

**THE CONSTITUTION OF KENYA (AMENDMENT)  
ACT, 1985**

**No. 6 of 1985**

*Date of Assent: 11th July, 1985*

*Date of Commencement: 19th July, 1985*

**An Act of Parliament to amend the Constitution**

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

Short  
title.

**1.** This Act may be cited as the Constitution of Kenya (Amendment) Act, 1985.

Replacement  
of section  
89.

**2.** Section 89 of the Constitution is repealed and replaced by—

Persons  
born in  
Kenya after  
11th  
December,  
1963.

89. Every person born in Kenya after 11th December, 1963 shall become a citizen of Kenya if at the date of his birth one of his parents is a citizen of Kenya; except that a person shall not become a citizen of Kenya by virtue of this section if at the date of his birth—

(a) his father possesses immunity from suit and legal process as is accorded to the envoy of a foreign state accredited to Kenya; or

(b) his father is a citizen of a country with which Kenya is at war and the birth occurs in a place then under occupation by that country.