

I Am Here: obtaining your identification and vital documents

Kenya

Table of contents

National Identification Cards.....	4
What type of document can youth seek which will allow them to move around the country?	4
What is the process for getting a National ID card?	4
Where can I find information online about getting a National ID?	4
What documents do I have to have to get a National ID? Is there any document that I must have to get an ID?	4
What if my documents do not have my correct name/address?	5
What if I only have foreign documents?	5
What happens if my documents are not accepted to get a National ID card?	5
Do I have to be a resident of the country to get a National ID card?	5
What does it mean to be a resident of this country? How do I prove residency?	5
What can I do if I do not have residency in this country?	5
Will I need a mailing address? What can I do if I am homeless?	5
What is the application process? Can I complete it online?	5
Is there an application fee? Is there a waiver option if I cannot afford to pay it?	6
How old do I have to be to apply for a National ID card by myself?	6
What can I do if I do not have a parent or guardian who can go with me (and the application says I have to have one)?	6
At what age can I get a National ID card by myself?	6
Are there any special provisions for foster youth (children in custody of the government)?	6
Are there any special provisions for homeless youth?	6
Will I have to take a test?	6
If applicable, do I have to make an appointment to take the test?	6
Driver's License	7
What organization issues a driver's license in this country?	7
What is the process for getting a driver's license?	7
Where can I find information online about getting a driver's license?	7
What documents do I have to have to get a driver's license? Is there any document that I must have to get a driver's license?	7
What if my documents do not have my correct name/address?	8
What if I only have foreign documents?	8

What happens if my documents are not accepted to get a driver's license?.....	8
Do I have to be a resident of the country to get a driver's license?	8
What does it mean to be a resident of this country? How do I prove residency?	8
What can I do if I do not have residency in this country?	8
Will I need a mailing address? What can I do if I am homeless?	8
What is the application process? Can I complete it online?	9
Is there an application fee? Is there a waiver option if I cannot afford to pay it?	9
How old do I have to be to apply for a state driver's license by myself?	9
What can I do if I do not have a parent or guardian who can go with me (and the application says I have to have one)?	9
At what age can I get a driver's license card by myself?	9
Are there any special provisions for foster youth (children in custody of the government)?	9
Are there any special provisions for homeless youth?	9
Will I have to take a test?.....	9
If applicable, do I have to make an appointment to take the test?	10
Where can I take the driving test? What can I do if I cannot get to a testing location?	10
Do I need to get a permit or authorization to practice driving before I get my driver's license?	10
Birth Certificate	11
What is the document detailing a person's birth called in this country?	11
I'm not sure I have a birth certificate, what can I do to find out if I have one and where to get it?	11
How do I get a copy of my birth certificate?.....	11
Can I order my birth certificate online?.....	11
What documents will I need to get my birth certificate?	11
What happens if I don't have some or all of the documents that are required?.....	11
How old do I have to be to get a copy of my birth certificate by myself?	11
What can I do if I do not have a parent or guardian who can go with me to get a birth certificate (and the application says I have to have one)?	12
What is the cost to get a birth certificate?.....	12
Is there a waiver if I cannot afford the fee?	12
Are there any special laws or provisions that can help get a birth certificate if I have been in the foster care system (children in custody of the government)?	13

Are there any special laws or provisions that can help get a birth certificate if I am homeless?	13
Where do I get my birth certificate if I was born in another country?	13
Is there a way to get my birth certificate without going somewhere in person?	13
Where can I find information online about getting a birth certificate?	13
Making changes to government ID documents	14
What vital doc should I start with to change my name? Is the process easier for one of the IDs?	14
How do I change my name on my birth certificate?	14
How do I change my name on my National ID?	15
How do I change my name on my driver's license?	15
At what age can I change my name by myself?	16
What can I do if I do not have a parent or guardian with me to change my name and do not have anyone who can help me?	17
What vital doc should I start with to change my gender marker? Is the process easier for one of the IDs?	17
How do I change my gender marker on my birth certificate?	17
How do I change my gender marker on my National ID?	17
How do I change my gender marker on my driver's license?	18
At what age can I change my gender marker by myself?	18
What can I do if I do not have a parent or guardian with me to change my gender marker and do not have anyone who can help me?	19

National Identification Cards

What type of document can youth seek which will allow them to move around the country?

