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**SPECIAL ISSUE**

*Kenya Gazette Supplement No. 200 (Acts No. 26)*



REPUBLIC OF KENYA

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**KENYA GAZETTE SUPPLEMENT**

**ACTS, 2019**

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**NAIROBI, 6th December, 2019**

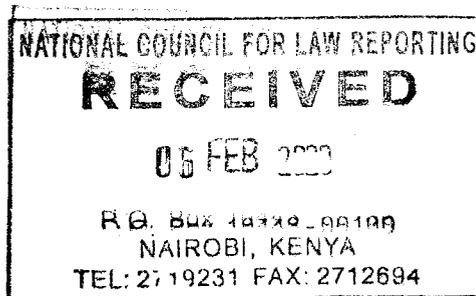
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**THE KENYA ROADS BOARD (AMENDMENT) ACT,  
2019**

**No. 26 of 2019**

*Date of Assent: 6th December, 2019*

*Date of Commencement: 6th December, 2019*

**AN ACT of Parliament to amend the Kenya Roads Board Act and for connected purposes—**

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

**1.** This Act may be cited as the Kenya Roads Board (Amendment) Act, 2019 and shall come into operation upon assent.

Short title.

**2.** Section 6 of the Kenya Roads Board Act, (in this Act referred to as “the principal Act”), is amended in subsection (2) (d)—

Amendment of section 6 of No. 7 of 1999.

- (a) in the prefatory statement, by deleting the words “Fund or from any other source available to the Board” and substituting therefor the words “fuel levy”;
- (b) in subparagraph (i), by deleting the word “Fund” appearing immediately after the words “monies from the” and substituting therefor the words “fuel levy”;
- (c) in subparagraph (iii), by deleting the word “Fund” and substituting therefor the words “fuel levy”;
- (d) in subparagraph (iv), by deleting the word “Fund” and substituting therefor the words “fuel levy”; and
- (e) in subparagraph (v), by deleting the word “Fund” and substituting therefor the words “fuel levy”.

**3.** Section 19 of the principal Act is amended by inserting the following new subsection immediately after subsection (5)—

Amendment of section 19 of No. 7 of 1999.

(6) Every annual roads programme funded out of any monies whether borrowed or appropriated by the National Assembly shall be managed as approved by the National Assembly.

(7) The Board shall manage the annual roads programme under sub-section (6) under the directions of the Cabinet Secretary.

4. Section 31 of the principal Act is amended—
- (a) in subsection (2) by inserting the following new paragraph immediately after paragraph (d)—
- (e) such monies as may be appropriated by the National Assembly for the development, maintenance and rehabilitation of roads.
- (b) by inserting the following new subsection immediately after subsection (2)—
- (2A) The National Assembly shall ensure that—
- (a) not more than ten percent of the monies appropriated under subsection (2)(e) are allocated for maintenance of roads to be administered by the Kenya Rural Roads Authority; and
- (b) not more than eighteen percent of the monies appropriated under paragraph (a) are allocated for research and standardization, capacity building and monitoring and evaluation, to be administered by the Principal Secretary responsible for matters relating to roads.

Amendment of section 31 of No. 7 of 1999.

5. The principal Act is amended by inserting the following new section immediately after section 32—

Insertion of new section into No. 7 of 1999.

Power to borrow and set aside funds to secure repayments.

**32A. (1)** The Board may, with the approval of the Cabinet Secretary and the Cabinet Secretary responsible for matters relating to finance, borrow such monies as may be required for the proper discharge of its functions under this Act.

(2) The Board may, with the approval of the Cabinet Secretary and the Cabinet Secretary responsible for matters relating to finance, where it is necessary to meet financial demands for maintenance, development and rehabilitation of roads, set aside a portion of the Fund for purposes of securing additional funding.

(3) The Cabinet Secretary shall make regulations for the better carrying out of this section.