

Counter-Trafficking in Persons (Amendment) Bill, 2025

A Bill for

An Act of Parliament to amend the Counter Trafficking in Persons Act

Enacted by the Parliament of Kenya, as follows: -

Clause	Provisions in the CTiP Act	Harmonized Proposals`	Comments
Amendment of the long title to No.8 of 2010	An Act of Parliament to implement Kenya’s obligations under the United Nations Convention Against Transnational Organized Crime particularly its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; to provide for the offences relating to trafficking in persons and for connected purposes.	The long title to the Counter Trafficking in Persons Act is amended by deleting it and substituting therefor with the following long title; An Act of Parliament to prevent and suppress Trafficking in Persons; provide for the offence of trafficking in persons and related offences; protect victims of trafficking in persons; provide for establishment of shelters; provide for international cooperation to combat trafficking in persons and for connected purposes;	
Amendment of section 2 of No.8 of 2010	2. Interpretation In this Act, unless the context otherwise requires— “Advisory Committee” means the Counter-Trafficking in Persons Advisory Committee established under section 19;	Definition of a child to be defined as:- “Child” has the meaning assigned to it in the Constitution. Definition of child trafficking- has the meaning assigned to it under section 3A Shelter	

<p>“Board of Trustees” means the Board of Trustees of the Fund established by section 24; “child” has the meaning assigned to it in the Children Act, 2001 (No. 8 of 2001); “consent” in relation to a person means that the person agrees by choice, and has the freedom and capacity to make that choice; “exploitation” includes but is not limited to— (a) keeping a person in a state of slavery; (b) subjecting a person to practices similar to slavery; (c) involuntary servitude; (d) forcible or fraudulent use of any human being for removal of organs or body parts; (e) forcible or fraudulent use of any human being to take part in armed conflict; (f) forced labour; (g) child labour; (h) sexual exploitation; (i) child marriage; (j) forced marriage; “forced labour” means the extraction of work or services from any person for the purpose of exploitation;</p>	<p>A Shelter is a place that is either established, licensed or accredited by the Cabinet Secretary under this Act that is suitable for temporary care of victims of trafficking who are in need of care and protection.</p> <p>Deleting the definition of the word “minister” and substituting therefor with the following new definition: -</p> <p>“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters relating to Counter Trafficking in Persons.</p> <p>Addition; “forced begging” and “fraudulent marriage” with their definitions as forms of exploitation.</p> <p>“forced begging”- Is a form of trafficking in persons where individuals are coerced, deceived, or forced into begging for the financial benefit of others.</p> <p>“fraudulent marriage”- Marriage entered where one party has intentions to exploit the other person for any</p>	
---	---	--

	<p>“Fund” means the National Assistance Trust Fund for Victims of Trafficking in persons established by section 22;</p> <p>“Minister” means the Minister for the time being responsible for matters relating to women and children;</p> <p>“organized criminal group” means a structured group of three or more persons, acting in concert with the aim of committing one or more serious crimes or offences under this Act, in order to obtain directly or indirectly, a financial or other material benefit;</p> <p>“proceeds of crime” means any property derived from or obtained, directly or indirectly, through the commission of an offence under this Act;</p> <p>“publish” means to advertise, broadcast or distribute information by any means whatsoever so that the information is available to the public or any section thereof;</p> <p>“slavery” is the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised;</p>	<p>purposes as listed in section 2.</p>	
--	---	---	--

	<p>“trafficking for sexual exploitation” means trafficking— (a) with the intention of doing anything to or in respect of a particular person during or after a journey within Kenya or in any part of the world, which if done will involve the commission of an offence under the Sexual Offences Act, 2006; or</p> <p>(b) in the belief that another person is likely to do something to or in respect of the person trafficked, during or after the journey in any part of the world, which if done will involve the commission of an offence under the Sexual Offences Act, 2006 (No. 3 of 2006);</p> <p>“trafficking in persons” has the meaning assigned to it by section 3;</p> <p>“victim of trafficking in persons” includes a person who is being or has been trafficked as defined in section 3.</p>		
<p>Amendment of section 3 of no.8 of 2010</p>	<p>3. Trafficking in persons</p> <p>(1) A person commits the offence of trafficking in persons when the person recruits, transports,</p>	<p>Section 3 of the principal Act is amended by; -</p> <p>(a) Deleting subsection (1) and substituting therefor the following new subsection;</p>	

