THE KENYA ROBOTICS AND ARTIFICIAL INTELLIGENCE SOCIETY BILL, 2023

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THE KENYA ROBOTICS AND ARTIFICIAL INTELLIGENCE SOCIETY BILL, 2023

A Bill for

AN ACT of Parliament to provide for the establishment of the Kenya Robotics and Artificial Intelligence Society; to provide for its functions and powers; to promote the responsible and ethical development and application of robotics and artificial intelligence technologies within the Republic of Kenya; and for connected purposes.

BE IT ENACTED by the Parliament of Kenya as follows —

	PART I – PRELIMINARY
Short title.	**1.**This Act may be cited as the Kenya Robotics And Artificial Intelligence Society Bill, 2023
Interpretation	**2.** In this Act, unless the context otherwise requires — ● “Society” means the Kenya Robotics and Artificial Intelligence Society established under the Act. ● "Robotics" means the field of engineering that deals with the design, construction, operation, and application of robots. ● “Artificial Intelligence (AI)” means the ability of machines to perform tasks that are typically associated with human intelligence, such as learning and problem-solving. ● "Society” means the Society of Directors of the Society.

	● "Officer" of the Society means a person who is appointed to hold office under the Society. ● "rules and regulations" means the rules and regulations made by the Society under this Act. ● “Council” refers to the governing body of the society. ● “Practitioners” means any individual or entity involved in the field of robotics and AI. ● “Code of Conduct” means the code of conduct and ethics prescribed by the Society. ● “Standards” refers to the technical standards and best practices developed by the Society. ● “Cabinet Secretary” means the Cabinet Secretary responsible for matters relating to the Ministry of Information, Communication and The Digital Economy.
Objects	**3.**The object of this Act to provide a framework — (a) to promote and advance the responsible and ethical development and application of robotics and artificial intelligence technologies in Kenya. (b) to develop a national AI strategy that prioritizes the use of Swahili in AI development, the strategy should outline goals, timelines, and resources needed. By creating and expanding African language datasets, Kenya can leverage its many assets, starting with its demographics.

	(c) to leverage open-source frontier AI models by fostering a collaborative ecosystem.This involves supporting research and development, promoting ethical AI practices, and incentivizing open-source contributions. By building on existing open-source models, Kenya can accelerate AI adoption across sectors, address local challenges like healthcare and agriculture, and develop innovative solutions while avoiding vendor lock-in and reducing costs. Additionally, open-source models can be adapted to Kenyan data and languages, improving their relevance and effectiveness. (d) to promote and advocate for Universal Basic Income (UBI), a government program that provides a regular, unconditional sum of money to all citizens regardless of their other income sources. This could help address job displacement due to automation. As technology advances, especially in artificial intelligence and robotics, many jobs are at risk. UBI can act as a safety net for those who lose their jobs to automation. (e) to foster collaboration and knowledge exchange among robotics and AI practitioners, researchers, and stakeholders. (f) to establish and enforce standards and best practices for robotics and AI.

	(g) to facilitate research, education, and collaboration among practitioners and stakeholders. (h) to promote public awareness and education regarding the benefits and ethical considerations of robotics and AI technologies. (i) to provide training and education in robotics and artificial intelligence. (j) to establish robotics and artificial intelligence (AI) clubs in our schools and institutions with government funding. (k) to establish chess clubs in our schools and institutions funded with government resources. (l) to create a team of master trainers in Artificial Intelligence (AI) and robotics by collaborating with the Ministry of Education, Teachers Service Commission (TSC), teaching colleges, technical institutions (TVETs), and universities. These trainers will support the industry. (m) to establish AI and robotics curricula and degree courses in Kenyan universities for advancement in the digital age. (n) To enable students to access modern technology such as computers, robots, and artificial intelligence (AI), the proposal includes constructing a Solar-Powered Computer Lab in Shipping Container for Kenyan Learners.This initiative will not only save on electricity costs but also aligns

	with the United Nations' Sustainable Development Goals. Specifically, it supports Goal 7, promoting clean energy, and Goal 13, combating climate change. (o) to develop a sandbox policy that is inclusive and addresses all aspects of AI development, with collaboration from stakeholders from government, industry, academia, and civil society. (p) to advocate and promote blockchain technology and digital assets for integration as a key component of the Fourth Industrial Revolution, alongside quantum computing, artificial intelligence, and robotics.Blockchain can be applied to manage a country's shared resources, such as national or county treasuries, to deter corruption and enhance transparency, accountability, and auditability for citizens. (q) to aim to build data centers in every county via public and private partnerships. (r) to set up a Cloud Computing Policy that gives local cloud service providers "a first choice consideration" to host sensitive government data. And how it could benefit the country's economy. (s) to allocate government grants and funds to startups, community support groups, civil society organizations, and