If you are aged 18 or older, you can apply for a National ID card.

<https://hudumakenya.go.ke/lifeEvent/ServiceDetails/59>

IMPORTANT NOTE:

From 18 April 2024, the National Identification Cards column may need to be revisited/reviewed in the next few months prior to publication. Research indicates that around November 2023, Kenya was planning to move to a new national register/form of ID called the "Maisha Card." However, that was put on hold in December 2023 until late February 2024, when the High Court lifted orders halting the process. The NIC column contains information about what is understood to be the current process of applying for an ID card, but it needs a further review in the coming months as the process will likely change.

[EXCLUSIVE: New features of Kenya's 3rd generation ID dubbed Maisha Card | Pulselive Kenya](#)

<https://www.citizen.digital/news/govt-announces-issuance-of-maisha-cards-to-resume-immediately-n337249>

<https://khrc.or.ke/press-release/government-shouldnt-force-flawed-digital-id-system-on-kenya/>

What is the process for getting a National ID card?

You need to be at least 18 years old to apply for a National ID card.

To apply for a National ID card, you will need to book an appointment at your local National Registration Bureau office. At your appointment, you will complete an application form detailing your bio data (date of birth, gender, race and religion, etc.), after which your fingerprints and passport photograph will be taken.

You will need to take proof of age, names and place of birth to the appointment, which could include any of the following:

- Birth certificate
- Religious certificate
- School leaving certificate
- Age assessment certificate from a medical officer of health

- Child health card
- Notification of birth
- Letter of chief/assistant chief administrative officer
- Sworn affidavits for late registration
- Proof in support of citizenship
- Parents' ID card for Kenyans by birth
- Certificate of registration as a Kenyan citizen (Kenyan by registration or naturalization)

If your application is successful, you will be issued with a temporary ID card while your National ID card is being processed. Once your National ID card is ready, you will have to return the temporary ID card.

The process costs KSh.100 and there is a 10-day processing period from the date of your appointment.

Where can I find information online about getting a National ID?

You can find more information at:

<https://hudumakenya.go.ke/lifeEvent/ServiceDetails/59>

What documents do I have to have to get a National ID? Is there any document that I must have to get an ID?

1. First, you need to complete a Reg.136D form, which you can find here: https://www.kenyaconsulatela.go.ke/wp-content/uploads/2024/02/REG_136A-D-2.pdf
2. You will also need to show proof of age, name and place of birth, which could include any of the following:
 - Two passport-sized photos taken on a **white background**
 - Proof of address, e.g., a telephone or energy bill
 - Original and copy of your birth certificate
 - Original and copy of your valid Kenyan passport
 - Copy of Kenyan Identity Card of **either parent** or copy of Kenyan passport of **either parent** (where applicable)

[Editor's note: Version CASE3238807 provides a longer list. See below:

- Birth certificate
- Religious certificate
- School leaving certificate
- Age assessment certificate from a medical health officer
- Child health card
- Notification of birth
- Letter of chief/assistant chief administrative officer
- Sworn affidavits for late registration
- Proof in support of citizenship
- Parent's ID card for Kenyans by birth
- Certificate of registration as a Kenyan citizen (Kenyan by registration or naturalization)

<https://hudumakenya.go.ke/lifeEvent/ServiceDetails/59>

What if my documents do not have my correct name/address?

Try and find other documents which have your correct name/address, or try and get your name and address corrected and the document reissued. For example, you can provide a written explanation to the passport control officer.

You can also take your documents to your nearest National Registration Bureau office and explain the situation to the officer there. Alternatively, you can call the Huduma Contact Centre on +254 (020) 6900020 to discuss your documents.

<https://hudumakenya.go.ke/lifeEvent/ServiceDetails/59>

<https://hudumakenya.go.ke/contactus>

What if I only have foreign documents?

You can use foreign documents, but these will need to be certified and stamped by an official such as a lawyer or a notary.

Additionally, if you are not a Kenyan citizen, you may be able to instead apply for a Foreign Nationals Certificate (Alien Card). Information about that process can be found here: <https://immigration.go.ke/issuance-of-foreign-nationals-certificate-alien-card/>

What happens if my documents are not accepted to get a National ID card?

You should go to your nearest National Registration Bureau office or call the Huduma Centre on +254 (020) 6900020 to discuss what other documents you can provide to get a National ID card.