	<p>transfers, harbours or receives another person for the purpose of exploitation by means of—</p> <p>(a) threat or use of force or other forms of coercion;</p> <p>(b) abduction;</p> <p>(c) fraud;</p> <p>(d) deception;</p> <p>(e) abuse of power or of position of vulnerability;</p> <p>(f) giving payments or benefits to obtain the consent of the victim of trafficking in persons; or</p> <p>(g) giving or receiving payments or benefits to obtain the consent of a person having control over another person.</p> <p>(2) The consent of a victim of trafficking in persons to the intended exploitation shall not be relevant where any of the means set out in subsection (1) have been used.</p> <p>(3) The recruitment, transportation, transfer, harbouring</p>	<p>(1) “A person commits the offence of trafficking in persons when the person either recruits, transports, transfers, harbors/or receives another person for the purpose of exploitation by any of the following means—”</p> <p>Delete Subsection 3(3) from the current act and insert 3A as new section of;</p> <p>Child Trafficking</p> <p>3A (1) The recruitment, transportation, transfer, harboring or receipt of a child for the purposes of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set out in section 3(1) of this Act.</p> <p>(2) Where the victim of trafficking is a child, consent of the child, parent or guardian of the child shall not be used as a defense”.</p>	
--	--	--	--

	<p>or receipt of a child for the purposes of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set out in subsection (1) of this Act.</p> <p>(4) An act of trafficking in persons may be committed internally within the borders of Kenya or internationally across the borders of Kenya.</p> <p>(5) A person who traffics another person, for the purpose of exploitation, commits an offence and is liable to imprisonment for a term of not less than thirty years or to a fine of not less than thirty million shillings or to both and upon subsequent conviction, to imprisonment for life.</p> <p>(6) A person who finances, controls, aids or abets the commission of an offence under subsection (1) shall be liable to imprisonment for a term of not less than thirty years or to a fine of not less than thirty million shillings or to both and upon subsequent</p>		
--	---	--	--

	conviction, to imprisonment for life.		
Amendment of section 4 of no.8 of 2010	<p>4. Acts that promote child trafficking</p> <p>(1) A person who for the purpose of trafficking in persons—</p> <p>(a) adopts a child or offers a child for adoption;</p> <p>(b) fosters a child or offers a child for fostering; or</p> <p>(c) offers guardianship to a child or offers a child for guardianship, commits an offence.</p> <p>(2) A person who initiates or attempts to initiate adoption, fostering or guardianship proceedings for the purpose of subsection (1) commits an offence.</p> <p>(3) A person who commits an offence under this section is liable to imprisonment for a term of not less than thirty years or to a fine of not less than twenty million shillings or to both and upon subsequent conviction, to imprisonment for life.</p>	<p>Section 4 of the principal Act is amended by inserting the following section immediately after section 4—</p> <p>4A Power of court to cancel, suspend and restore responsibility and guardianship</p> <p>4B (1). A court has powers to make the following orders if it believes that a parent, guardian or any person having parental responsibility of a child has trafficked the child;</p> <p>(a) Cancel or suspend all the parental responsibilities and rights of that parent, guardian or other person;</p> <p>(b) Restore the parental responsibilities of the parent, guardian or other person where it is proved that the person has not trafficked the child;</p> <p>(c) Any action taken by the court under this section does not exclude a person's liability for an offence committed under the Act.</p>	