	non-governmental initiatives (NGOs) working in AI and robotics. (t) to aim,fund,foster,promote and facilitate the Drones,Robotics, and Artificial Intelligence division within the Ministry of Health. (u) to aim,fund,foster,promote and facilitate the Drones,Robotics, and Artificial Intelligence division within the Ministry of Environment, Climate Change and Forestry to combat climate change. (v) to aim,fund,foster,promote, and facilitate the drones,robotics,and Artificial Intelligence division within the Ministry of Agriculture & Livestock Development for harnessing and solving problems in the sector and boosting productivity. (w) to promote the use of robotics and artificial intelligence for social and economic development. (x) to set and enforce industry standards and best practices in robotics and AI. (y) to foster public awareness and understanding of robotics and AI technologies. (z) to cooperate with other organizations in Kenya and abroad to promote the field of robotics and artificial intelligence.

	(aa) to ascertain the role of the private sector in the development and use of robotics and AI. (bb) to harmonize the regulation of robotics and AI, including the use of AI in decision-making that could impact people's lives. (cc) to check the ethical implications of the development and use of robotics and AI. (dd) the bill if the Kenya Robotics and Artificial Intelligence Bill,2023 is passed and made as the Act,should be reviewed and amended every at least every 5 years duration.Due to the rapid change and development of Artificial Intelligence and Robotics industry.
	4. Principles The development and use of robotics and AI in Kenya shall be guided by the following principles: (a) The public good. Robotics and AI shall be developed and used for the benefit of the people of Kenya. (b) Human safety and security. Robotics and AI shall be developed and used in a manner that is safe and secure for humans. (c) Privacy and data protection. The privacy and data protection of individuals shall be respected in the development and use of robotics and AI. (d) Accountability. Those who develop and use robotics and AI shall be accountable for their actions.

	(e) Diversity and inclusion. The development and use of robotics and AI shall be inclusive of all Kenyans.
	PART II - KENYA ROBOTICS AND ARTIFICIAL INTELLIGENCE SOCIETY
Establishment of the Society	**4.** (1) There is established a Society to be known as the Kenya Robotics And Artificial Intelligence Society. (2) The Society shall be a body corporate with perpetual succession and a common seal and shall, in its corporate name, be capable of — **(a)** suing and being sued**;** (b) Taking, purchasing or otherwise acquiring, holding, charging and disposing of movable or immovable property; (c) Entering into contracts; (d) Borrowing and lending money; and (e) Doing or performing all such other things or acts as may be necessary for the proper discharge of its functions under this Act, which may be lawfully done or performed by a body corporate.
Headquarters of the Society	**5.** (1) The headquarters of the Society shall be in Nairobi. (2) The Society may establish such other offices anywhere in Kenya as it may consider necessary for the effective performance of its functions under this Act.
Powers of the Society	**6.** (1) The Society shall have all the powers necessary for the proper performance of its functions under this Act. (2) Without prejudice to the generality of the foregoing, the Society shall have power to—

	(a) enter into contracts; (b) manage, control and administer the assets of the Society in such manners and for such purposes as best promote the purpose for which the Society is established; (c) receive gifts, grants, donations or endowments made to the Society and make disbursements there from in accordance with the provisions of this Act; (d) subject to the approval of the Cabinet Secretary for the time being responsible for matters relating to Ministry of Information, Communication and The Digital Economy, invest any of the Society's funds not immediately required for the purpose of this Act, as it may determine; and (e) open such bank accounts for its funds as may be necessary. (3) The Society may, if it considers it necessary, create or take part in the reaction of, become a member of or associate with a body or ration designed to assist or promote the robotics and artificial intelligence (AI) industries..
Composition of the Society.	7. The Society shall consist - (1) the office bearers The office bearers of the association shall be : (a) The National Chairperson (b) The vice-National Chairperson (c) The Secretary (d) The Organizing Secretary (e) The Treasurer (f) The Assistant Treasurer

