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CONTENT

Bill for Introduction into the National Assembly—

PAGE

The Online Safety Bill, 2026 2335

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THE ONLINE SAFETY BILL, 2026

ARRANGEMENT OF CLAUSES

Clause

PART I—PRELIMINARY

1—Short title.

2—Interpretation.

3—Objects of the Act.

4—Limitation of rights.

PART II—DUTIES OF CARE RELATING TO ILLEGAL AND HARMFUL CONTENT

5—Illegal content risk assessment.

6—Factors considered in a risk assessment.

7—Duties relating to illegal content.

8—Protection of private communications.

PART III—PROTECTION OF CHILDREN

9—Responsibility of parents and persons with parental responsibility.

10—Children's risk assessment.

11—Responsibility of providers in protecting children.

12—Age verification and parental consent.

13—Duty to provide a mechanism for reporting content.

14—Complaints procedures for regulated services.

15—Reporting and complaints procedures for search services.

16—Complaints relating to search services.

PART IV—ENFORCEMENT

17—Compliance notice.

18—Corporate liability and penalties.

19—Civil Penalties.

20—Appeals.

PART V—PROVISIONS ON DELEGATED POWERS

21—Regulations.

THE ONLINE SAFETY BILL, 2026

AN ACT of Parliament to provide a framework for online safety; to impose duties of care on providers of regulated user-to-user and search services; to protect children from illegal or harmful content online; to provide for the assessment and mitigation of online safety risks; to empower the Communications Authority of Kenya to monitor and enforce compliance; and for connected purposes

ENACTED by the Parliament of Kenya, as follows—

PART I—PRELIMINARY

Short title.

1. This Act may be cited as the Online Safety Act, 2026.

Interpretation.

2. (1) In this Act, unless the context otherwise requires—

"Authority" means the Communications Authority of Kenya established under the Kenya Information and Communications Act; Cap. 411A.

"Cabinet Secretary" means the Cabinet Secretary for the time being responsible for matters relating to information, communications and the digital economy;

"child" means an individual who has not attained the age of eighteen years;

"content" includes any statement, image, sound, video, information or other material communicated through or by means of an internet service;

"content harmful to children" means content which presents a material risk of significant physical or psychological harm to children, including primary priority content that is harmful to children, priority content that is harmful to children or non-designated content harmful to children; Cap. 79C. Cap. 59B.

"illegal content" means content the creation, publication, transmission, possession or distribution of which constitutes an offence under the laws of Kenya, including offences under the Computer Misuse and

Cybercrimes Act, the Prevention of Terrorism Act, and offences relating to child sexual abuse material;

"internet service" means a service made available by means of the internet;

"non-designated content harmful to children" means content harmful to children which is neither primary priority content harmful to children nor priority content harmful to children;

"primary priority content harmful to children" means content of any of the following kinds—

(a) pornographic content;

(b) content which encourages, promotes or provides instructions for suicide;

(c) content which encourages, promotes or provides instructions for an act of deliberate self-harm; or

(d) content which encourages, promotes or provides instructions for an eating disorder or behaviour associated with an eating disorder;

"priority content harmful to children" means content of any of the following kinds—

(a) abusive content which targets a person on the basis of race, religion, sex, sexual orientation, disability or gender;

(b) content which incites hatred against a person or group of persons on the basis of race, religion, sex, sexual orientation, disability or gender;

(c) content which encourages, promotes or provides instructions for an act of serious violence against a person;

(d) bullying content;

(e) content which depicts real or realistic serious violence against a person or serious injury to a person in graphic detail;

(f) content which depicts real or realistic serious violence against an animal or serious injury to an animal in graphic detail;

(g) content which realistically depicts serious violence against a fictional creature or serious injury to a fictional creature in graphic detail;

(h) content which encourages, promotes or provides instructions for dangerous stunts or challenges; or

(i) content which encourages, promotes or provides instructions for the self-administration of harmful substances;

(j) any other content as may be prescribed.