<https://hudumakenya.go.ke/lifeEvent/ServiceDetails/59>

Do I have to be a resident of the country to get a National ID card?

No, you do not have to be a resident to apply for a National ID card. You can still apply for a Kenyan National ID card if you are of Kenyan origin. Contact the Kenyan embassy in your country for information on how to apply for a National ID card.

If you are of Kenyan origin and based in the United Kingdom, these are the requirements: <https://www.kenyahighcom.org.uk/national-id-applications#ID-requirements>

What does it mean to be a resident of this country? How do I prove residency?

Permanent residents enjoy various rights, including the right to remain in Kenya, be employed (without a work permit, own property legally, access social services and facilities.

You can prove that you are legally resident by having a permanent residency permit.

What can I do if I do not have residency in this country?

You can still apply for a Kenyan National ID card if you are of Kenyan origin (by birth, e.g., one of your parents was a Kenyan citizen at the time of your birth; or by marriage, i.e., you have been married to a Kenyan citizen for at least seven years). Contact the Kenyan embassy in your country to understand the process of how to apply for a National ID card.

Will I need a mailing address? What can I do if I am homeless?

If you are in Kenya, please contact your local Huduma Centre if you do not have a mailing address <https://hudumakenya.go.ke/>

If you are outside of Kenya, please contact the Kenyan embassy in your country if you do not have a mailing address.

What is the application process? Can I complete it online?

You can apply in person or online.

Online

- Visit the official Immigration Department website.
- Fill out the application form with your personal information (name, gender, address, and phone number).

- Upload the required documents (like birth certificates and passport photos).
- Pay the applicable fee via debit/credit card or the Mpesa platform (mobile money).
- Upon successful payment, submit your application form and wait for further instructions from the Immigration Department for further processing of your ID Card application.

In person

- Visit your nearest Huduma Centre with the required documents.
- Fill out a hardcopy application form.
- Submit your application along with payment of any applicable fees.
- After submitting your application, you will receive an acknowledgement slip containing details about your application and tracking number to follow up on its progress online or through mobile SMS service.

Is there an application fee? Is there a waiver option if I cannot afford to pay it?

The fee for a Kenyan identity card is approximately Ksh.100 (\$0.76) ([Huduma Kenya](https://hudumakenya.go.ke/lifeEvent/ServiceDetails/59)). The fee must be paid in order to finalize the application process. Additionally, you may be required to pay a small processing fee. There is no option for the fee to be waived.

You could contact your nearest National Registration Bureau office or call the Huduma Contact Centre on +254 (020) 6900020 to discuss what payment options are available to you.

<https://hudumakenya.go.ke/contactus>

How old do I have to be to apply for a National ID card by myself?

You have to be at least 18 years old to apply for a National ID card.

<https://hudumakenya.go.ke/lifeEvent/ServiceDetails/59>

What can I do if I do not have a parent or guardian who can go with me (and the application says I have to have one)?

You will not need a parent or guardian to go with you to apply for a national ID card. You have to be 18 years old or over to apply for an ID card.

At what age can I get a National ID card by myself?

You have to be 18 years old or over to apply for an ID card.

Are there any special provisions for foster youth (children in custody of the government)?

No.

<https://hudumakenya.go.ke/lifeEvent/ServiceDetails/59>

Are there any special provisions for homeless youth?

You need to provide proof of residence when you apply for a national ID card. You could try staying with a friend or relative and giving the address of that friend or relative or asking a homeless shelter to give their address.

<https://kenya.graceslist.org/directory/categories/homeless-shelters>

Will I have to take a test?

No. You just need to make an appointment to apply for the National ID card and provide the required supporting documents.

<https://hudumakenya.go.ke/lifeEvent/ServiceDetails/59>

If applicable, do I have to make an appointment to take the test?

Not applicable.

<https://hudumakenya.go.ke/lifeEvent/ServiceDetails/59>

Driver's License

What organization issues a driver's license in this country?

The National Transport and Safety Authority (NTSA) issues driver's licenses in Kenya.

<https://ntsa.ecitizen.go.ke/index.php?id=2>

What is the process for getting a driver's license?

The National Transport and Safety Authority (NTSA) issues driver's licenses to allow a person to drive a motor vehicle of any class on the road.