Qualifications for appointment as a member.	8. (1) A person is qualified for appointment as a member of the Society under section 7(1)(a), (b), (c), (d), (e) and (f) if that person- (a) is a citizen of Kenya; (b) has a certificate in secondary school education; (c) Have a recognized university degree in a relevant field with a focus or specialization in Artificial Intelligence (AI) and robotics. (d) has at least three years' experience in management; and (e) meets the requirements of leadership and integrity set out in Chapter Six of the Constitution. (2) A person is not qualified for appointment if that person (a) is convicted of a criminal offence and sentenced to a term of imprisonment of at least six months; or Is adjudged bankrupt.
Tenure of appointment.	**9.** A person who is appointed under section 7 shall serve for a term of three years renewable for one further term.
Vacation of office	10. A person shall cease to be a member of the Society if that person- (a) is absent, without reasonable cause, for three consecutive meetings of the Society; (b) becomes an officer, agent or member of staff of the Society; (c) resigns in writing addressed, in the case of the

	chairperson. (d) is convicted of a criminal offence and sentenced to a term of imprisonment of at least six months; (e) is declared bankrupt; (g) is unable to perform the functions of office by reason of mental or physical infirmity; or dies.
Functions of the Society.	11. (1) The functions of the Society shall be to - (a) regulate and promote the development of the robotics and artificial intelligence (AI) industry; (b) advise the Cabinet Secretary on the emerging robotics and artificial intelligence (AI) trends; (c) make recommendations to the Cabinet Secretary on the implementation of strategies, plans and policies relating to the robotics and artificial intelligence (AI); (g) Formulate robotics and artificial intelligence (AI) national standards acceptable in the internationally; (h) carry out surveillance and inspections to ensure compliance with the standards and legislation on the robotics and artificial intelligence (AI); (i) establish linkages with local and international training and research institutions to conduct scientific research and investigations in all areas pertaining to the development of the robotics and artificial intelligence (AI); (j) undertake technology transfer and provide technical assistance to county governments on matters relating to robotics and artificial intelligence (AI) industry; (k) collect, collate and disseminate information on the robotics and artificial intelligence (AI) industry including the appropriate technology and practices to ensure maximisation of gains of robotics and artificial intelligence (AI) to the general populace; (1) regulate the robotics and artificial intelligence (AI)

	by-products to conform to the quality or standards recognized in the international market; (m) put in place a framework for capacity building and training of various players in the robotics and artificial intelligence (AI); (n) develop and enforce the robotics and artificial intelligence (AI) industry standards and industry code of practice in collaboration with the ICT Authority of Kenya and the Office of The Data Protection Commissioner Kenya,Kenya Civil Aviation,Communications Authority of Kenya,Kenya Bureau of Standards and other relevant government agencies; (o) carry out periodic research to determine and make recommendation on robotics and artificial intelligence (AI) emerging trends; (2) The Society shall consult and collaborate with the county executive committee members in the development, promotion and regulation of the robotics and artificial intelligence industries in the respective counties (3) The functions of the Society shall be to: (a) Manage the affairs of the Society; (b) Ensure that the Society fulfills its objects; (c) Appoint the officers of the Society; (d) Approve the budget of the Society; (e) Make rules and regulations for the management of the Society. (f) Develop and enforce a Code of Conduct for members. (g) Establish committees and working groups for specific purposes,

Committees of the Society.	12. (1) The Society may establish such committees as it may consider necessary for the efficient performance of its functions and the exercise of its powers under this Act. (2) The Society may co-opt any person to sit in a committee established under subsection (1) such persons whose knowledge and skills are found necessary for the performance of the functions of the Society.
Delegation by the Society.	**13.** The Society may, by resolution either generally or in any particular case, delegate to any committee, member, officer, employee or agent of the Society, the exercise of any of the powers or the performance of any of the functions of the Society under this Act or under any other written law
Remuneration of members of the Society.	**14.** The members of the Society shall be paid such remuneration, fees or allowances as the Society shall, in consultation with the Salaries and Remuneration Commission, determine.
Staff of the Society	. **15**. (1) The Society may employ such officers, agents and staff as are necessary for the proper and efficient discharge of the functions of the Society under this Act and upon such terms and conditions of service as the Society may determine. (2) The persons appointed under subsection (1) shall be competitively recruited and appointed by the Society and shall serve on such terms and conditions as the Society may, in consultation with the Salaries and Remuneration Commission determine. The staff appointed under subsection (1) shall possess such knowledge and experience as shall be determined by the Society.
Protection from personal liability.	**16.** Liability shall not attach to the Society or to any of its members, officers, agents or staff for loss or damage incurred by a person as a result of an act or omission done or made in good faith and without negligence in the performance or exercise or the intended performance or exercise of any duty or power imposed by or conferred under this Act.
Common seal of the Society.	**17..** (1) The common seal of the Society shall be kept in the custody of the chairperson or such other person as the Society may direct, and shall not be used except upon the order of the Society.