<p>Amendment of section 5 of no.8 of 2010</p>	<p>5. Promotion of trafficking in persons A person who— (a) knowingly leases, or being the occupier thereof, permits to be used any house, building, or other premises for the purpose of promoting trafficking in persons; (b) publishes, exports or imports, any material for purposes of promoting trafficking in persons; or (c) manages, runs or finances any job recruitment agency for the purposes of promoting trafficking in persons; (d) by any other means promotes trafficking in persons, commits an offence and is liable to imprisonment for a term of not less than twenty years or to a fine of not less than twenty million shillings or to both and upon subsequent conviction, to imprisonment for life.</p>	<p>Section 5 of the principal Act is amended in paragraph (b) by deleting 5 (b) and substitute therefor; b) exports or imports any material for purposes of promoting trafficking in persons; ba) generates, develops, advertises, publishes, prints, broadcasts, distributes or causes the generation, development, advertisement, publication, printing, broadcast or distribution of information for purposes of promoting trafficking in persons by any means, including the use of the internet or other information technology;</p> <p>By inserting 5A after subsection 5 to read; 5A “A person who traffics a child for the purpose of exploitation commits an offence is liable to imprisonment for life.”</p>	
<p>Amendment of section 11 of no.8 of 2010</p>	<p>11. Confidentiality (1) Law enforcement officers or the court and any other person involved in the investigation or trial of</p>	<p>In subsection (3) add location to read: - (3) A person who discloses the name, location and personal</p>	

	<p>an offence under this Act, shall throughout the investigation or trial observe the right to privacy of the victim of trafficking in persons and of the witnesses.</p> <p>(2) The court dealing with the trial of an offence under this Act, may after considering all circumstances and for the best interest of the parties, order that the trial be held in camera.</p> <p>(3) A person who discloses the name and personal circumstances of the victim of trafficking in persons or any other information tending to establish the identity of a victim of trafficking in persons and the circumstances of trafficking in persons commits an offence.</p> <p>(4) Where a trial is conducted in camera, any person who publishes the proceedings of the court commits an offence.</p> <p>(5) A person who commits an offence under this section is liable to imprisonment for a term of not less than five years or to a fine of not less than five</p>	<p>circumstances of the victim of trafficking in persons or any other information tending to establish the identity of a victim of trafficking in persons and the circumstances of trafficking in persons commits an offence.</p>	
--	--	---	--

	million shillings or to both, and in the case of a body corporate, a fine of not less than ten million shillings.		
Amendment of section 12 of no.8 of 2010	<p>12. Victim impact statement</p> <p>The prosecution in criminal proceedings relating to a trial of an offence under this Act, may adduce evidence relating to the circumstances surrounding the commission of an offence and the impact of the offence under this Act upon a victim of trafficking in persons—</p> <p>(a) in order to prove whether an offence was committed under this Act—</p> <p style="padding-left: 40px;">(i) towards or in connection with the person concerned; or</p> <p style="padding-left: 40px;">(ii) under coercive circumstances referred to in section 3;</p> <p>(b) for purposes of seeking the imposition by the Court of an appropriate sentence, that relates to the extent of the harm suffered by the victim of trafficking in persons.</p>	The Victim Protection Act will be applicable when dealing with a victim of trafficking in persons.	
Amendment of section	13. Restitution	Section 13 of the principal Act is	

13 of no.8 of 2010	<p>Where a person is convicted of an offence under this Act, the court may, in addition to any other punishment prescribed under this Act, order the person to make restitution or compensate the victim for—</p> <p>(a) the costs of any medical or psychological treatment;</p> <p>(b) the costs of necessary transportation, accommodation and other living expenses;</p> <p>or</p> <p>(c) any other relief that the court may consider just.</p>	<p>amended by renumbering the existing paragraph (c) as (d) and inserting the following new paragraph (c): -</p> <p>(c) damages and in case of the amount of loss or injury exceeds order for compensation which can be made by a criminal magistrate court, a civil suit may be instituted.</p>	
Amendment of section 15 of no.8 of 2010	<p>15. Support and protection of victims of trafficking in persons</p> <p>(1) The Minister shall in consultation with the Advisory Committee formulate plans for the provision of appropriate services for victims of trafficking in persons and children accompanying the victims, including—</p> <p>(a) return to and from Kenya;</p> <p>(b) resettlement;</p> <p>(c) re-integration;</p> <p>(d) appropriate shelter and other basic needs;</p>	<p>Section 15 of the principal Act is amended by: —</p> <p>Section 15 subsection (1) substitute the word “Minister” with “Cabinet Secretary”</p> <p>Inserting the following new section immediately after section 15:-</p> <p>15 A (1) The Cabinet Secretary shall;</p> <p>a) Establish shelters for victims of trafficking in persons.</p> <p>b) Register and license charitable non state shelters for victims of trafficking in persons.</p>	

