

**THE PUBLIC ORDER (AMENDMENT) ACT 1968****No. 12 of 1968***Date of Assent: 8th April 1968**Date of Commencement: 8th April 1968***An Act of Parliament to amend the Public Order Act so as to regulate the display of flags, banners, badges and emblems of political character**

ENACTED by the Parliament of Kenya, as follows:—

1. This Act may be cited as the Public Order (Amendment) Act 1968.

Short title.

2. The Public Order Act is amended by inserting therein, immediately after Part IV thereof, a new Part as follows—

Amendment of Cap. 56.

**PART V—FLAGS, BANNERS AND EMBLEMS**

Prohibition of flags, etc., of political organization.

10. (1) No person shall—

- (a) display or wear in a public place, at a public meeting, in a public procession or at a school any flag, banner, badge or other emblem signifying association with or support for the promotion of a political object; or
- (b) being the owner, tenant, occupier or person in charge of any premises, knowingly permit the display of any such flag, banner, badge or other emblem on or at those premises—
- (i) in contravention of paragraph (a) of this subsection; or
- (ii) in such a manner that it is visible from a public place.

(2) In subsection (1) of this section, “association with or support for the promotion of a political object” includes association with or support for a political organization, or a member of a political organization, or a person associated with the promotion of a political object, whether or not that organization or person is, or that object originates, abroad.

(3) Any person who displays or wears or permits to be displayed any flag, banner, badge or other emblem in contravention of this section shall be guilty of an offence.

(4) A certificate under the hand of the Minister for the time being responsible for foreign affairs certifying that a particular person who is abroad is a person associated with the promotion of a political object shall be prima facie evidence thereof in all legal proceedings.

(5) No prosecution for an offence under this section shall be instituted except with the consent of the Attorney-General.