

**THE CONSTITUTION OF KENYA (AMENDMENT)
ACT, 1986**

No. 14 of 1986

Date of Assent: 9th December, 1986

Date of Commencement: By Notice

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, 1986, and shall come into operation on a day to be appointed by the President by notice in the Gazette. Short title and commencement.

2. Section 22 of the Constitution is repealed and replaced by the following new section— Amendment of section 22.

Appointment of permanent secretaries. 22. (1) The President may appoint such number of permanent secretaries as he may determine.

(2) There shall be a permanent secretary to the Office of the President.

(3) Where the Vice-President or any other Minister has been charged with responsibility for a department of Government he shall exercise general direction and control over that department and, subject to that direction and control, every department of Government shall be under the supervision of a permanent secretary.

(4) The office of a permanent secretary shall be an office in the public service.

(5) Two or more Government departments may be placed under the direct supervision of one permanent secretary and a Government department may be placed under the supervision of one or more permanent secretaries or two or more permanent secretaries.

No. 14*The Constitution of Kenya (Amendment)***1986**Amendment of
section 42.

3. Section 42 of the Constitution is amended by deleting subsection (2) and inserting the following—

(2) Parliament may prescribe the minimum number of constituencies into which Kenya shall be divided (which shall not be less than 168) and the maximum number of constituencies (which shall exceed the minimum number by at least twenty), and until Parliament has so prescribed the minimum number of constituencies shall be 168 and the maximum shall be 188.

Amendment of
section 109.

4. Section 109 of the Constitution is amended—

(a) in subsection (2) by deleting “subsections (4), (6) and (8)” and inserting “subsection (4)”;

(b) by deleting subsection (4) and inserting the following—

(4) Subject to this section, the Attorney-General shall vacate his office when he attains such age as may be prescribed by Parliament.

(c) by deleting subsections (5), (6), (7) and (8).

Amendment of
section 110.

5. Section 110 of the Constitution is amended—

(a) in subsection (2) by deleting “subsections (3), (5) and (7)” and inserting “subsection (3)”;

(b) by deleting subsection (3) and inserting the following—

(3) Subject to this section, the Controller and Auditor-General shall vacate his office when he attains such age as may be prescribed by Parliament.

(c) by deleting subsections (4), (5), (6) and (7).

Amendment of
section 111.

6. Section 111 of the Constitution is amended by deleting “Chief Secretary”