

SPECIAL ISSUE

Kenya Gazette Supplement No. 206 (National Assembly Bills No. 56)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

NATIONAL ASSEMBLY BILLS, 2026

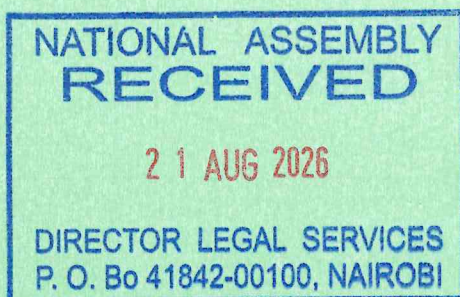
NAIROBI, 31st July, 2026

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Kenya Gazette Supplement No. 2026 (Wednesday, 31st July, 2026)



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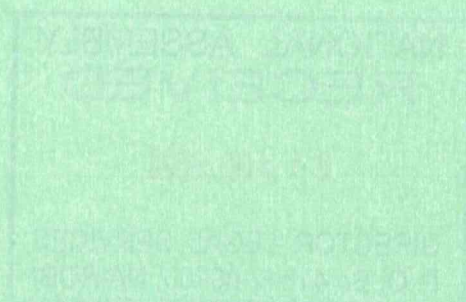
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The Air Passenger Service Charge (Amendment) Bill, 2026 1987



1983

**THE AIR PASSENGER SERVICE CHARGE
(AMENDMENT) BILL, 2026**

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, 2026.

Short title.

2. The Air Passenger Service Charge Act (in this Act
referred to as “the principal Act”) is amended in section
3(2) by deleting the word “charges” and substituting
therefor the word “amounts”.

Amendment of
section 3 of Cap.
475.

3. The principal Act is amended by deleting section
6A and substituting therefor the following new section—

Amendment of
section 6A of Cap.
475.

Remittance of
proceeds of charge.

6A. The Commissioner shall remit all
proceeds of charge collected under this Act
directly to the respective entities set out
under section 3(3) of this Act in such
proportion as specified by the notice issued
by the Cabinet Secretary under that section,
after deducting the expenses of the Kenya
Revenue Authority for the collection of the
charge.

4. The Kenya Airports Authority Act is amended in
section 17B by deleting paragraph (a) and substituting
therefor the following new paragraph—

Consequential
amendment.
Cap. 395

“(a) 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 remove ambiguity and provide clarity of terms used in the Act. It further seeks to give clarity on the modalities of payment of amounts of charge collected under the Act to the various entities meant to benefit from the charge, as specified in section 3(3) of the Act. This is in recognition of the fact that the amount of charge collected is meant to be apportioned to several entities in the specified manner, and for ease of administration, remittance of this amount should be remitted to the beneficiaries directly in line with the criteria for apportionment specified by the Cabinet Secretary by a Gazette notice.

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 30th July, 2026.

KIMANI ICHUNGWAH,
Leader of Majority Party.

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

Imposition of
passenger service
charge.

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—

- (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 6A of Cap. 475 which it is intended to delete and replace—

Charge to be paid into
the Kenya Airports
Authority Fund.

6A. The Commissioner shall pay the charge collected by him under this Act into the Kenya Airports Authority Fund established under the Kenya Airports Authority Act (Cap. 395), after deducting the expenses of the Kenya Revenue Authority for the collection of the charge.

Section 17B of Cap. 395 which it is intended to amend—

Sources of funds.

17B. There shall be paid into the Fund—

- (a) all proceeds from the charge collected under the Air Passenger Service Charge Act (Cap. 475);
- (b) any monies appropriated by Parliament for the purposes of the Authority;
- (c) the rates, charges, dues, or fees levied by the Authority under this Act;
- (d) such sums as may be payable to the Authority pursuant to this Act or any other written law, or pursuant to any gift or trust; and
- (e) all moneys from any other sources provided for or donated or lent to the Authority.

Section 43(1) of the 1997 law is amended to read:

1. Subject to this Act, these funds are used for the welfare of citizens who are unable to afford the services of health insurance and for the health care of the poor.

(a) The United States holds the responsibility for specified services in its health system for an external country, and

(b) the United States has an interest in the health of the United States, then the United States may, at its discretion, from time to time use the funds specified in this section.

(c) All proceeds of the funds referred under this section shall be deposited between the United States and the United States, and the United States shall, in such amount as the United States may, by law, in the United States.

Section 43(2) of the 1997 law is amended to read:

43. The United States shall use the funds referred in this section for the health care of the poor in the United States, and the United States shall, in such amount as the United States may, by law, in the United States.

Section 43(3) of the 1997 law is amended to read:

43. The United States shall use the funds referred in this section for the health care of the poor in the United States, and the United States shall, in such amount as the United States may, by law, in the United States.

(a) All proceeds of the funds referred under this section shall be deposited between the United States and the United States, and the United States shall, in such amount as the United States may, by law, in the United States.

(b) Any money appropriated by Parliament for the purpose of the health

of the United States, shall be used for the health of the United States.

(c) Any money that may be paid to the United States in the United States, shall be used for the health of the United States.

(d) Any money that may be paid to the United States in the United States, shall be used for the health of the United States.

