

**SPECIAL ISSUE**

*Kenya Gazette Supplement No. 126 (National Assembly Bills No. 35)*

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REPUBLIC OF KENYA

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**KENYA GAZETTE SUPPLEMENT**

**NATIONAL ASSEMBLY BILLS, 2025**

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**NAIROBI, 16th July, 2025**

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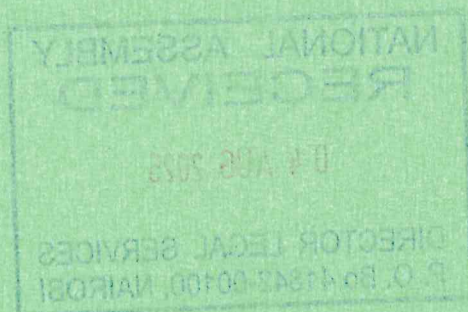
Bill for Introduction into the National Assembly—

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**THE AIR PASSENGER SERVICE CHARGE  
(AMENDMENT) BILL, 2025**

**A Bill for**

**AN ACT of Parliament to amend the Air Passenger Service Charge Act, and for connected purposes**

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

**1.** This Act may be cited as the Air Passenger Service Charge (Amendment) Act, 2025.

Short title.

**2.** Section 3 of the Air Passenger Service Charge Act is amended by deleting sub-section (3) and substituting therefor the following new sub-section—

Amendment of  
section 3 of Cap.  
475.

“(3) All proceeds of the charge imposed under this section shall be apportioned between the Kenya Airports Authority, the Kenya Civil Aviation Authority, the Tourism Fund and the Kenya Meteorological Service Authority in such manner as the Cabinet Secretary may, by notice in the Gazette, specify”.

**3.** The Tourism Act is amended in section 66(2) by inserting the following new paragraph immediately after paragraph (c)—

Consequential  
amendment.  
Cap. 381

“(ca) proceeds received under section 3(3) of the Air Passenger Service Charge Act”.



**MEMORANDUM OF OBJECTS AND REASONS**

The objective of this Bill is to amend the Air Passenger Service Charge Act (Cap. 475) to provide for the allocation of proceeds derived from the air passenger service charge to the Tourism Fund and the Kenya Meteorological Service Authority, in addition to the Kenya Airports Authority and the Kenya Civil Aviation Authority. It seeks to reallocate the proceeds designated to the Tourism Promotion Fund to the Tourism Fund established under the Tourism Act (Cap. 381). This would limit duplication of roles, improve efficiency, and enable the Government to support the financing of tourism-related projects from a single source especially those that require strategic and sometimes blended funding approaches. This would ensure efficiency in public resource utilization.

Further, it seeks to allocate proceeds to the Kenya Meteorological Service Authority to enable it finance its key responsibilities and functions and thereby deliver on its statutory mandate efficiently and effectively.

**Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms**

The Bill neither delegates legislative powers to the Cabinet Secretary nor does it limit any fundamental rights or freedoms.

**Statement as to whether the Bill concerns counties within the meaning of Article 110(1)**

The Bill does not concern county governments in terms of Article 110(1)(a) of the Constitution, and does not affect the functions and powers of county governments stipulated in the Fourth Schedule to the Constitution.

**Statement as to whether the Bill is a money Bill within the meaning of Article 114 of the Constitution**

The Bill is not a money Bill within the meaning of Article 114 of the Constitution, and its enactment shall not occasion additional expenditure of public funds.

Dated the 10th July, 2025.

**KIMANI ICHUNGWAH,**  
*The Leader of Majority Party.*



*Section 3 of Cap. 475 which it is intended to amend—*

1. Subject to this Act, there shall be paid by every person who purchases a ticket for an external or internal journey an air passenger service charge of—

Imposition of  
passenger service  
charge.

- (a) fifty United States dollars or the equivalent in specified currency or in Kenya shillings for an external journey; and
- (b) six hundred shillings for an internal journey.
- (c) The Cabinet Secretary may, by notice in the *Gazette*, from time to time vary the charges specified in this section.
- (d) All proceeds of the charge imposed under this section shall be apportioned between the Kenya Airports Authority, the Kenya Civil Aviation Authority and the Tourism Promotion Fund in such manner as the Cabinet Secretary may, by notice in the *Gazette*, specify.

*Section 66 of Cap. 381 which it is intended to amend—*

1. There is established a fund to be known as the Tourism Fund which shall vest in and be operated and managed by the Board of Trustees.

Establishment of  
Tourism Fund.

2. There shall be paid into the Fund—

- (a) monies appropriated by Parliament for the purposes of the Fund;
- (b) monies received under section 105(4), fees and other monies charged upon tourism activities and services;
- (c) income from investments made under section 69(e) or (j) by the Board of Trustees;
- (d) grants, donations, bequests or other gifts made to the Fund; and
- (e) monies from any other source approved by the Cabinet Secretary for the time being responsible for matters relating to finance.



