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SPECIAL ISSUE

*Kenya Gazette Supplement No. 42 (National Assembly Bills No. 12)*

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REPUBLIC OF KENYA

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***KENYA GAZETTE SUPPLEMENT***

**NATIONAL ASSEMBLY BILLS, 2022**

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**NAIROBI, 15th March, 2022**

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**THE NATIONAL LAND COMMISSION  
(AMENDMENT) BILL, 2022**

**A Bill for**

**AN ACT of Parliament to amend the National Land  
Commission Act and for connected purposes**

**ENACTED** by the Parliament of Kenya, as follows—

**1.** This Act may be cited as the National Land Commission (Amendment) Act, 2022. Short title.

**2.** The National Land Commission Act, (in this Act referred to as “the Principal Act”), is amended in section 14 by— Amendment of section 14 of No. 5 of 2012.

(a) deleting the words “within five years of the commencement of this Act” appearing in subsection (1); and

(b) deleting subsection (9).

**3.** Section 15 of the Principal Act is amended—

(a) in subsection (3) by deleting paragraph (e); and

(b) deleting subsection (11). Amendment of section 15 of No. 5 of 2012.

## **MEMORANDUM OF OBJECTS AND REASONS**

### **Statement of Objects and Reasons for the Bill**

The principal object of the Bill is to amend National Land Commission Act, No. 5 of 2012 to confer back to the National Land Commission the power to continue reviewing all grants or dispositions of public land to establish their propriety or legality since section 14 of the Act has since lapsed. As it is right now, the Commission is right now, the Commission is inhibited from addressing any complaints dealing with public land and providing redress even where there are clear and apparent cases of illegality in the dispositions relating to public land.

The Bill further seeks to allow the National Land Commission to continue admitting and processing historical land injustices claim since the Act provides that a historical land claim may only be admitted, registered and processed by the National Land Commission if it is brought within five years from the date of commencement of the Act.

### **Statement on delegation of legislative powers and limitation of fundamental rights and freedoms**

This Bill does not delegate legislative powers neither does it limit fundamental rights and freedoms.

### **Statement on whether the Bill affects county governments**

This is not a Bill concerning county governments in terms of Article 110(1) (a) of the Constitution as it does not affect the functions and powers of county governments as set out in the Fourth Schedule to the Constitution.

### **Statement on the financial implications of the Bill**

The enactment of this Bill shall not occasion additional expenditure of public funds.

Dated the 10th March, 2022.

**OWEN YAA BAYA,**  
*Member of Parliament.*