

**THE CONSTITUTION OF KENYA (AMENDMENT)
ACT, 1984**

No. 7 of 1984

Date of Assent: 30th May, 1984

*Date of Commencement: Sections 4, 5 and 6—By Notice
Rest—8th June, 1984*

An Act of Parliament to amend the Constitution

ENACTED by the Parliament of Kenya as follows:—

**Short title and
commencement.**

1. This Act may be cited as the Constitution of Kenya (Amendment) Act, 1984, and shall come into force—

- (a) as regards this section and sections 2 and 3, on the date of publication of this Act in the Gazette;
- (b) as regards sections 4, 5 and 6, on a date to be appointed by the President.

**Amendment to
s. 44.**

2. Section 44(5) of the Constitution is amended by inserting after “under this section” the expression “, whether the decision be interlocutory or final,”.

**Amendment to
s. 64.**

3. Section 64 of the Constitution is amended by adding the following new subsection—

(4) Where a puisne judge has been appointed as a judge of appeal he may continue to exercise the functions of a puisne judge to enable him to complete proceedings in the High Court that were commenced before him prior to his being so appointed.

**Amendment to
s. 106.**

4. Section 106(1) of the Constitution is amended by deleting “five other members” and inserting “fifteen other members”.

**Amendments
to s. 107.**

5. Section 107(1) of the Constitution is amended—

- (a) by inserting immediately after “the public service” in the second line the words “and in the service of local authorities”;
- (b) by deleting the full stop at the end of the proviso and inserting “or, in the case of appointments to the service of local authorities, to particular local authorities.”.

1984 *The Constitution of Kenya (Amendment)***No. 7**

6. Section 123(1) of the Constitution is amended by inserting in appropriate alphabetical sequence—

**Amendment to
s. 123.**

“local authority” means a municipal, county, town or urban council, or a council for any other area, established by or under an Act of Parliament.