	<p>(e) psychosocial support;</p> <p>(f) appropriate medical assistance;</p> <p>(g) legal assistance or legal information, including information on the relevant judicial and administrative proceedings; or</p> <p>(h) any other necessary assistance that a victim may require.</p> <p>(2) When developing the plans under subsection (1), the Minister shall consider the age, gender, and the special needs of children and persons with disabilities and the personal circumstances of each victim of trafficking in persons.</p> <p>(3) Victims of trafficking in persons may be eligible to work for gain for the duration of their necessary presence in Kenya.</p> <p>(4) Notwithstanding the provisions of any other law, the victims of trafficking in persons shall be permitted to remain in Kenya until legal proceedings are concluded and may by order of court in such proceedings be</p>	<p>c) Accredit programmes for combatting trafficking in persons</p> <p>(2) Only the entities in sub-section (1) may offer assistance to victims of trafficking in persons.</p> <p>(3) Any organization(s) or shelter/s seeking to be accredited shall make an application in the prescribed form to the Cabinet Secretary who shall make a decision within 60 days and issue an accreditation certificate according to the regulations.</p> <p>(4) A certificate of accreditation shall be valid for three years from the date of its issuance.</p> <p>(5) The Cabinet Secretary shall make Regulations on establishment, accreditation and operations of shelters.</p>	
--	---	---	--

	<p>allowed to bring their children.</p> <p>(5) In all dealings with a trafficked person, any Government officer dealing with the victim or any other person who by virtue of duty is dealing with the victim shall ensure that all communication with that person is in a language that the person understands.</p> <p>(6) The support services provided under this section shall be available to victims of trafficking in persons regardless of their nationality.</p>		
<p>Amendment of section 18 of no.8 of 2010</p>	<p>18. Repatriation of trafficked persons to and from Kenya</p> <p>(1) Subject to this Act the Minister responsible for immigration matters may arrange for the repatriation of the victims of trafficking in persons to their place of origin.</p> <p>(2) Where a Kenyan victim of trafficking in persons across the borders does not have proper documentation, the Government shall issue the necessary travel documents to enable the victim of trafficking in persons</p>	<p>Section 18 of the principal Act is amended—</p> <p>(a) In subsection (1) by deleting the word “Minister” and substituting therefor the word “Cabinet Secretary”</p>	

	<p>to travel and re-enter the country.</p> <p>(3) Where, in the opinion of the Minister for the time being in charge of immigration, the repatriation of a victim of trafficking in persons from Kenya is likely to or would expose the trafficked person to danger, the Minister may permit the trafficked person to continue staying in Kenya for such period as the Minister may consider fit.</p>		
<p>Amendment of section 19 of no.8 of 2010</p>	<p>19. Establishment of the Advisory Committee</p> <p>(1) There is established a Committee to be known as the Counter Trafficking in Persons Advisory Committee.</p> <p>(2) The Counter Trafficking in Persons Advisory Committee shall consist of the following members—</p> <p>(a) the Principal Secretary, in the Ministry responsible for matters relating to immigration;</p> <p>(b) the Principal Secretary, in the Ministry responsible for matters</p>	<p>Section 19 of the Principal Act is amended in subsection (2) by:-</p> <p>a) (a) the Principal Secretary in the Ministry responsible for Matters relating to Immigration or their designated representative;</p> <p>(b) the Principal Secretary, in the Ministry responsible for matters relating to Foreign Affairs or their designated representative;</p> <p>(c) the Principal Secretary in the Ministry responsible for matters relating to Children or their representative;</p>	