"priority illegal content" means content that—

(a) amounts to an offence relating to terrorism;

(b) amounts to an offence relating to child sexual exploitation and abuse; or

(c) amounts to any other offence designated as a priority offence under this Act.

"priority offence" means an offence relating to terrorism or child sexual exploitation or abuse, or an offence involving serious violence, exploitation, abuse or conduct that poses a significant risk of harm to children or other users of a regulated service.

"proactive technology" means technology used by a provider to identify, assess, restrict or remove content, or to determine or estimate the age of a user, without the content or user having first been reported to the provider, and includes content identification technology, user profiling technology and behaviour identification technology;

"provider of a regulated service" means a person who provides a regulated service;

"regulated service" means a user-to-user service, search service or any other service designated as a regulated service under this Act or any other written law, which is accessible to users in Kenya and falls within a category of services prescribed under this Act;

"search service" means an internet service that is, or includes, a facility enabling users to search multiple sources for information and to access content presented in, or identified, through the search results;

"user" means a person who uses a regulated service, whether or not the person is registered with, or has an account on, the service but does not include the provider of the service or a person acting on behalf of the provider in the course of providing the service;

"user-generated content" means content generated, uploaded or shared by a user of a regulated service;

"user-to-user service" means an internet service through which users may encounter content generated, uploaded or shared by other users.

Objects of the Act

3. The objects of this Act are to—

(a) require providers of regulated services to identify, assess and mitigate risks arising from illegal and harmful content;

(b) promote responsible design and operation of regulated services;

(c) provide mechanisms for reporting, complaints and redress in relation to illegal and harmful content; and

(d) safeguard and promote the rights, welfare and best interests of the child in the digital environment.

Limitation of Rights.

4. (1) Pursuant to Article 24 of the Constitution, the right to freedom of expression under Article 33, the right of access to information under Article 35 and the right to privacy under Article 31 are limited by this Act to the extent that—

(a) providers of regulated services are required to restrict access to, or remove, illegal content and content harmful to children;

(b) access to, or use of, a regulated service by a child is subject to the consent of a parent or a person who exercises parental responsibility; and

(c) providers are required to use age verification or age estimation measures in relation to users.

(2) The limitation under subsection (1) is necessary for the protection of users, particularly children, from illegal

and harmful content online, and shall not be construed as derogating from the core or essential content of the rights limited.

PART II — DUTIES OF CARE RELATING TO ILLEGAL OR HARMFUL CONTENT

Illegal content risk assessment.

5. (1) A provider of a regulated service shall conduct suitable and sufficient illegal content risk assessment in respect of the service at least once in every twelve months.

(2) The Authority may, by notice in writing, direct a provider to carry out an illegal content risk assessment at any other time, within a specified period.

(3) A provider shall carry out a further illegal content risk assessment before making a significant change to the design or operation of a service that may affect the risk of users encountering illegal content.

(4) The provider shall take appropriate steps to keep the illegal content risk assessment up to date.

Factors considered in a risk assessment.

6. An illegal content risk assessment shall assess—

(a) the user base of the service;

(b) the level of risk of users encountering each kind of illegal content through the service;

(c) the level of risk of the service being used for the commission or facilitation of a priority offence;

(d) the nature and severity of harm that may be suffered by individuals as a result of illegal content;

(e) the extent to which the design and operation of the service, including its functionalities, increase or reduce the risks identified;

(f) the effect of algorithms used by the service on the risks identified;

(g) the ease, speed and scale with which content may be generated, uploaded, shared, encountered or disseminated through the service;

(h) the nature and effectiveness of systems and processes for detecting, restricting and removing illegal content, including the use of proactive technology;

(i) the different ways in which the service is used;

(j) the terms of service applicable to users;

(k) the business model of the provider;

(l) the governance arrangements of the provider; and

(m) any other matter as may be prescribed.

Duties relating to illegal content.

