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NATIONAL ASSEMBLY BILLS, 2026

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STATE OF TEXAS

COMMISSIONERS OF THE LAND OFFICE

REPORT OF THE COMMISSIONERS

FOR THE YEAR ENDING DECEMBER 31, 1905

PRESENTED TO THE LEGISLATURE

RECEIVED
NATIONAL ASSEMBLY

DIRECTOR, LAND SERVICE
U. S. DEPARTMENT OF AGRICULTURE

**THE FOREIGN SERVICE (AMENDMENT) BILL,
2026**

A Bill for

**AN ACT of Parliament to amend the Foreign Service
Act and for connected purposes**

ENACTED by the Parliament of Kenya, as follows—

1. This Act may be cited as the Foreign Service (Amendment) Act, 2026. Short title.

2. The Foreign Service Act, in this Act referred to as the “principal Act”, is amended in section 2 in the definition of “career diplomat” by inserting the words “who has served within the Ministry for at least ten years” immediately after the words “consular representative”.

3. The principal Act is amended in section 20 by deleting subsection (3) and substituting therefor the following new subsection— Amendment of
section 20 of Cap.
185E.

“(3) A nomination under subsection (2) shall reflect—

- (a) a composition of career and non-career diplomats, of which—
 - (i) not more than seventy per cent shall represent career diplomats; and
 - (ii) not more than thirty per cent shall represent non-career diplomats; and
- (b) the gender, regional and other diversities of the people of Kenya.

MEMORANDUM OF OBJECTS AND REASONS

Statement of Objects and Reasons

The principal object of this Bill is to amend the Foreign Service Act, Cap 185E to provide for a higher percentage of the composition of nominees for appointment for high commissioners, ambassadors and permanent representatives from career diplomats as compared to non-career diplomats.

This is in line with Sessional Paper No. 1 of 2025 on the Foreign Policy of the Republic of Kenya which noted that there is need for progressive realization of the objective to enhance Kenya's diplomatic representation to consist of the bulk of high commissioners, ambassadors and diplomatic and consular representatives drawn from career diplomats and non-career diplomats in the ratio of 70:30 respectively.

The Bill also seeks to provide clarity to the meaning of a career diplomat in terms of the years of service.

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

The Bill does not delegate legislative powers. It does not limit fundamental rights and freedoms.

Statement that the Bill concerns county governments

The Bill does not affect the functions of the county governments and is not a Bill concerning counties for purposes of the Standing Orders.

Statement that the Bill is a money Bill within the meaning of Article 114 of the Constitution

The enactment of this Bill shall not occasion additional expenditure of public funds.

Dated the 13th March, 2026.

CHARLES NGUNA NGUSYA
Member of Parliament.

Section 2 of the Foreign Service Act which it is proposed to amend—

2. Interpretation

In this Act, unless the context otherwise requires—

“Academy” means the Foreign Service Academy established under section 28;

“attache” means a public officer other than a foreign service officer deployed to a Kenya Mission abroad for specialized duties;

“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters relating to foreign affairs;

“career diplomat” means an Officer of a rank eligible for appointment as a high commissioner, ambassador, diplomatic or consular representative;

“consular post” means any consulate-general, consulate, vice-consulate or consular agency;

“Council” means the Council of the Academy established under section 30;

“dependant child” means a biological offspring or a legally adopted child who is not married—

(a) and is under the age of twenty-two years;

(b) is in school and is under the age of twenty-four years; or

(c) has special needs and is wholly dependent on an officer,

“diplomatic agent” means the Head of a Mission or a member of the diplomatic staff of the mission;

“Foreign Service” means the Foreign Service established under section 3.”Government” means the Government of the Republic of Kenya;

“Headquarters” means the administrative centre of the Service in Kenya;

“Head of Mission” means an Ambassador, High Commissioner, Permanent Representative, a Consul-General or an Officer acting in that capacity;

“Honorary Consul” means an official representative of one country in the territory of another and does not include a career diplomat;

“international organization” means an intergovernmental organization;

“locally engaged staff” means staff employed on local terms in a Kenyan Mission;

“Ministry” means the Ministry responsible for matters relating to foreign affairs as designated by the President;

“Mission” means a Kenyan Embassy, High Commission, Consulate-General or a duly accredited representational office abroad or within the Republic;

“Officer” means a Foreign Service officer;

“Public Service Commission” means the Public Service Commission established under Article 233 of the Constitution;

“Republic of Kenya” or “the Republic” means any land territory within the territorial limits of the Republic of Kenya, and includes the internal waters and territorial sea of the Republic of Kenya;

“Service” means the Foreign Service of the Republic of Kenya established under section 3; “service staff” means persons recruited to offer technical and administrative support to the Service other than foreign service officers;

“special needs” means a physical or mental condition which necessitates special care for a dependant child;

“spouse” means wife or husband of an Officer as declared by the Officer and recognized under the Marriage Act (Cap. 150);

“tour of duty” means the period of time between—

- (a) when an appointed Officer reports to a Mission; and
- (b) when the Officer is recalled to Ministry Headquarters.

Section 20 of the Foreign Service Act which it is proposed to amend—

(1) The Office of a high commissioner, ambassador, diplomatic or consular representative shall be a State office for purposes of Article 260 of the Constitution.

(2) Pursuant to Article 132(2)(e) of the Constitution, the President shall nominate and, subject to the approval of the National Assembly, appoint high commissioners, ambassadors and diplomatic or consular representatives.

(3) A nomination under sub section (2) shall reflect—

- (a) a fair balance between career diplomats and other appointees; and
- (b) the gender, regional and other diversities of the people of Kenya.

(4) A person nominated for appointment under subsection (2) shall be—

- (a) a citizen of Kenya; and
- (b) of a reputable character and standing.