	<p>relating to foreign affairs;</p> <p>(c) the Principal Secretary, in the Ministry responsible for matters relating to gender and children;</p> <p>(d) the Principal Secretary, in the Ministry responsible for matters relating to labour;</p> <p>(e) the Attorney General;</p> <p>(f) the Commissioner of Police;</p> <p>(g) a representative of the Kenya National Commission for Human Rights;</p> <p>(h) two representatives from civil society nominated by the respective civil societies dealing with issues relating to women; and children with proven record of involvement in the prevention and suppression of trafficking in persons;</p>	<p>d) the Principal Secretary in the Ministry responsible for matters relating to Counter Trafficking in Persons or their representative;</p> <p>(e) the Principal Secretary in the Ministry responsible for matters relating to Labour or their representative;</p> <p>(f) the Principal Secretary in the Ministry responsible for Internal Security or their representative;</p> <p>Numbering to change from former (e) to be (g)</p> <p>(g) the Attorney General or their representative;</p> <p>(h) the Inspector General of Police or their representative;</p> <p>(i) the Office of Director of Public Prosecutions or their representative;</p> <p>(j) The Chief Executive Officer of the Kenya National Commission on Human Rights or their representative;</p> <p>(k) two representatives from civil society nominated by the respective civil societies dealing with issues relating to Trafficking in Persons; and</p>	
--	--	--	--

	<p>(i) one person nominated by the Central Organization of Trade Unions;</p> <p>(j) one person nominated by the Federation of Kenya Employers;</p> <p>(k) such other members as may be co-opted by the Advisory Committee.</p> <p>(3) The persons nominated under paragraph (2)(h), (i) and (j) shall be appointed by the Minister and shall hold office for a term of three years, which shall be renewable for a further one term.</p> <p>(4) The Secretariat of the Advisory Committee shall reside at the Ministry responsible for matters relating to gender affairs.</p> <p>(5) The conduct and regulation of the business and affairs of the Advisory Committee shall be as provided in the Schedule.</p> <p>(6) Except as provided in the First Schedule, the Advisory Committee may regulate its own procedure.</p>	<p>(l) such other members as may be co-opted by the Counter Trafficking in Persons Advisory Committee.</p> <p>Subsection (3) Is amended by deleting it and substituting with the following new subsection: -</p> <p>(3) The persons nominated under paragraph (2)(k) shall be appointed by the Cabinet Secretary and shall hold office for a term of three years, which shall be renewable for a further one term.</p> <p>Subsection (4) is amended by deleting ‘gender affairs’ and substituting with “Counter ‘Trafficking in Persons” to read:-</p> <p>(4) The Secretariat of the Advisory Committee shall reside at the Ministry responsible for matters relating to Counter Trafficking in Persons.</p>	
--	--	---	--

<p>Amendment of section 20 of no.8 of 2010</p>	<p>20. Functions of the Advisory Committee</p> <p>(1) The functions of the Advisory Committee shall be to advise the Cabinet Secretary on inter-agency activities aimed at combating trafficking and the implementation of preventive, protective and rehabilitative programmes for trafficked persons.</p> <p>(2) Without prejudice to the generality of subsection (1) the Advisory Committee shall advise the Minister on—</p> <p>(a) formulation of a comprehensive and integrated program to prevent and suppress the trafficking in persons;</p> <p>(b) coordination of policies and programmes of the agencies to effectively address the issues and problems attendant to trafficking in persons;</p> <p>(c) coordination of the dissemination of information on the law and the issues relating to trafficking in persons through concerned agencies and non-governmental organizations;</p> <p>(d) formulation of</p>	<p>Section 20 of the principal Act is amended by: —</p> <p>Subsection (1)</p> <p>-addition of “on” and “access to justice” in i. and ii. and separate to read as;</p> <p>(1) The functions of the Advisory Committee shall be to advise the Cabinet Secretary on;</p> <p>i. inter-agency activities aimed at combating trafficking.</p> <p>ii. Programmes on preventive, protective, access to justice and rehabilitation of trafficked persons.</p>	
--	--	--	--