7. (1) A provider shall take or use proportionate measures relating to the design or operation of the service to—

(a) prevent users from encountering priority illegal content through the service;

(b) mitigate and manage the risk of the service being used for the commission or facilitation of a priority offence;

(c) mitigate and manage the risks of harm arising from illegal content identified in the most recent illegal content risk assessment; and

(d) minimise the period during which priority illegal content remains on the service.

(2) Where a provider becomes aware of illegal content or is alerted to the presence of illegal content on the service by a third party, the provider shall take appropriate and expeditious measures to restrict or remove the content in accordance with this Act.

(3) The measures taken under this section shall be proportionate to—

(a) the nature and severity of the risk;

(b) the size and capacity of the provider;

(c) the nature of the service; and

(d) the findings of the most recent illegal content risk assessment.

(4) The duties imposed under subsections (2) and (3) shall apply to all aspects of a regulated service, including its design, operation and use, and the content made available through the service.

(5) A provider of a regulated service shall, to the extent that it is proportionate to do so, take appropriate measures relating to—

(a) regulatory compliance and risk management;

(b) the design and operation of the functionalities, algorithms and other features of the service;

(c) the terms and conditions governing the use of the service;

(d) access to the service or to particular content, including measures to restrict or block such access;

(e) content moderation, including the removal of illegal content;

(f) functionalities that enable users to control the content they access or encounter;

(g) user support and assistance; and

(h) the policies and practices governing the conduct and responsibilities of staff involved in the provision or operation of the service.

(6) A provider of a regulated service shall apply the provisions of its terms of service referred to in subsection (6) consistently.

Protection of private communications.

8. (1) Nothing in this Act shall be construed as requiring a provider to use proactive technology to analyse content communicated privately, or data relating to such content.

(2) A provider who uses proactive technology in relation to content communicated privately shall ensure that the use—

Cap. 411C

(a) is necessary and proportionate to the risks identified in the most recent illegal content risk assessment or children's risk assessment;

(b) complies with the Data Protection Act;

(c) is subject to such safeguards as may be prescribed; and

(d) is disclosed in the provider's terms of service.

(3) Where content is removed or a user's access to the service is restricted as a result of proactive technology, the provider shall ensure that a complaint by the affected user is reviewed by a natural person.

(4) In this section, "content communicated privately" means content communicated by a user to a particular person or a limited group of persons selected by the user, and not made available to the public or to users of the service generally.

PART III—PROTECTION OF CHILDREN

Responsibility of parents or any person who exercises parental responsibility. Cap. 141.

9. (1) A parent or any person who exercises parental responsibility under the Children Act, shall take reasonable steps to protect a child under their care from harm online.

(2) In the discharge of the responsibility under subsection (1), a parent or any person who exercises parental responsibility shall—

(a) guide the child on the safe and responsible use of internet services, including the risks of interacting with strangers and sharing personal information;

(b) provide guidance and supervision over the child's use of internet services appropriate to the age and maturity of the child; and

(c) where the child is exposed to online abuse or exploitation, take appropriate action, including reporting the matter to the provider of the service, the Authority, the National Council for Children Services or the National Police Service.

(3) A parent or a person who exercises parental responsibility shall be responsible for giving or withholding consent to the access to, or use of, a regulated service by a child, having regard to the age, maturity and best interests of the child.

(4) A parent or a person who exercises parental responsibility shall respect the right to privacy of a child and shall not subject the child to arbitrary or unlawful interference with the child's communications.

(5) Nothing in this section shall—

(a) be construed as creating an offence or imposing liability on a parent or a person who exercises parental responsibility solely because a child accesses harmful content or engages in harmful online activity; or

(b) relieve a provider of a regulated service of any duty imposed under this Act or any other written law.

Children's risk assessment.

10. (1) A provider of a regulated user-to-user service which is likely to be accessed by children shall carry out a suitable and sufficient children's risk assessment at least once in every twelve months.

(2) The Authority may, by notice in writing, direct a provider to carry out a children's risk assessment at any other time, and the provider shall comply with the direction within the period specified in the notice.