You can access NTSA services using your eCitizen account.

You need to login to your eCitizen account, apply and pay for your provisional driver's license (PDL), book your driving test, and download your interim driver's license online.

The following terms and conditions should be considered before applying for a driver's license:

No driver's license or provisional license shall be granted to any person:

1. Under the age of 16 years
2. Under the age of 18 years, except for motorcycles
3. Endorsed in respect of matatus and motor-omnibuses, unless the applicant:
 - (a) Is over the age of 24 years
 - (b) Has for not less than four years held a license endorsed in respect of motor cars or commercial vehicles.

Any person driving a motor vehicle on a road shall carry their driver's license or provisional license, and on being so required by a police officer, produce it for examination.

CONDITIONS FOR GRANTING DRIVER'S LICENSE

A licensing officer shall not grant an applicant a driver's license for any class of motor vehicle unless the applicant:

1. Satisfies the licensing officer that
 - (a) They have passed a test of competence to drive that class of motor vehicle and holds a certificate of competence
 - (b) Is the holder of a valid driver's license for that class of motor vehicle granted by a competent authority in a member country of the Commonwealth, or

(c) Is the holder of an international driving permit

2. Declares whether or not they are suffering from any disease or physical disability that could, by driving a motor vehicle, make them a source of danger to the public
3. Is able to read, with glasses if worn, a motor vehicle identification plate at a distance of 25 meters. A person who is totally blind or blind in one eye is not allowed to hold a driver's license.

If a licensing officer has reason to believe that an applicant for a driver's license has a disease or physical disability that is likely to cause them, by driving a motor vehicle of the class or classes for which the license application is made, to be a source of danger to the public, the application may be disapproved unless the applicant:

1. Produces a certificate from a medical practitioner stating that the applicant is physically fit to drive the class or classes of motor vehicle in question; and
2. Undergoes and passes a driving test

<https://ntsa.ecitizen.go.ke/index.php?id=8>

Where can I find information online about getting a driver's license?

You can find all information online about getting a driver license on the NTSA website:

<https://ntsa.ecitizen.go.ke/index.php?id=3>

<https://ntsa.ecitizen.go.ke/index.php?id=3>

<https://ntsa.ecitizen.go.ke/index.php?id=8>

What documents do I have to have to get a driver's license? Is there any document that I must have to get a driver's license?

Please find following main documents to get driver's license in Kenya:

- Proof that you are more than 18 years old
- Police clearance certificate
- Criminal record check
- Medical test certificate
- Proof of ability to read and write in Kenya's official languages.

<https://ntsa.ecitizen.go.ke/index.php?id=4>

What if my documents do not have my correct name/address?

You will need to update your documents first before applying for a driver's license. You will need your updated ID card to apply for a driver's license. To change the name and address in your ID card, you will need:

- A duly completed Form Reg. 136A ([click to download](#))
- Copy and original of applicant's ID
- Two passport-size photographs recently taken on a white background
- Copy of applicant's Kenya passport (bio data page)
- Residence permit/naturalization certificate/proof of having regained Kenya citizenship and or declared Kenya citizenship
- Copy of marriage certificate (if foreign issued, to be notarized).
- A copy of deep poll prepared and registered in Kenya accompanied by a copy of Kenya Gazette Notice effecting name change
- Ladies changing names as a result of marriage to be accompanied by their husbands at the time of submission of the application
- A secure, registered and trackable self-addressed envelope with prepaid postage for dispatch of your documents. The envelope should have sufficient postage (not less than 100g) clearly indicating full names and post code for the applicant.

<https://www.kenyahighcom.org.uk/kenyan-national-id>

What if I only have foreign documents?

You can register for your driving license application on NTSA eCitizen with your Foreign Certificate Individual number.

If needed, you can visit the Department of Immigration to apply for your foreign certificate.

Resource: <https://ntsa.ecitizen.go.ke/index.php/help/faq>

What happens if my documents are not accepted to get a driver's license?

Provided your documents are up to date and you meet the requirements, your documents will be accepted. You can apply for a driver's license here:

<https://ntsa.ecitizen.go.ke/index.php?id=8>

Also, see guidance here: <https://www.howtoguides.co.ke/how-to-apply-for-a-smart-driving-licence-smart-dl-in-kenya/>

If still not accepted, you should go to your nearest National Transport and Safety Authority (NTSA) office, or call the NTSA call center on 0709 932 300 to find out why your documents are not accepted, and what you need to do.