	<p>programmes for the reintegration of both locally and internationally trafficked persons;</p> <p>(e) monitoring and evaluation of the progress of Kenya with respect to prevention, protection and prosecution efforts relating to trafficking in persons;</p> <p>(f) consultation and advocacy with Government departments and agencies and non-governmental organizations, to advance the purposes of this Act;</p> <p>(g) compilation and documentation of data and information on cases of trafficking in persons for purposes of policy formulation and program direction;</p> <p>(h) development of mechanisms to ensure the timely, coordinated, and effective response to cases of trafficking in persons;</p> <p>(i) measures to enhance cooperative efforts and mutual assistance between Kenya and other countries through bilateral and multilateral arrangements to</p>		
--	--	--	--

	<p>prevent and suppress international trafficking in persons; (j) measures necessary to rehabilitate victims of trafficking in persons and in particular the—</p> <p>(i) implementation of rehabilitative programmes including education and protective programmes for the victims of trafficking in persons;</p> <p>(ii) provision of counselling services and temporary shelter to victims of trafficking in persons; and</p> <p>(iii) establishment of centres and programmes for intervention at various levels of the community;</p> <p>(k) mechanisms to screen persons entering or leaving Kenya to determine if they are victims of trafficking in persons;</p> <p>(l) public information campaigns against trafficking in persons;</p> <p>(m) establishment of and support community-based</p>		
--	---	--	--

	<p>initiatives that address trafficking in persons;</p> <p>(n) implementation of effective pre-employment orientation seminars and pre-departure counselling programmes to applicants for overseas employment;</p> <p>(o) such other functions necessary for the implementation of this Act.</p>		
<p>Amendment of section 21 of no.8 of 2010</p>	<p>21. Reporting requirements</p> <p>The Advisory Committee shall submit to the Cabinet and to the National Assembly, an annual report of the policies, programmes and activities relating to the implementation of this Act.</p>	<p>Section 21 of the principal Act is amended by: —</p> <p>Deleting the word “National Assembly” and substitute therefor with the following new section;</p> <p>Reporting requirements</p> <p>The Advisory Committee shall submit to the Cabinet Secretary an annual report of the policies, programmes and activities relating to the implementation of this Act.</p>	
<p>Amendment of section 23 of no.8 of 2010</p>	<p>23. Sources of the Fund</p> <p>(1) The sources of the Fund shall be—</p> <p>(a) such monies as may be appropriated by Parliament for the</p>	<p>Section 23 of the principal Act is amended—</p> <p>-In subsection (1) paragraph (d) by inserting the words “grants and gifts” immediately before the word “received” to</p>	

	<p>purposes of the Fund;</p> <p>(b) any proceeds of crime confiscated or forfeited under section 17;</p> <p>(c) income generated by investments made by the Board of Trustees; and</p> <p>(d) any donation received by the Board of Trustees for purposes of the Fund.</p> <p>(2) Without limiting the generality of section 22(2), the Board of Trustees may make payments out of the Fund for—</p> <p>(a) the expenses arising out of assistance to the victims of trafficking in persons in the manner referred to in section 15;</p> <p>(b) the balance of damages under section 17(2); and</p> <p>(c) such other purposes as the Advisory Committee may recommend.</p>	<p>read: -</p> <p>(d) any donation, grant and gift received by the Board of Trustees for purposes of the Fund.</p>	
Amendment of section	24. Board of Trustees	Section 24 of the principal Act is	

<p>24 of no.8 of 2010</p>	<p>(1) The Fund shall be administered by a Board of Trustees which shall consist of—</p> <p>(a) the Chairman of the Advisory Committee;</p> <p>(b) the Permanent Secretary of the Ministry responsible for gender and children;</p> <p>(c) a representative of the Ministry responsible for gender and children, appointed by the Cabinet Secretary, who shall be the Secretary;</p> <p>(d) a representative of the Ministry responsible for finance, appointed by the Cabinet Secretary responsible for finance;</p> <p>(e) one person conversant with issues relating to trafficking in persons; and</p> <p>(f) one person with experience in financial</p>	<p>amended—</p> <p>(a) By inserting the following new paragraph after paragraph (a)—</p> <p>(a) should be amended by replacing chairman with chairperson.</p> <p>By deleting the word “gender and children” and substituting therefor the word trafficking in persons in paragraphs (b) and (c)</p> <p>(e) addition to read;</p> <p>(e) One person conversant with issues relating to trafficking in persons; who shall be the chairperson of the board.</p> <p>In subsection (2) deleting “shall be” and replacing with “may be” and addition of “for a further one term” and substituting therefor the new subsection;</p> <p>(2) The members of the Board of Trustees under subsection(1)(e) and (f) shall be appointed by the Cabinet Secretary by notice in the Gazette, for a term of three years and may be eligible for reappointment at the</p>	
---------------------------	---	---	--