(3) The provider shall conduct a further children's risk assessment before making a significant change to any aspect of the design or operation of the service where the change may affect the risks to children.

(4) The provider shall take appropriate steps to keep the children's risk assessment up to date.

(5) A children's risk assessment shall assess—

(a) the user base of the service, including the number of children using the service in different age groups;

(b) the level of risk of children encountering—

(i) each kind of primary priority content harmful to children;

(ii) each kind of priority content harmful to children; and

(iii) non-designated content harmful to children;

(c) the risks presented to children in different age groups;

(d) the effect of algorithms used by the service on the risks to children;

(e) the ease, speed and scale with which content may be disseminated through the service;

(f) the level of risk of harm to children presented by different kinds of harmful content;

(g) the extent to which the design of the service and its functionalities affect the level of risk to children;

(h) functionalities which enable adults to search for other users, including children;

(i) functionalities which enable adults to contact other users, including children;

(j) the different ways in which the service is used;

(k) functionalities or other features which affect the amount of time children spend using the service, including features which cause content to play automatically;

(l) the nature and severity of the harm that may be suffered by children from different kinds of content harmful to children;

(m)the business model of the provider;

(n) the governance arrangements of the provider;

(o) the use of proactive technology;

(p) measures designed to promote media literacy and safe use of the service by users;

(q) other systems and processes used by the provider; and

(r) any other matter prescribed.

(6) Where a children's risk assessment identifies the presence of non-designated content harmful to children, the provider shall immediately notify the Authority of—

(a) the kinds of content identified; and

(b) the incidence of those kinds of content on the service.

Responsibility of providers in protecting children.

11. (1) A provider shall take or use proportionate measures relating to the design or operation of a regulated service to—

(a) mitigate and manage the risks of harm to children in different age groups identified in the most recent children's risk assessment; and

(b) mitigate the impact of harm to children arising from content harmful to children present on the service.

(2) A provider shall operate a regulated service using proportionate systems and processes designed to—

(a) prevent children of any age from encountering primary priority content harmful to children through the service; and

(b) protect children in age groups identified as being at risk from other content harmful to children from encountering that content.

Age verification and parental consent.

12. (1) Where primary priority content harmful to children is present on a regulated service, the provider shall use age verification, age estimation or a combination of both to prevent children from encountering that content.

(2) A provider of a regulated service shall not permit a child to access or use the service unless the provider has obtained the consent of a parent of a child or a person who exercises parental responsibility over the child.

(3) A parent or a person who exercises parental responsibility may withdraw consent given under subsection (2) at any time, and the provider shall, upon withdrawal, restrict the child's access to the service within such period as may be prescribed.

(4) For the purposes of subsection (2), a provider shall—

(a) use age verification or age estimation to determine whether a user is a child; and

(b) take reasonable steps to verify that the consent is given by a person who has parental responsibility for the child.

(5) The age verification or age estimation measure used under this section shall be highly effective in determining whether a particular user is a child.

(6) A provider may use age verification or age estimation for the purpose of—

(a) determining whether a user is a child; or

(b) determining the age group of a child user.

(7) A verification under subsection (3) may include—

(a) credit card verification;

(b) secure cross-referencing of the identity of a parent or a person who exercises parental responsibility;

(c) decentralized verification of a digital identity; and

(d) any other method as may be approved by the Authority under this Part.

(8) The requirement under subsection (1) shall not apply to a particular kind of primary priority content where—

(a) the provider's terms of service expressly prohibit that kind of content; and

(b) the prohibition applies to all users of the service.

(9) The obtaining of consent under this section shall not relieve a provider of any other duty imposed under this Act.

Duty to provide a mechanism for reporting content.

13. (1) A provider of a regulated service that is likely to be accessed by children shall establish and operate systems and procedures that enable a user, third party or an affected person to readily report content available on the service that the user, third party or affected person considers to be harmful to children.

(2) The systems and procedures as provided in subsection (1) shall be—

(a) readily accessible and easy to use;

(b) appropriate to the nature and use of the regulated service; and

(c) designed to enable the provider to receive and assess reports and take appropriate action in response to a report.