	(2) The seal of the Society shall be authenticated by the signature of the chairperson and or a person designated by the Society for that purpose on behalf of the chairperson.
Signing authority	**18.** All letters and instruments written or made by or on behalf of the Society, other than those required by law to be under seal, and all decisions of the Society, shall be signed under the hand of the chairperson or in the absence of the chairperson , a person authorized by the Society.
Meetings of Society.	**19.** (1) The business and affairs of the Society shall be conducted in accordance with the provisions set out in the First Schedule. (2) Except as otherwise provided in the First Schedule, the Society may regulate its own procedure (3) The Society may invite any person to attend any of its meetings and to participate in its deliberations, but such person shall not be entitled to vote on any of the Society's decisions.
	PART III - ROLE OF THE NATIONAL GOVERNMENT
Role of the national government.	**20**. (1) The government of Kenya shall establish an institutional framework for the development and use of robotics and AI. This framework shall include the following: (a) A national robotics and AI commission. The commission shall be responsible for developing and implementing policies and regulations for the development and use of robotics and AI. (b) A national robotics and AI research and development center. The center shall be responsible for conducting research and development in robotics and AI. (c) A national robotics and AI education and training program. The program shall be responsible for training Kenyans in the field of robotics and AI.

	(2) **Funding** The government of Kenya shall provide funding for the development and use of robotics and AI. This funding shall be used to support the activities of the national robotics and AI commission, the national robotics and AI research and development center, and the national robotics and AI education and training program.
	PART IV - ROLE OF THE COUNTY GOVERNMENTS
	21. (1) The county governments of Kenya shall provide funding for the development and use of robotics and AI at the county level. (2) Enactment of county specific legislation Each county government may enact county specific legislation setting out –the criteria for the registration of a robotics and artificial intelligence industry within the respective county.
	PART IV - **REGULATORY PROVISIONS**
Regulations	**22.(**1)The Kenya Robotics and Artificial Intelligence Bill,2023 regulation, takes a risk-based approach:

	(a).**High-risk AI**: ● · Banned: Facial recognition in public spaces, social scoring and AI systems manipulating behavior. ● · Strict requirements: Robust risk assessments, human oversight, data quality and bias checks, transparency measures, and record-keeping. (a) **Moderate-risk AI**: ● Transparency obligations: Inform users about AI use and its purpose. ● Risk management measures: Address identified risks with appropriate safeguards. (b) **Low-risk AI**: ● Minimal regulations, encouraging innovation. (c) **General key points**: ● Promotes human-centric AI respecting fundamental rights and democracy. ● Establishes independent national supervisory bodies for enforcement. (d) (i) The Draft Computer Misuse And Cybercrime (Amendment) Bill, 2025 (ii) Data Protection Act No.24 of 2019. (iii) The Computer Misuse and Cybercrimes Act No.5 of 2018 ● Takes effect in two years, allowing time for adaptation. (e) **e)Sandbox Policy**

	Develop a sandbox policy that is inclusive and addresses all aspects of AI development, with collaboration from stakeholders from government, industry, academia, and civil society.
Registration.	**23. (1)** All Kenyans are free and eligible to be individual members of the Kenya Robotics and Artificial Intelligence Society at no cost. Additional prescribed fees apply for registration as partnerships, sponsors, patrons, or any other membership categories suggested and adopted by the Society. (2) Any person may inspect the register and obtain a copy of an extract from the register, on payment of a prescribed fee.
	PART V - FINANCIAL PROVISIONS
Funds of the Society.	**24.(**1) The funds of the Society shall consist of- (a) monies appropriated by Parliament for the purposes of the Society; (b) such monies or assets as may accrue to or vest in the Society in the course of the exercise of its powers or the performance of it functions under this Act or any other written law; (c) monies received in respect of the fees; and donations, grants, loans or gifts made to the Society and approved by the Cabinet Secretary for finance.
Annual Estimates.	**25.** (1) At least three months before the commencement of each financial year, the Society shall cause to be prepared estimates of the revenue and expenditure of the Society for that year. (2) The annual estimates shall make provision for all estimated expenditure of the Society for the financial year concerned.
Accounts and Audit.	**26**.(1) The Society shall cause to be kept such books of accounts and other books in relation thereto of all its

