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NATIONAL ASSEMBLY BILLS, 2025

NAIROBI, 16th October, 2025

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THE BOOKS AND NEWSPAPAERS (AMENDMENT) BILL, 2025

A Bill for

AN ACT of Parliament to amend the Books and Newspapers Act and for connected purposes

ENACTED by Parliament of Kenya as follows—

Short title.

1. This Act may be cited as the Books and Newspapers (Amendment) Act, 2025.

Amendment of section 6 of Cap.111.

2. Section 6 of the Books and Newspapers Act is amended—

(a) by deleting the marginal note and substituting therefor the following new marginal note—

"Delivery of copies of books'';

(b) by deleting the words "the Colony" appearing in the opening statement and substituting therefor the word "Kenya";

(c) in subsection (1) by—

(i) inserting the words "and to the Clerk of the Senate" immediately after the word "Registrar" appearing in paragraph (a); and

(ii) deleting paragraph (b) and substituting therefor the following new paragraph—

(b) if so required by the Registrar or the Clerk of the Senate, by notice in writing not later than one year after publication of the book, deliver to the Registrar or the Clerk of the Senate, at his or her own expense within one month of receipt of such notice, additional copies not exceeding three in number or as may be specified in the notice.

(d) in subsection (3) by deleting the words "the Colony" immediately after the words "copies of the same"; and substituting therefor the word "Kenya";

(e) in subsection (4) by inserting the words "or the Clerk of the Senate" immediately after the word "Registrar";

(f) inserting the following new subsection immediately after subsection (5)—

(5A) Upon receipt of a copy of a book delivered under this section, the Clerk of the Senate shall acknowledge receipt in writing to the publisher.

(g) by deleting subsection (7) and substituting therefor the following new subsection—

(7) The copies of books delivered to the Registrar and the Clerk of the Senate under subsection 1(a) shall be kept for record purposes or otherwise dealt with in such a place or manner as may be deemed necessary.

(h) inserting the following new subsections immediately after subsection (7)—

(8) The Registrar shall send to such persons or institutions copies of books delivered to him or her under subsection 1(b) as the Cabinet Secretary may from time to time direct.

(9) A publisher of a book shall, in addition to the delivery of copies of books under this section submit a digital copy of the book to the Registrar, the Kenya National Library Services, the Kenya National Archives and the Clerk of the Senate.

3. Section 14 of the Books and Newspapers Act is amended by deleting the words "the Colony" and substituting therefor the word "Kenya".

4. Section 17 of the Books and Newspapers Act is amended by deleting the words "the Colony" and substituting therefor the word "Kenya".

MEMORANDUM OF OBJECTS AND REASONS

The principal object of this Bill is to amend the Books and Newspaper Act, Cap 111 in order to require the deposit of published works in the library of Parliament. Many Parliament libraries in the world also serve as national libraries. Some examples include the Parliaments of South Korea, Indonesia and South Africa. Currently, the Books and Newspapers Act provides for deposit and registration of books and newspapers published in Kenya to the Kenya National Library Services and Kenya National Archives. A legal deposit system at Parliament is important as it operates as an instrument to gather a permanent record of the nation's published works influencing the thoughts, aspirations and discoveries of successive ages.

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

The Bill does not delegate legislative powers nor does it limit fundamental rights and freedoms.

Statement on whether the Bill concerns county governments

The Bill does not concern county governments in terms of Article 110 (1) (c) of the Constitution as it does not affect the functions and powers of county governments as set out in the Fourth Schedule to the Constitution.

Statement on whether 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 23rd day of September, 2025.

DANIEL EPUYO NANOK,
Chair, Committee on
Parliamentary Broadcasting and Library.

Section 6 of Cap.111 which it is proposed to amend—

Copies of books to be delivered to the Registrar and returns to be made

(1) The publisher of every book printed and published in the Colony shall—

(a) before or within fourteen days after publication of the book, at his own expense deliver to the Registrar such number of copies thereof, not exceeding three in number, as may be prescribed, together with a return in respect thereof in the prescribed form, containing the prescribed particulars and signed by him;

(b) if so required by the Registrar by notice in writing not later than one year after publication of the book, deliver to the Registrar, at his own expense and within one month after receipt of such notice, so many additional copies thereof, not exceeding three in number, as may be specified in the notice;

(c) in order to facilitate the publication of the national bibliography of Kenya under section 4(k) of the Kenya National Library Service Board Act (Cap. 225), before or within fourteen days after publication of the book, at his own expense, deliver to the Director, Kenya National Library Service, two copies thereof, together with a return in respect thereof in the prescribed form, containing the prescribed particulars and signed by him.

(2) In the case of an encyclopaedia, magazine, review, Gazette or other book (not being a newspaper) published periodically or in a series of numbers or parts, a notice under paragraph (b) of subsection (1) of this section may relate to any or all issues, numbers or parts thereof which may be subsequently published in the Colony by the publisher to whom the notice is addressed.

(3) All copies of a book delivered under subsection (1) of this section shall be copies of the whole book, with all maps, prints or other illustrations belonging thereto finished and coloured in the same manner as in the best copies of the same published in the Colony, and shall be bound, sewed or stitched together, and of the best paper on which the book is printed.

(4) Nothing in this section shall apply to any second or subsequent edition of a book the required number of copies of the first or any preceding edition of which have been delivered to the Registrar under this section, unless the second or subsequent edition contains any addition or

alteration, whether in the letterpress or in the maps, prints or other illustrations belonging thereto.

(5) Upon receipt of a copy of a book delivered under this section the Registrar shall issue a written receipt therefor.

(6) Upon receipt of a copy of a book delivered to him under subsection (1)(c), the Director, Kenya National Library Service, shall acknowledge receipt thereof in writing to the publisher.

(7) The copies of books delivered to the Registrar under paragraph (a) of subsection (1) shall be kept for the purpose of record in such place or manner, or otherwise dealt with or disposed of in such manner or for such purposes, as may be prescribed; and the copies of books delivered to the Registrar under paragraph (b) of the said subsection (1) shall be sent by the Registrar to such persons or institutions as the Cabinet Secretary may from time to time direct

Section 14 of Cap.111 which it is proposed to amend—

14. Penalty for printing or publication without bond

Any person who prints a newspaper in Kenya, or publishes a newspaper printed in the Colony, without having complied with the provisions of section 11 or, as the case may be, section 13 shall be guilty of an offence and liable—(a)in the case of a first offence, to a fine not exceeding one million shillings, or to imprisonment for a term not exceeding three years, or to both; and(b)in the case of a second or subsequent offence, to imprisonment for a term not exceeding five years, and shall in addition be barred from printing any newspaper in Kenya or publishing any newspaper printed in Kenya.

Section 17 of Cap.111 which it is proposed to amend—

17. Printed documents to bear the name of printer and publisher

(1) Every book and every newspaper printed within the Colony shall have printed legibly in the English language on its first or last printed page the name and address of its printer and of its publisher and the name of the place in which it is printed and of the place in which it is published.(2)Any person who prints, publishes, sells, distributes or assists in selling or distributing any book or newspaper which does not comply with the requirements of subsection(1) shall be guilty of an offence and be liable to a fine not exceeding five thousand shillings or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment, and in addition the court may order all copies of the book or newspaper in the custody of the court or in the possession of the offender to be forfeited or destroyed.