	<p>management, who shall be the treasurer of the Board of Trustees.</p> <p>(2) The members of the Board of Trustees under subsection (1)(e) and (f) shall be appointed by the Minister, by notice in the Gazette, for a term of three years and shall be eligible for reappointment at the expiry of the term.</p> <p>(3) The Board of Trustees shall conduct its affairs in accordance with regulations prescribed by the Minister and subject to the law relating to trustees.</p>	<p>expiry of the term for a further one term.</p> <p>Inserting the following new section immediately after section 24;</p> <p>24A Establishment of the Secretariat to the Board of Trustees. The Cabinet Secretary in the Ministry responsible for matters relating to Counter Trafficking in Persons shall institute a Counter Trafficking in Persons Secretariat to support the Board of Trustees and implement the recommendations from the Advisory Committee.</p>	
Amendment of section 25 of no.8 of 2010	<p>25. Extra-territorial jurisdiction</p> <p>(1) A citizen of Kenya, or a person who permanently resides in Kenya, who commits an act outside Kenya that constitutes an offence under this Act if committed in Kenya, commits such an offence and is liable on conviction to the same penalty prescribed for such offence under this Act.</p> <p>(2) A person may not be convicted of an offence under subsection (1) if such</p>	<p>Inserting the following new section immediately after section 25;</p> <p>International Cooperation</p> <p>25A The State shall put in place measures to promote international cooperation in combating trafficking in persons.</p>	

	a person has been acquitted or convicted in the country where that offence was committed		
Amendment of section 26 of no.8 of 2010	<p>26. Other penalties</p> <p>(1) Where a person who is not a citizen has been convicted of an offence under this Act, the person shall be deported immediately after serving the sentence and shall stand barred permanently from re-entering Kenya.</p> <p>(2) Any employee or official of a Government agency who knowingly issues or approves the issuance of travel documents or other documents to any person or who fails to observe the prescribed procedures and the requirement as provided for in any law, with the intention of assisting in the commission of an offence under this Act, commits an offence and is liable to imprisonment for a term of not less than shillings, or to both.</p> <p>(3) Where an offender had adopted, fostered or had a child in guardianship who is the subject of an offence under this Act, the court seized</p>	<p>26(2) Any employee or official of a Government agency who knowingly issues or approves the issuance of travel documents or other documents to any person or who fails to observe the prescribed procedures and the requirement as provided for in any law, with the intention of assisting in the commission of an offence under this Act, commits an offence and is liable to imprisonment for a term not less than ten years or to a fine of not less than shillings ten million or both.</p> <p>Subsection (3); delete Children Act, 2001, and replace with Children Act, 2022.</p>	

	of the matter shall rescind the adoption, fostering or guardianship of the child and the child shall be dealt with in accordance with the provisions of the Children Act, 2001.		
First Schedule	<p>2. Vacation of office by member</p> <p>A member appointed under section 19(2)(l), (m) and (n) may at any time resign from office by notice in writing to the Cabinet Secretary.</p>	<p>In section 1 Tenure of office (1) to be substituted to read;</p> <p>Any member of the Committee appointed under section 19(2)(k), shall, subject to the provisions of this Schedule, hold office for a period of three years, on such terms as may be specified in the instrument of appointment, but may be eligible for re-appointment for one further term of three years.</p> <p>In section 2. Vacation of office by member</p> <p>Any member appointed under section 19(2)(k), may at any time resign from office by notice in writing to the Cabinet Secretary.</p>	