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SPECIAL ISSUE

Kenya Gazette Supplement No. 79 (National Assembly Bills No. 26)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

NATIONAL ASSEMBLY BILLS, 2022

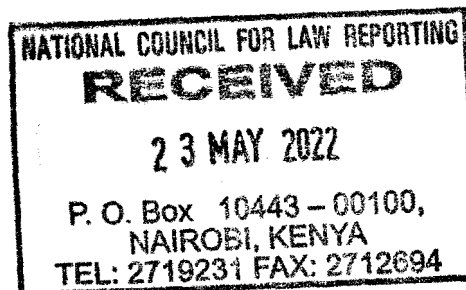
NAIROBI, 10th May, 2022

CONTENT

Bill for Introduction into the National Assembly—

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The Statute Law (Miscellaneous Amendments) Bill, 2022763



**THE STATUTE LAW (MISCELLANEOUS
AMENDMENTS) BILL, 2022**

A Bill for

**AN ACT of Parliament to make minor amendments to
statute law**

ENACTED by the Parliament of Kenya, as follows—

1. This Act may be cited as the Statute Law (Miscellaneous Amendments) Bill, 2022.

Short title

2. The several laws specified in the first column of the Schedule are amended in the provisions specified in the second column thereof, in the manner respectively specified in the third column.

Amendment of
written laws.

SCHEDULE

<i>Written law</i>	<i>Provision</i>	<i>Amendment</i>
<ul style="list-style-type: none"> • The Appellate Jurisdiction Act (Cap. 9). 	<ul style="list-style-type: none"> s. 59 (7) s. 73 	<ul style="list-style-type: none"> Delete the expression “Attorney-General” and substitute therefor the expression “Director of Public Prosecutions”. Delete the expression “Attorney-General” wherever they appear and substitute therefor the expression “Director of Public Prosecutions”.
<ul style="list-style-type: none"> • The Vexatious Proceedings Act (Cap. 41). 	<ul style="list-style-type: none"> s. 4 	<ul style="list-style-type: none"> Delete the expression “Attorney-General” and substitute therefor the expression “Director of Public Prosecutions”.
<ul style="list-style-type: none"> • The Penal Code (Cap. 63) 	<ul style="list-style-type: none"> s. 146 	<ul style="list-style-type: none"> Delete the words “idiots or embeciles” whenever they appear and substitute therefor the words “persons with mental disabilities”.

The Criminal Procedure Code (Cap. 75).

s. 2

Delete the expression “State Counsel” appearing in the definition of the term “public prosecutor” and substitute therefor the expression “Prosecution Counsel”.

s. 2

Delete the definition of “police officer” and substitute therefor the following new definition—

No. 11A of 2012.

“police officer” has the meaning assigned to it under the National Police Service Act, 2012;

s. 2

Delete the definition of “police station” and substitute therefor the following new definition—

No. 11A of 2012.

“police station” has the meaning assigned to it under the National Police Service Act, 2012;

s. 83

Delete and substitute therefor the following new section—

83. (1) The Director of Public Prosecutions may order in writing that all or any of the powers vested in him by sections 81 and 82, and by Part VIII, be vested for the time being in the Secretary of Prosecution

Services, the Deputy Director of Public Prosecutions, the Senior Assistant Director of Public Prosecutions, Assistant Director of Public Prosecutions, the Senior Principal Prosecutions Counsel, the Senior Prosecution Counsel and Prosecution Counsel, and the exercise of those powers by the specified officers shall then operate as if they had been exercised by the Director of Public Prosecutions.

(2) The Director of Public Prosecutions may in writing revoke an order made by him under this section.

- s. 90 (3) Delete the words “a Sunday” and substitute therefor the words “any day of the week including Sunday”.
- s. 123 (1) Delete the words “other than a person accused of murder, treason, robbery with violence attempted robbery with violence and any related offence”.
- s. 131 (2) Delete the word “movable”.
- s. 1370 Delete the expression

		“Attorney-General” and substitute therefor the expression “Director of Public Prosecutions”.
	s. 184	Delete.
	s. 186	Delete.
The Extradition (Commonwealth Countries) Act (Cap. 77).	s. 7	Delete the expression “Attorney-General” and substitute therefor the expression “Director of Public Prosecutions”.
	s. 8	Delete the expression “Attorney-General” and substitute therefor the expression “Director of Public Prosecutions”.
	s. 9	Delete the expression “Attorney-General” and substitute therefor the expression “Director of Public Prosecutions”.
	s. 10	Delete the expression “Attorney-General” and substitute therefor the expression “Director of Public Prosecutions”.
The Evidence Act (Cap. 80).	s. 3	Insert the following definition in proper alphabetical sequence— “photograph” means an image created by light falling on a light sensitive surface, either photographic film or an electronic medium and made visible and permanent by chemical treatment or stored