<https://www.ntsa.go.ke/contacts.php>

Do I have to be a resident of the country to get a driver's license?

If you are not a resident of Kenya, you can register via eCitizen using your Foreign Certificate Individual number. This is mandatory for non-citizens.

<https://ntsa.ecitizen.go.ke/index.php/help/faq>

You can visit the Department of Immigration to apply for your Foreign National Certificate.

<https://immigration.go.ke/issuance-of-foreign-nationals-certificate-alien-card/>

What does it mean to be a resident of this country? How do I prove residency?

The Kenya Citizenship and Immigration Act 12 of 2011 (Act) defines a permanent resident as an individual who has been granted permanent residence status in accordance with the Act. Permanent residence status need not be renewed unless it is revoked for any reason specified under the Act.

Source:

[https://www.cliffedekkerhofmeyr.com/news/publications/2024/Sector/Immigration/immigration-alert-6-May-2024-permanent-residence-in-kenya-what-you-need-to-know#:~:text=a%20permanent%20resident%3F-,The%20Kenya%20Citizenship%20and%20Immigration%20Act%2012%20of%202011%20\(Act,reason%20specified%20under%20the%20Act.](https://www.cliffedekkerhofmeyr.com/news/publications/2024/Sector/Immigration/immigration-alert-6-May-2024-permanent-residence-in-kenya-what-you-need-to-know#:~:text=a%20permanent%20resident%3F-,The%20Kenya%20Citizenship%20and%20Immigration%20Act%2012%20of%202011%20(Act,reason%20specified%20under%20the%20Act.)

To prove residency, you will need bills in your name and address such as water, electricity, and fixed telephone bills; tenancy/lease agreements; or title documents.

Additionally, you must be physically present and legally within the country to qualify as a resident.

You can prove that you are legally resident by having a residence permit, permanent residency permit, work permit or dependent/student pass.].

What can I do if I do not have residency in this country?

If you are not a resident of Kenya, you can file your driver's license application using your Foreign Certificate Individual number for non-citizens:

You can visit the Department of Immigration to apply for your Foreign National Certificate.

<https://ntsa.ecitizen.go.ke/index.php/help/faq>

Will I need a mailing address? What can I do if I am homeless?

If you are in Kenya, please contact your local Huduma Centre if you do not have a mailing address: <https://hudumakenya.go.ke/>

If you are outside of Kenya, please contact the Kenyan embassy in your country if you do not have a mailing address.

Although, it seems unlikely that you will need a mailing address, as various sources indicate that you can collect your driver's license from the National Transport and Safety Authority office where you applied for it once it is ready.

<https://www.tuko.co.ke/259668-how-check-my-driving-licence-is-original-kenya.html>

<https://hudumakenya.go.ke/lifeEvent/ServiceDetails/69>

What is the application process? Can I complete it online?

The fees for obtaining a driver's license in Kenya are as follows:

Learner's license: KES 1,500

Driving test: KES 3,000

Issuance of a driver's license: KES 2,000

Yes, it can be done online: <https://ntsa.ecitizen.go.ke/index.php?id=8>

Is there an application fee? Is there a waiver option if I cannot afford to pay it?

The current fees for obtaining a driver's license in Kenya are as follows: Learner's license: KES 1,500. Driving test: KES 3,000. Issuance of a driver's license: KES 2,000

There does not appear to be a waiver option if you cannot pay the associated fees. You could contact your nearest National Transport and Safety Authority (NTSA) office, or call the NTSA call center on 0709 932 300 to discuss what payment options are available to you.

<https://www.ntsago.ke/contacts.php>

How old do I have to be to apply for a state driver's license by myself?

To apply for a driving or provisional license you must be aged 18 or older, except in respect of motorcycles for which you must be aged 16 or older.

<https://ntsa.ecitizen.go.ke/index.php?id=8>

What can I do if I do not have a parent or guardian who can go with me (and the application says I have to have one)?

If you're 18 years old you can apply for a driver's license without a parent or guardian.

The requirements are as follows:

- Police clearance certificate
- No criminal record
- No previous dangerous driving offense record
- Medical test certificate
- Able to read and write in the official languages

<https://ntsa.ecitizen.go.ke/index.php?id=4>

You can apply for a driver's license online: <https://ntsa.ecitizen.go.ke/index.php?id=8>

At what age can I get a driver's license card by myself?