	undertakings, funds, activities and property. (a) a balance sheet showing in detail the assets and liabilities of the Society.
Annual report and publication.	(2)(1) The Society shall, within a period of three months after the end of each financial year or within such a period, submit a report of the operations of the Society during such year, and maybe the yearly balance sheet and such other statements of account as the relevant government agencies ought to require. **(3)** The Society shall, publish the report, balance sheet and statements submitted to him under subsection (1).
Financial year of the Society.	The financial year of the Society shall be the period of twelve months ending on the thirtieth of June in each year.
	PART VI - MISCELLANEOUS PROVISIONS
Incentives.	**27.** The Cabinet Secretary responsible for finance may from time to time implement such measures, including tax incentives in order to promote the development of the robotics and artificial intelligence (AI) industry.
	PART VII- TRANSITIONAL PROVISIONS.
Interpretation.	**28.** In this Part- "appointed day" means the day this Act comes into force
Rights and obligations.	**29.** On the appointed day, all rights, obligations and contracts which, immediately before the coming into operation of this Act, were vested in or imposed on the Kenya Robotics and Artificial Intelligence Society Act 2023 with respect to the robotics and artificial intelligence sector shall by virtue of this section, be deemed to be the rights, obligations and contracts of the Society as the case may be.

	FIRST SCHEDULE
	PROVISIONS RELATING TO THE CONDUCT OF BUSINESS AND AFFAIRS OF THE SOCIETY
Meetings	**1.** (1) The Society shall have at least ten meetings in every financial year and not more than two months shall elapse between the date of one meeting and the date of the next meeting. (2) Meetings shall be convened by the chief executive officer in consultation with the chairperson and shall be held at such times and such places as the chairperson shall determine. (3) The respective Chairpersons shall preside over all meetings and in the absence of the Chairperson, by a person elected by the Society as the case may be at the meeting for that purpose. (4) The Chairperson may at any time convene a special meeting of the Society as the case may be, and shall do so within one month of the receipt by the Chairperson of a written request signed by at least five other members. Unless half of the members of the Society otherwise agree, at least seven days' notice of a meeting shall be given to every member of the Society as the case may be.
Quorum	**2.** The quorum of a meeting of the Society is half of the total number of members.
Voting.	**3.** A decision of the Society shall be by a majority of the members present and voting and, in the case of an equality of votes; the person presiding at the meeting shall have a second or casting vote.
Minutes.	**4.** Minutes of all meetings shall be kept and entered in records kept for that purpose.
Disclosure of interest.	directs, take part in any consideration or discussion of, or vote on any question touching on the matter. (3) A disclosure of interest made under subsection (1) shall be recorded in the minutes of the meeting at which it is made. (4) A person who contravenes subsection (1) commits an offence and upon conviction is liable to a fine not exceeding five hundred thousand shillings or to imprisonment for a term not

	exceeding seven years or to both such fine and imprisonment. (5) A member or employee of the Society shall not transact any business or trade with the Society.

SECOND SCHEDULE – COUNTIES

COUNTIES

1. Mombasa
2. Kwale
3. Kilifi
4. Tana River
5. Lamu
6. Taita/Taveta
7. Garissa
8. Wajir
9. Mandera
10. Marsabit
11. Isiolo
12. Meru
13. Tharaka-Nithi
14. Embu
15. Kitui
16. Machakos

17. Makueni
18. Nyandarua
19. Nyeri
20. Kirinyaga
21. Murang'a
22. Kiambu
23. Turkana
24. West Pokot
25. Samburu
26. Trans Nzoia
27. Uasin Gishu
28. Elgeyo/Marakwet
29. Nandi
30. Baringo
31. Laikipia
32. Nakuru
33. Narok
34. Kajiado
35. Kericho
36. Bomet
37. Kakamega
38. Vihiga
39. Bungoma

40. Busia

41. Siaya

42. Kisumu

43. Homa Bay

44. Migori

45. Kisii

46. Nyamira

47. Nairobi City

IN WITNESS WHEREOF, I have hereunto set my hand this 4th September, 2023

Robotics Society of Kenya (RSK)