

**NYANDARUA COUNTY SYMBOLS AND  
NAMES PROTECTION BILL,  
2014**

**No.....OF 2014**

**TABLE OF CONTENTS**

**ARRANGEMENT OF CLAUSES**

1. Short title and commencement
2. Purpose of the Act
3. Interpretation
4. County flag, county public seal, county emblem declared
5. Insulting a County flag, emblem, name declared an offence
6. Prohibition of improper use of emblems, names and likenesses
7. Prohibition of display of county flags
8. Officials authorized to fly the County Flag
9. Hoisting of the County Flag
10. Custodian of the County flag, etc
11. The National Flag as a symbol of unity and county Flag as a symbol of county unity
12. Power to amend First Schedule
13. Regulations

**NYANDARUA COUNTY SYMBOLS AND NAMES  
PROTECTION BILL, 2014**

**A BILL for**

An Act of County Assembly of NYANDARUA to provide for the use of the County and national flag, emblem, seal, motto and names, to promote cohesion in the county and by extension national unity in the Country and for connected purposes.

**ENACTED** by the County Assembly of NYANDARUA as follows-

**1.** This Act may be cited as the County Symbols and Names Protection Act, 2014 and shall come into operation on such a date as the Executive Committee Member may appoint.

Short title and commencement

**2.** The purpose of this Act is:

- a. To regulate the use the County Symbols and title of Governor and other official names.
- b. To provide for the use of the national flag in the county to promote national unity.

Purpose of the Act

**3.** In this Act, unless the context otherwise requires:-

“citizen service centres” means citizen service centres envisaged under Section 119 of the County Government Act No. 17 of 2012;

“county “ means Nyandarua County;

“county flag” means the Nyandarua County flag specified under part I of First Schedule of this Act;

Interpretation “county symbols” means the County Flag, Emblem, Seal, Motto and Names specified under the First Schedule of this

Act;

“Executive Committee Member” means the Executive Committee Member in charge of Legal and Public Service;

“Governor” means the Governor of Nyandarua County;

"National flag" means the National flag prescribed in the Constitution of Kenya;

"Specified name" means any of the names and words specified in Part V of the First Schedule to this Act, and includes any abbreviation of any such name.

County symbols  
declared

**4.** (1) The flag of which the design and description are set out in Part I of the First Schedule to this Act is hereby declared to be the county flag.

(2) The seal of which the design is set out in Part II of the First Schedule to this Act is hereby declared to be the Public Seal of the county.

(3) The emblem of which the design is set out in Part III of the First Schedule to this Act is hereby declared to be the emblem of the county.

(4) The Motto the content of which is embedded in Part IV of the First Schedule of this Act is hereby declared to be the motto of the County.

Insulting  
county symbols  
declared an  
offence

**5.** Any person who shows disrespect, in speech, manner or writing, to the County symbols or any representation thereof, shall upon conviction be guilty of an offence and shall be liable to an imposition of a fine not exceeding thirty thousand shillings or to imprisonment for a term not exceeding six months or both.

Prohibition of  
improper use of  
county symbols

**6. (1)** Notwithstanding anything contained in any law for the time being in force, a person shall not, except with

the written permission of the Executive Committee Member;

- (a)** Use any county symbol, or any colourable imitation thereof, in furtherance of, or display the same as an advertisement for, any trade, business, calling or profession; or
- (b)** Use any specified county symbol or any colourable imitation thereof, in the title of any patent, or in any trade mark or design; or
- (c)** Manufacture, export or import any article or goods bearing any specified county symbol, or any article or goods on which any title, trade mark or design is used in contravention of paragraph *(b)* of this subsection,

**(2)** Subsection **(1)** *(a)* of this section relating to the use of a specified county symbols shall not apply to the publication of a bona fide news item (whether in a newspaper or by any other medium) or to the publication in a newspaper of any article connected with any bona fide news item other than a news item in the furtherance of, or as advertisement for, any trade, business, calling or profession and or in furtherance of any acts of patriotism that will promote county and national cohesion.

**(3)** Any permission given under subsection (1) of this section may be given subject to such conditions as the Executive Committee Member may deem fit.