The minimum age for driving is 18 years old (except for motorcycles where you have to be 16 years). So you will have to be 18 years before you can apply for a license card by yourself (unless it is a motorcycle, in which case you can apply for a license when you are 16 years old).

Source: <https://ntsa.ecitizen.go.ke/index.php?id=8>

Are there any special provisions for foster youth (children in custody of the government)?

No. Once you are 18 years you are entitled to apply for a driver's license provided you meet the relevant requirements.

<https://ntsa.ecitizen.go.ke/index.php?id=8>

Are there any special provisions for homeless youth?

You need to provide proof of residence when you apply for a national ID card. If you are homeless and are asked to provide proof of residence, you could try staying with a friend or relative and giving the address of that friend or relative or asking a homeless shelter to give their address. <https://kenya.graceslist.org/directory/categories/homeless-shelters>

Will I have to take a test?

Yes. Once you are ready to take a driving test, you can book a test online. You will be issued a test booking certificate after you have paid the fee. All driving tests are undertaken at Driving Test Units (DTU) across the country.

You can expect to be tested on your knowledge of the following:

- Road rules
- Recognized road signals and signs

- Any authorized road or highway code
- Physical fitness to drive a motor vehicle of the class for which the license is required

Once you have passed a driving test, you will be given a certificate of competence (C of C). The C of C is valid for three months, and you will need to pay and get your driver's license within that three-month period. Otherwise, you might have to take another driving test.

<https://ntsa.ecitizen.go.ke/index.php?id=10>

If applicable, do I have to make an appointment to take the test?

Yes. When you book the driving test, you will have to choose your preferred date, time and location.

<https://ntsa.ecitizen.go.ke/index.php?id=10>.

Where can I take the driving test? What can I do if I cannot get to a testing location?

You will have to book a driving test at any driving test unit.

If you cannot get to a testing location, you could contact your nearest NTSA office or call the NTSA call center on 0709 932 300 to discuss what options are available to you.

<https://www.ntsago.ke/contacts.php>

Do I need to get a permit or authorization to practice driving before I get my driver's license?

If you have not driven before or you would like to practice driving, you must enroll in a driving school and apply for a provisional driver's license (PDL) online using your eCitizen account. When the PDL is issued, you can begin driving lessons but only with a qualified driver who has a valid driver's license. The PDL is valid for three months and can be renewed by paying a fee.

<https://ntsa.ecitizen.go.ke/index.php?id=9>

Birth Certificate

What is the document detailing a person's birth called in this country?

It's called a birth certificate.

<https://crs.ecitizen.go.ke/>

I'm not sure I have a birth certificate, what can I do to find out if I have one and where to get it?

You should visit eCitizen services if you have an account here:

<https://accounts.ecitizen.go.ke/en>

You can also get information in relation to Lost Documents on the Huduma Kenya website:

<https://hudumakenya.go.ke/lifeEvent/Services/5>

You can book an appointment in relation to "Lost Documents" at your Local Huduma Centre, if you have an eCitizen account, here: <https://appointment.hudumakenya.go.ke/>

How do I get a copy of my birth certificate?

You can use the eCitizen service to request a certified copy of an existing birth certificate. You can also contact your local Huduma Kenya service to book an appointment and get a copy.

Huduma website link: <https://hudumakenya.go.ke/lifeEvent/ServiceDetails/20>

eCitizen portal: <https://accounts.ecitizen.go.ke/en>

Can I order my birth certificate online?

Yes. You can apply for a birth certificate online if you have an eCitizen account. You can also use the eCitizen service to request a certified copy of an existing birth certificate.

<https://accounts.ecitizen.go.ke/en> (Section: "Apply for a birth certificate").

What documents will I need to get my birth certificate?

If you are located in Kenya, you will need a copy of your birth notification or birth certificate itself to get a replacement birth certificate.

If you do not have this, you will be required to go to the Civil Registry in your county to retrieve a copy.

More information is available here: <https://hudumakenya.go.ke/lifeEvent/ServiceDetails/20>

If you are based outside Kenya, you may need two copies of your birth certificate in order to apply for a replacement; two copies of your notification of birth, and two copies of a search form. For more information, visit the UK Kenyan High Commission's website:

<https://www.kenyahighcom.org.uk/duplicate-birth-certificate>.

