



THE REPUBLIC OF KENYA

LAWS OF KENYA

OFFICIAL SECRETS ACT

CHAPTER 187

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CHAPTER 187

OFFICIAL SECRETS ACT

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CHAPTER 187
OFFICIAL SECRETS ACT

[Date of assent: 6th February, 1968.]

[Date of commencement: 16th February, 1968.]

An Act of Parliament to provide for the preservation of State secrets and State security

[Act No. 11 of 1968, Act No. 7 of 1987, Act No. 31 of 2016, Act No. 20 of 2020.]

PART I – PRELIMINARY

1. Short title

This Act may be cited as the Official Secrets Act.

2. Interpretation

(1) In this Act, except where the context otherwise requires—

“**agent of a foreign power**” includes any person who is or has been or is reasonably suspected of being or having been employed by a foreign power either directly or indirectly for the purpose of committing an act whether within or outside Kenya prejudicial to the safety or interests of the Republic of Kenya, or who has or is reasonably suspected of having within or outside Kenya committed or attempted to commit such an act in the interests of a foreign power;

“**Cabinet Secretary**” means the Cabinet Secretary for the time being responsible for matters relating to internal security;

“**code word**” means an official secret or classified code, code word, pass word or cipher, including any group of letters or figures or both constituting part of a code;

“**court**” means a subordinate court;

“**data**” means information recorded in a format in which it can be processed by equipment operating automatically in response to instructions given for that purpose, and includes representations of facts, information and concepts held in any removable storage medium;

“**munitions of war**” means arms, ammunition, implements or munitions of war, or stores of the armed forces or the police, or any articles deemed capable of being converted into any of those things or made useful in the production thereof;

“**office under the Government**” means any office or employment in or under the Government or in or under any Ministry, department or branch of the Government, and any office or employment in, on or under any board, commission, corporation or other body that is an agent, or emanation of the Government, whether the office or employment is within or outside Kenya;

“**official document**” includes a passport, naval, army, air force, police or official pass, permit, certificate or licence, or other document of a similar character;