(3) A provider of a regulated service shall not be deemed to have complied with subsection (1) solely on the ground that a part of the service is not intended for use by children.

(4) A provider shall only conclude that children are unable to access the service or that part if the provider has implemented age verification or age estimation measures that are effective in preventing children from ordinarily accessing the service or that part.

Complaints procedures for regulated services.

14. (1) A provider of a regulated service that is likely to be accessed by children shall establish and maintain a complaints procedure that—

(a) enables users and affected persons to make complaints;

(b) provides for the assessment and resolution of complaints and the taking of appropriate action by the provider;

(c) is readily accessible, easy to use, including by children, and transparent; and

(d) provides for complaints to be handled in a timely and fair manner.

(2) A provider referred to in subsection (1) shall publish and maintain, in a readily accessible form, the policies and procedures governing the handling and resolution of complaints, including information on the manner in which a complaint may be lodged and the action that may be taken by the provider.

(3) The complaints procedure established under subsection (1) shall provide for complaints relating to—

(a) content available on a part of the service that children are able to access, which a user or affected person considers to be harmful to children;

(b) the provider's failure to comply with a duty imposed under section 12;

(c) the removal of content, or the restriction of access to content, generated, uploaded or shared by a user, on the ground that the content is harmful to children;

(d) a warning issued to a user, the suspension or termination of a user's account, or any other restriction imposed on a user's use of the service, on the ground that content generated, uploaded or shared by the user is harmful to children; or

(e) the inability of a user to access content as a result of an age verification or age estimation measure that incorrectly determines the user's age.

Reporting and complaints procedures for search services.

15. (1) A provider of a regulated service or a search service that is likely to be accessed by children shall establish and operate systems and procedures that enable a user or an affected person to readily report—

(a) in the case of a regulated service, content available on the service that the user or affected person considers harmful to children; or

(b) in the case of a search service, search content that the user or affected person considers harmful to children.

(2) A provider of a search service that is likelt to be accessed by children shall establish and maintain a complaints procedure that—

(a) allows for relevant kinds of complaint to be made;

(b) provides for appropriate action to be taken by the provider of the service in response to complaints of a relevant kind, and

(c) is easy to access, easy to use by children and transparent.

(3) The systems and procedures referred to in subsection (1) shall be readily accessible, easy to use and appropriate to the nature and operation of the service.

(4) A provider shall assess a report made under subsection (1) and take appropriate action in accordance with the duties imposed under this Act.

Complaints relating to search services.

16. The complaints procedure established under section 14 shall provide for complaints relating to—

(a) search content that a user or an affected person considers to be harmful to children;

(b) the failure by a provider of a search service to comply with a duty imposed under section 14;

(c) the omission of content relating to an interested person from search results, or the ranking of such content at a lower position in search results, as a result of measures taken by a provider of a search service to comply with a duty imposed under section 14; or

(d) the incorrect assessment of a user's age, resulting in the user being unable to access content, as a result of measures taken by a provider of a search service to comply with section 14.

PART IV—ENFORCEMENT

Compliance notice.

17. (1) Where the Authority has reasonable grounds to believe that a provider has failed to comply with a duty under this Act, the Authority may issue a compliance notice.

(2) A compliance notice shall specify—

(a) the provision of this Act alleged to have been breached;

(b) the facts constituting the breach;

(c) the measures required to remedy the breach; and

(d) the period within which the measures shall be implemented.

Corporate liability and penalties.

18. (1) A provider of a regulated service who fails to comply with a duty of care imposed under this Act commits an offence and is liable on conviction to a fine not exceeding—

(a) five hundred million shillings; or

(b) ten per centum of the provider's annual global turnover,

whichever is the higher.

(2) Where an offence under this section is committed with the consent or connivance of, or is attributable to any gross negligence on the part of, a senior executive officer of the provider, that officer commits an offence and is liable on conviction to a fine not exceeding ten million shillings or to imprisonment for a term not exceeding five years, or to both.

