

**SPECIAL ISSUE**

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REPUBLIC OF KENYA

***KENYA GAZETTE SUPPLEMENT***

**NATIONAL ASSEMBLY BILLS, 2017**

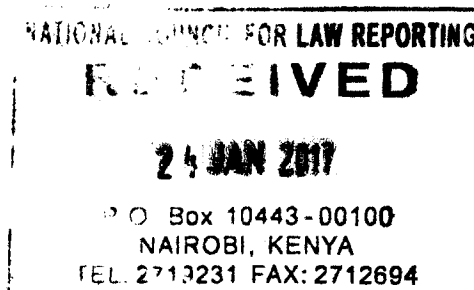
**NAIROBI, 11th January, 2017**

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**THE CONSTITUTION OF KENYA (AMENDMENT)  
BILL, 2017**

**A Bill for**

**AN ACT of Parliament to amend the Constitution**

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

**1.** This Act may be cited as the Constitution of Kenya (Amendment) Act, 2017 and shall come into force upon publication in the Gazette. Short title.

**2.** The Constitution is amended by inserting the following new Article immediately after Article 206— Amendment of the Constitution.

**206A. National Government Constituencies  
Development Fund**

(1) There is established the National Government Constituencies Development Fund which shall be a national government fund consisting of monies of an amount of not less than 2.5% of all the national government's share of revenue as divided by the annual Division of Revenue Act enacted pursuant to Article 218 or as may be provided for in legislation. The funds shall vest in and be operated and managed by a Board established under an Act of Parliament.

(2) The National Government Constituencies Development Fund is established for the following purposes—

- (a) to provide for the sustainable and equitable development of all parts of the Republic by ensuring minimum annual development finance allocations to every constituency in the Republic;
- (b) to recognize the constituency as a platform for identification, performance and implementation of national government functions;

- (c) to facilitate the performance and implementation of national government functions in all parts of the Republic;
  - (d) to provide for the participation of the people in the determination and implementation of identified national government development projects at the constituency level;
  - (e) to provide mechanisms for supplementing infrastructure development at the constituency level in matters within the functions of the national government under this Constitution;
  - (f) to provide mechanisms for elected Members of the National Assembly to effectively represent their constituencies in national government development prioritisation programmes;
  - (g) to provide mechanisms for the National Assembly to exercise oversight over the performance of specified national government functions at the constituency level; and
  - (h) to build local accountability and transparency in the use of national resources.
- (3) An Act of Parliament shall make further provisions on the management and operation of the National Government Constituencies Development Fund.

3. The Constitution is amended by inserting the following new Articles immediately after Article 208-

Amendment of the  
Constitution.

**208A. National Government Affirmative Action Fund**

- (1) There is established the National Government Affirmative Action Fund which shall vest in and be operated and managed by a Board established by an Act of Parliament.