

**THE CONSTITUTION OF KENYA (AMENDMENT)
ACT, 1982**

No. 7 of 1982

Date of Assent: 17th June, 1982

Date of Commencement: 25th June, 1982

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, 1982. Short title.

2. The Constitution is amended by inserting in Chapter I thereof the following new section— Insertion of
new section 2A
in the
Constitution.

Political
party. 2A. There shall be in Kenya only one political party, the Kenya African National Union.

3. Section 5 of the Constitution is amended— Amendments to
section 5.

(a) by deleting paragraphs (a) and (e) of subsection (3) and substituting the following new paragraphs respectively—

(a) every candidate for President shall be a member of the Kenya African National Union and shall be nominated by that party in the manner prescribed by or under an Act of Parliament;

(e) in every constituency in which a poll is required to be taken both for the election of a President and for the election of a member of the National Assembly separate polls shall be taken;

(b) in paragraph (a) of subsection (5) by deleting “a political party” and inserting “the Kenya African National Union”.

Repeal and
replacement of
section 22.

4. Section 22 of the Constitution is repealed and replaced by the following—

Chief Secretary and permanent secretaries.

22. (1) There shall be a Chief Secretary who shall be head of the public service and who shall exercise supervision of the Office of the President and general supervision and co-ordination of all departments of Government.

(2) 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 whose office shall be an office in the public service.

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

Amendment to
section 34.

5. Section 34 of the Constitution is amended by deleting paragraph (d) and inserting the following—

(d) he is a member of the Kenya African National Union and is nominated by that party in the manner prescribed by or under an Act of Parliament.

Amendment to
section 39.

6. Section 39 of the Constitution is amended in subsection (1) by relettering paragraphs (b) and (c) as (c) and (d) respectively and inserting the following new paragraph—

(b) he has ceased to be a member of the Kenya African National Union;.

Repeal of
section 40.

7. Section 40 of the Constitution is repealed.

Amendments to
sections 107
and 111.

8. Sections 107 (4) (d) and 111 (1) of the Constitution are amended by inserting immediately before "Permanent Secretary" in each case the expression "Chief Secretary,".

Amendment to
section 123.

9. Section 123 of the Constitution is amended by deleting the definition of "political party".