Civil Penalties.

19. (1) Where the Authority has reasonable grounds to believe that a provider of a regulated service has failed to comply with a duty imposed under this Act, the Authority may impose a civil penalty on the provider in accordance with this Part.

(2) In determining whether to impose a civil penalty under subsection (1), the Authority shall have regard to—

(a) the nature, seriousness and duration of the failure;

(b) the actual or potential harm arising from the failure;

(c) whether the failure was deliberate, reckless or negligent;

(d) any action taken by the provider to remedy or mitigate the failure;

(e) any previous failure by the provider to comply with a duty imposed under this Act;

(f) the size and financial capacity of the provider;

(g) the need to ensure that the penalty is effective, proportionate and dissuasive; and

(h) any other matter that the Authority considers relevant.

(3) In determining the amount of a civil penalty, the Authority shall ensure that the penalty is proportionate to the nature and circumstances of the failure

(4) The Cabinet Secretary may, by regulations, prescribe different maximum penalties for different categories of regulated services or different types of failure.

(5) Before imposing a civil penalty, the Authority shall notify the provider of the proposed penalty and give the provider an opportunity to be heard.

Appeals.

20. (1) A provider aggrieved by a direction under, compliance notice or a civil penalty under this Act may, within thirty days of being notified of the direction, notice or penalty, appeal to the Communications and Multimedia Appeals Tribunal established under section 102 of the Kenya Information and Communications Act.

Cap. 411A.

(2) An appeal under subsection (1) shall not operate as a stay of the direction, compliance notice or civil penalty, unless the Tribunal directs otherwise.

PART V – PROVISIONS ON DELEGATED POWERS

Regulations.

21. (1) The Cabinet Secretary may, on the recommendations of the Authority, make Regulations for the better carrying into effect of the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Cabinet may make regulations on–

(a) the categorisation and designation of regulated services for the purposes of this Act;

(b) the procedure and criteria for conducting illegal content risk assessments and children's risk assessments under this Act;

(c) the identification, categorisation and designation of priority illegal content, primary priority content harmful to children, priority content harmful to children and other content harmful to children;

(d) the minimum standards and requirements for measures to prevent, detect, restrict or remove illegal content on regulated services;

(e) the minimum standards and requirements for the design and operation of regulated services to protect children from content harmful to children;

(f) the standards, procedures and safeguards for the use of age verification and age estimation technologies, including the protection of personal data and the privacy of users;

(g) the systems and procedures for reporting illegal content and content harmful to children, handling complaints and providing redress to users;

(h) the procedures and timelines for notifying the Authority of risks, harmful content or other matters requiring notification under this Act;

(i) the standards for record-keeping, documentation and retention of records relating to risk assessments, content moderation, complaints and compliance with duties imposed under this Act;

(j) the form, content and procedure for issuing and complying with compliance notices under this Act;

(k) the standards and procedures for monitoring and evaluating compliance by providers of regulated services with this Act;

(l) the measures for promoting media literacy and the safe use of regulated services, particularly by children;

(m) the procedures for cooperation and information-sharing between the Authority and other relevant public bodies for the purposes of this Act;

(n) the procedures for submitting reports and other information required by the Authority from providers of regulated services; and

(o) any other matter that is necessary for the effective implementation of this Act.

(3) Regulations made under this section shall be consistent with the Constitution and any other written law and shall respect the rights to freedom of expression, privacy, access to information and other fundamental rights and freedoms in the Constitution of Kenya and any other written law.

MEMORANDUM OF OBJECTS AND REASONS

The principal object of the Bill is to establish a legal framework for online safety in Kenya to prevent children from exposure to pornographic material and to create a duty of care for safety of children from user-to-user internet platforms, social media intermediaries and search services in Kenya. The Bill gives effect to the request to create a systemic regulatory regime for user-to-user internet platforms, social media intermediaries and search services in Kenya. The Bill imposes duties of care on providers of user-to-user services and search services. The duties require providers to assess and mitigate risks that users, particularly children, encounter illegal or harmful content online. The Bill also empowers the Communications Authority of Kenya to monitor and enforce compliance.