**(4)** Any person who contravenes the provisions of this section shall upon conviction be guilty of an offence

and be liable to a fine not exceeding thirty thousand shillings, or to imprisonment for a term not exceeding six months, or both .

Prohibition of display of county symbols

**7. (1)** A person shall not :-

**(a)** without lawful authority, alter the County symbols.

**(b)** in or within view of any public place, use, display, destroy, or damage the County symbols in any manner with the intention of dishonoring it.

**(2)** Any person who contravenes subsection (1) of this section shall be guilty of an offense upon conviction and shall be liable to a fine not exceeding thirty thousand shillings or to imprisonment for a term not exceeding six months or both.

Officials authorized to fly the county flag

**8. (1)** For the avoidance of doubt, the following persons shall fly the County Flag :-

(a) the Governor;

(b) the Deputy Governor;

(c)The Senator

(d) The speaker of county assembly

(e) Executive Committee Members

**(2)** The Executive Committee Member shall prescribe who and in which manner in which the County Flag may be flown or displayed

Hoisting the County Flag

**9. (1)** Subject to this Act, the County flag shall be hoisted on the following occasions:-

(a) at all official functions attended by the Governor, the Deputy Governor, the Senator the Speaker or Executive Committee Members;

(b) at the headquarters of the county government;

- (c) at the county assembly
- (d) at the head offices of sub-counties, wards and villages;
- (e) all educational institutions within the county;
- (f) all citizen service centres.

**(2)** The Executive Committee Member may prescribe such other place where the County flag shall be hoisted or displayed and by whom.

Custodian of the county symbols

**10.** The Executive Committee Member shall be the custodian of the County symbols protected by this Act.

The National Flag as a symbol of unity and patriotism

**11. (1)** The County flag, shall be hoisted within the County together with the national flag and shall be used to unite people by creating visual, verbal, or iconic or representations of the national values and goals in the County.

**(2)** To promote the objective in subsection (1) the Governor shall fly the national flag in the prescribed official car or automobile within the country.

Power to amend First Schedule

**12.** The Executive Committee Member may with the approval of the County Executive Committee and County Assembly, by notice in the County Gazette, amend the First Schedule to this Act.

Regulations

**13. (1)** The Executive Committee Member may make regulations—

**(a)** prescribing other occasions upon which, other persons by whom and the manner in which the County Flag may be flown, lowered or displayed as the case may be;

**(b)** the days and the times during which the

County flag shall be flown;

**(c)** without detracting from the general design depicted in the First Schedule, the standard sizes, dimensions, proportions, and colours of the County Flag for all or any purposes or in all or any circumstances;

**(d)** the conduct and the etiquette to be followed in the flying or other use of the County Flag;

**(e)** provision of funds to conduct of civic education and sensitise persons on use of county symbols and their value to promote county, inter-governmental and national cohesion and patriotism;

**(f)** prohibiting, controlling or restricting the use of any specified county symbol;

**(g)** regulating the manner in which application may be made to the office of the Executive Committee Member for permission under section 6 of this Act;

**(h)** prescribing the form of any license by which such permission may be given and fixing any fee for such application and license.



**FIRST SCHEDULE**

**PART 1**

**THE COUNTY FLAG**



**Part II**

**COUNTY SEAL**



**PART III**

**Nyandarua County Emblem**



**PART 1V**  
MOTTO

**PAMOJA TUJIJENGE**

**PART V**  
**NAMES**

His Excellency to refer to the Governor of the county and the Deputy Governor.

Honourable to refer to the County Speaker, the Executive Committee Members and Members of the County Assembly

**COUNTY SYMBOLS AND NAMES PROTECTION BILL, 2014**

**MEMORANDUM OF REASONS& OBJECTS**

The bill has been submitted by the office of the Executive Committee Member responsible for Legal & Public Service. The bill prevents the improper use of the county flag and of certain emblems, names, words and likenesses for professional and commercial purpose, and to promote the use of county symbols. The bill also allows the governor to fly the national flag in the country for purpose of promoting national unity in the country.

The enactment of the bill shall not occasion additional expenditure of public funds.

Dated the .....2014

George N. Kimani

County Executive Committee Member, Nyandarua County  
in-charge of Legal & Public Service