What happens if I don't have some or all of the documents that are required?

You may find it challenging to be able to request a new, replacement or copy birth certificate. You can book an appointment at a local Huduma Centre in Kenya, raise a query through your eCitizen account, or contact your local Kenyan embassy or consulate for more information. **UNHCR Kenya resources also indicate that they may be able to assist with acquiring a birth certificate in scenarios where one is otherwise available — more information here:** <https://help.unhcr.org/kenya/helpful-services/birth-certificates-for-newborns/>

The UNHCR reported that in August 2019, the Kenyan government issued birth certificates to 600 children from the Shona community: <https://www.unhcr.org/uk/news/stories/birth-certificates-signal-brighter-future-stateless-children-kenya>

The US. State Department noted the following in their 2022 Country Report on Human Rights Practices in Kenya:

National registration policies require citizens 18 years of age and older to obtain national identification documents from the National Registration Bureau (NRB). Failure to do so is a crime. Groups with historical or ethnic ties to other countries faced higher burdens of proof in the registration process.

During the participatory assessments that the UNHCR conducted in 2018 and 2019, stateless persons said they could not easily register their children at birth or access birth certificates because they lacked supporting documents. The lack of permanent NRB offices near refugee camps also made it more difficult for refugees to register births, leading to an increased risk of statelessness. UNHCR and NGO partners worked with the government during the year to facilitate regular missions to the camps by NRB officials to conduct birth registrations and resolve the backlog of older cases. During the year, refugees were able to register births within six months.

How old do I have to be to get a copy of my birth certificate by myself?

Can a child obtain retroactive or replacement birth registration documents? (3A) YES – subject to significant caveats in terms of practicalities.

The Births Act[1] requires a registrar to register a birth before the expiration of six months from the date of such birth.[2] Registration falling outside the six (6) month period

(retroactive birth registration) is categorized as late registration. **Parents and guardians** are qualified to apply for a birth certificate on behalf of children below the age of consent (i.e., below the age of 18 years).[3]

To obtain birth registration documents for late registration or replacements of birth registration documents, the affected party (i.e., the person notifying the birth)[4] is required to fill out the prescribed forms and then avail themselves at the civil registration office to begin processing the application. The registrar will not accept late registrations except upon receiving the written authority of the Principal Registrar issued in accordance with the rules, and upon payment of the prescribed fee.[5] The rules in place are referred to as the Births and Deaths Registration Rules, 1966 and the prescribed fee is Kenya Shillings one hundred (KES 100.00).[6]

The government of Kenya has made it more convenient to apply for a birth certificate through the use of an account on the e-citizen website.[7] However, obtaining replacement Kenyan documentation can, in practice, be difficult. In order to obtain a replacement birth certificate, one requirement is to provide two "photocopies of the certificate for ease of reference." [8] It is highly unlikely that a street-connected child (or indeed, most people) applying for a replacement birth certificate, if they do not have the original, will have two photocopies of the certificate. Moreover, two copies of the applicant's National Identity Card and passport are also required, both of which require a birth certificate, at the very least, in order to be issued.[9] [10]

It is technically possible for a child to obtain a replacement birth certificate, but it would be difficult for street-connected children to do so in practice.

REFERENCES

1.

^ Births and Death Registration Act (Chapter 149 of the Laws of Kenya) ("Births Act"), available at: <http://www.kenyalaw.org/lex//actview.xql?actid=CAP.%20149>.

2.

^ Section 8 of the Births Act.

3.

^ Available at: http://forms.co.ke/biz_forms.php?cat_id=20

4.

^ Section 11 of the Births Act provides that it shall be the duty of the father and mother of the child, and, in default of the father and mother, of the occupier of the house in whose knowledge the child is born, and of every person present at the birth, and of the person having charge of the child, to give notice of the birth, within such time as may occasionally be prescribed, to the registrar of the registration area in which the birth occurs. In the case of births in prisons, hospitals, orphanages, barracks or quarantine stations, the officer in charge of the establishment in which the birth took place has the duty to give such notice.

5.

^ Section 8 of the Births Act.

6.