The Bill treats child sexual abuse material as illegal content and contains provisions that create statutory obligations on providers and give the Authority a basis to enforce standards for detection and expedited removal. The Bill requires age assurance for content that is harmful to children and contains provisions on standards, procedures and safeguards for age verification and age estimation, including protection of personal data and privacy of users. The Bill requires providers to assess and address risks from algorithms and features that affect children and contains provisions that require providers to identify harmful algorithmic feeds and addictive features and to take proportionate design and operation measures. The Bill addresses predatory contact and harassment through risk assessment, parental responsibility and reporting and complaints systems and contains provisions that provide accessible reporting and redress pathways for predatory contact, online grooming and peer cyberbullying. The Bill provides for corporate liability, penalties and civil penalties which effect turnover-based penalties and business disruption orders as deterrent corporate sanctions.

Part I of the Bill comprises clauses 1 to 4. It provides for the short title, interpretation, objects of the Act and limitation of rights. The Part defines key terms, including regulated service, provider, user, child, illegal content and content harmful to children. The Part also sets out the objects of the Bill. The objects include promotion of online safety and protection of children while safeguarding constitutional rights and fundamental freedoms.

Part II of the Bill comprises clauses 5 to 8. It provides for duties of care in relation to illegal and harmful content. It requires providers to conduct illegal content risk assessments and to keep the assessments up to date. It sets out factors to be considered in a risk assessment. It requires providers to take proportionate measures to prevent users from

encountering priority illegal content. It requires providers to mitigate and manage the risk that a service is used for the commission or facilitation of a priority offence. It requires providers to restrict or remove illegal content. It also provides for protection of private communications.

Part III of the Bill comprises clauses 9 to 16. It provides for protection of children. It sets out the responsibility of parents and a person who exercises parental responsibility to guide and supervise the use of internet services by children. It requires a risk assessment for children. It imposes duties on providers to protect children from content harmful to children. It provides for age verification, age estimation and parental consent. It provides for privacy-preserving age verification and age estimation. It provides for reporting mechanisms and complaints procedures for regulated services. It also provides for reporting and complaints procedures for search services and for complaints relating to search services. It provides reporting pathways for predatory contact, online grooming and peer cyberbullying. It provides for Safety by Design, curbing of harmful algorithmic feeds and default privacy settings at the highest level for profiles for children.

Part IV of the Bill comprises clauses 17 to 20. It provides for enforcement. It provides for compliance notices. It provides for corporate liability and penalties. It provides for civil penalties as an alternative to criminal prosecution. It provides for appeals to the Communications and Multimedia Appeals Tribunal. The enforcement measures give effect to the request for deterrent corporate sanctions, including turnover-based penalties of up to ten per cent of global qualifying revenue and business disruption orders.

Part V of the Bill comprises clause 21. It provides for delegated powers. The Cabinet Secretary may, on the recommendation of the Authority, make Regulations for the better carrying into effect of the provisions of this Act. The Regulations may cover categorisation and designation of regulated services, risk assessments, categories of content, standards for detection and removal of illegal content, design and operation standards, age verification and age estimation, reporting and complaints, record keeping, compliance notices, monitoring and evaluation, media literacy, cooperation and information sharing, and submission of reports.

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

The Bill delegates legislative power to the Cabinet Secretary, on the recommendation of the Authority, to make Regulations necessary for the effective implementation of the provisions and objects of the Bill.

Statement as to whether the Bill concerns county governments

This is not a Bill concerning county governments under Article 110(1)(a) of the Constitution. The Bill does not contain provisions that affect the functions and powers of county governments as set out 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 enactment of this Bill will not occasion additional expenditure of public funds.

Dated the 29th October, 2026.

MARK MURIITHI MWENJE,
Member of Parliament.