

SPECIAL ISSUE

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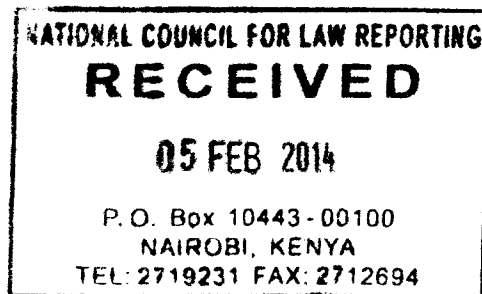
NATIONAL ASSEMBLY BILLS, 2013

NAIROBI, 11th October, 2013

CONTENT

Bill for Introduction into the National Assembly—

	PAGE
The Kenya Heroes Bill, 2013.....	895



THE KENYA HEROES BILL, 2013
ARRANGEMENT OF CLAUSES
PART I—PRELIMINARY

Clause

- 1—Short title.
- 2— Interpretation.
- 3—Objects and purposes of Act.

PART II—THE NATIONAL HEROES COUNCIL

- 4—Establishment of the Council.
- 5—Functions of the Council.
- 6—Powers of the Council.
- 7—Values and Principles.
- 8—Qualifications for appointment as member.
- 9—Diversity.
- 10—Oath of office.
- 11—Third Schedule to apply.
- 12—Director.
- 13—Qualifications of Director.
- 14—Other staff.
- 15—Delegation of functions.
- 16—Administration of system in the Counties.

PART III—FINANCIAL PROVISIONS

- 17—Funds of the Council.
- 18—Financial year.
- 19—Annual estimates.
- 20—Accounts and audit.
- 21—Establishment of the National Heroes' Fund.

**PART IV—IDENTIFICATION AND DECLARATION OF
HEROES**

- 22—Call for nominations and selection.
- 23—Public Consultation.
- 24—Investiture.
- 25—Forms of recognition and honour of national heroes.
- 26—Establishment of Heroes’ Squares.
- 27—Registration and assistance of dependants.
- 28—Appeals by dependants.
- 29—Withdrawal of honours.
- 30—Regulations.

SCHEDULES

**FIRST SCHEDULE: —CRITERIA FOR
IDENTIFICATION, SELECTION AND DECLARATION
OF HEROES.**

**SECOND SCHEDULE:—OATH/AFFIRMATION OF
OFFICE OF THE CHAIRPERSON/MEMBER/ THE
DIRECTOR.**

**THIRD SCHEDULE:—CONDUCT OF THE AFFAIRS
OF THE COUNCIL.**

**FOURTH SCHEDULE:—CERTIFICATE OF
DECLARATION.**

THE KENYA HEROES BILL, 2013

A Bill for

An Act of Parliament to provide for the recognition of heroes; to establish criteria for the identification, selection and honouring of national heroes; to provide for the categories of heroes; to provide for the establishment of the National Heroes Council and for connected purposes

ENACTED by the Parliament of Kenya; as follows—

PART I — PRELIMINARY

1. This Act may be cited as the Kenya Heroes Act, 2013 and shall come into operation on such date as the Cabinet Secretary may, by notice in the Gazette, appoint.

Short title.

2. (1) In this Act, unless the context otherwise requires—

Interpretation.

“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters relating to heroes;

“child”, in relation to a hero means a child of a hero or a child to whom the hero is a guardian within the meaning of the Children Act;

No. 8 of 2001

“Committee” means the State Corporations Advisory Committee established under the State Corporations Act;

Cap. 446.

“Council” means the National Heroes Council established section 4;

“dependant”, in relation to a hero, means—

- (a) a child, including a step child or an adopted child;
- (b) a widow or widower; or
- (c) any person not referred to in paragraph (a) or (b) who was wholly or partly maintained by the hero at the time of the hero’s death;

“Director” means the director appointed under section 12;

“Fund” means National Heroes Assistance Fund established under section 21;

“hero” means a person declared a hero under the

provisions of Part IV of this Act;

“immediate family” in the case of a hero means mother, father, wife, child, widow or widower;

“national hero” means a hero recognized at the national level;

“member” means a member of the Council;

“registered dependant” means any person who has been registered as a dependant under section 27;

“State assistance” means any assistance accorded to a hero or dependant under section 27.

(2) Notwithstanding subsection(1), until after the first general elections under the Constitution, references in this Act to—

- (a) “Cabinet Secretary” shall be construed to mean “Minister”; and
- (b) “Principal Secretary”, shall be construed to mean “Permanent Secretary”.

3. (1) The object and purpose of this Act is to provide a legal framework for the recognition and honour of national heroes.

(2) A person shall be considered a hero for purposes of this Act where the person has positively contributed selflessly and sacrificed for the country in any of the functional areas set out in the First Schedule.

PART II—THE NATIONAL HEROES COUNCIL

4. (1) There is established a Council to be known as the National Heroes Council.

(2) The Council shall be a body corporate with perpetual succession and a common seal and shall, in its corporate name, be capable of –

- (a) suing and being sued;
- (b) taking, purchasing or otherwise acquiring, holding, charging, or disposing of movable and immovable property; and
- (c) doing or performing all such other acts or things as may be necessary for the proper performance of its functions under this Act which may lawfully be done or performed by a body corporate.

Objects and purposes of Act.

Establishment of the Council.