station.
34. Kilifi District	Immigration Department Offices, Malindi and Kilifi Police Stations.
35. Mombasa District	Immigration Department Offices, Mombasa.
36. Lamu District	Immigration Department Offices, Lamu,
37. Kakamega District	Kakamega Police Station.
38. Siaya District	Siaya Police Station or Yala Police Station.
39. Loitokitok	Immigration border control post, Loitokitok.

[Subsidiary]

THIRD SCHEDULE

(para. 6 (1))

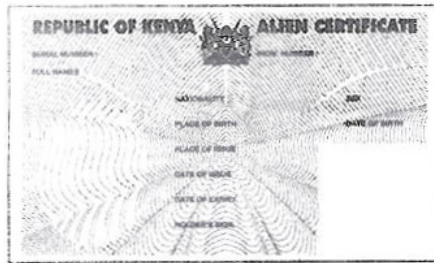


REPUBLIC OF KENYA

ALIENS RESTRICTION ACT
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CERTIFICATE OF REGISTRATION

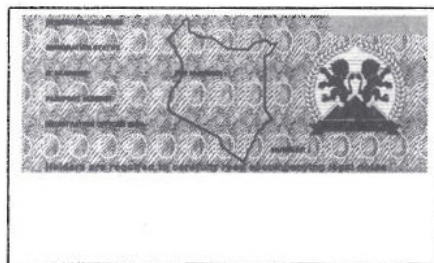
Front side
(RECTO)



Back side
(VERSO)
Naked Eye



Back side
(VERSO)
With UV lamp



[Subsidiary]
L.N. 11/2000.

FOURTH SCHEDULE

(para. 7 (1))

Form A2

REPUBLIC OF KENYA

THE ALIENS RESTRICTION ACT
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FORM FOR RENEWAL OF AN ALIENS REGISTRATION CERTIFICATE
(To be completed in block capitals in triplicate)

The Registration Officer

.....
.....

I,(Mr./Mrs./Miss)
(full names)

holder of Aliens Certificate of Registration No.

issued aton

hereby apply for the renewal of my certificate for a further period of
..... months/years.

MY PARTICULARS ARE:

- 1. Nationality.....
- 2. Passport No..... issued at
- On valid until
- 3. Profession or Occupation.....
- 4. Full name of employer, business, school, college
-
-
- 5. Postal address of employer, business, school, college.....
- 6. Residential address of employer, business, school, college
-
- 7. Holder of Immigration File R
- Entry Permit/Pass No.issued on
- Valid until
- 8. Present residential address including name of locality, name of
 road or street and plot number.....
-

I declare the foregoing particulars are correct.

[Subsidiary]

Date
Signature of Applicant

FOR OFFICIAL USE ONLY

Aliens Certificate No.

Is hereby renewed until

Fee charged Sh.

Official Receipt No.

DATE STAMP

.....
Signature of Registration Officer

- Initial Registration 1
- Renewal 2
- Duplicate 3
- Correction on civil status 4
- Other corrections 5

Registration office n°
 Individual n°
 PIN n°
 Serial number of the
 previous Alien Card

1	Surnames																			
2	Other names in full																			
3	Alias (if any)																			
4	Date of birth																			
		D	M	Y																
5	Sex	M	F																	
6	Place of birth																			
7	Nationality																			
	Full names of husband/wife or																			
9	Father if unmarried																			
10	Passport n°																			
	Date of issue																			
11	Place of issue																			
	Valid until																			
12	Occupation																			