^ Available at: [http://www.kenyalaw.org/lex//sublegview.xql?subleg=CAP.%20149#KE/LEG/EN/AR/B/CHAPTER 149/SUBLEG/HC 3](http://www.kenyalaw.org/lex//sublegview.xql?subleg=CAP.%20149#KE/LEG/EN/AR/B/CHAPTER%20149/SUBLEG/HC%203)

7.

^ Available at: <https://accounts.ecitizen.go.ke/login>

8.

^ Available at: http://kenyaembassyberlin.de/fileadmin/user_upload/app_forms/2016_REPLACEMENT_OF_LOST-DAMAGED_BIRTH- MARRIAGE_OR_DEATH_CERTIFICATES.pdf.

9.

^ Available at: http://kenyaembassyberlin.de/fileadmin/user_upload/app_forms/2016_REPLACEMENT_OF_LOST-DAMAGED_BIRTH- MARRIAGE_OR_DEATH_CERTIFICATES.pdf

10.

^ See: <http://www.immigration.go.ke/downloads/Form-19-Application%20for%20Kenya%20Passport.pdf>

What can I do if I do not have a parent or guardian who can go with me to get a birth certificate (and the application says I have to have one)?

See the response to "How old to I have to be to get a copy of my birth certificate by myself" above.

It may be advisable to book an appointment at a local Huduma Centre in Kenya, raise a query through your eCitizen account, or contact your local Kenyan embassy or consulate for more information. For refugees, it would be advisable to contact UNHCR Kenya.

What is the cost to get a birth certificate?

The Huduma Kenya website provides a few cost examples pending on the type of birth certificate issuance required and the circumstances of the birth – example costs in Kenyan shillings are available here: <https://hudumakenya.go.ke/lifeEvent/ServiceDetails/12>

Costs will vary depending on your location especially applications made from outside Kenya.

Is there a waiver if I cannot afford the fee?

There does not appear to be a waiver option if you cannot pay the associated fee. However, UNHCR Kenya resources also indicate that they may be able to assist with acquiring a birth certificate in scenarios where one is otherwise unavailable — more information here: <https://help.unhcr.org/kenya/helpful-services/birth-certificates-for-newborns/>.

You could also contact your nearest National Registration Bureau office or call the Huduma Contact Centre on +254 (020) 6900020 to discuss what payment options are available to you.

<https://hudumakenya.go.ke/contactus>

Are there any special laws or provisions that can help get a birth certificate if I have been in the foster care system (children in custody of the government)?

You may find it challenging to be able to request a new, replacement or copy birth certificate. It may be advisable to book an appointment at a local Huduma Centre in Kenya, raise a query through your eCitizen account, or contact your local Kenyan embassy or consulate for more information. **UNHCR Kenya resources also indicate that they may be able to assist with acquiring a birth certificate in scenarios where one is otherwise unavailable — more information here:** <https://help.unhcr.org/kenya/helpful-services/birth-certificates-for-newborns/>

It is otherwise understood that the parents and guardians of the child are qualified to apply for a birth certificate on behalf of children below the age of consent (i.e., below the age of 18 years).

If you are in the foster system, the rescue center or children's home you are staying in is permitted to apply for a birth certificate for you.

<https://hudumakenya.go.ke/lifeEvent/ServiceDetails/12>

Are there any special laws or provisions that can help get a birth certificate if I am homeless?

You may find it challenging to be able to request a new, replacement or copy birth certificate. You can book an appointment at a local Huduma Centre in Kenya, raise a query through your eCitizen account, or contact your local Kenyan embassy or consulate for more information. **UNHCR Kenya resources also indicate that they may be able to assist with acquiring a birth certificate in scenarios where one is otherwise unavailable - more information here:** <https://help.unhcr.org/kenya/helpful-services/birth-certificates-for-newborns/>

Where do I get my birth certificate if I was born in another country?

Depending on your current location, you should consult your local Kenyan Embassy or Consulate for more information, or access the Huduma Services below if you are currently in Kenya.

The process may involve completing an application form, including a search for any existing birth certificate, getting copies of certain legal documentation and providing this alongside the documentation, and paying a fee:

For example:

Germany:

https://kenyaembassyberlin.de/fileadmin/user_upload/app_forms/REGISTRATION_OF_BIRTH.pdf

UK: <https://www.kenyahighcom.org.uk/children-born-abroad>

USA:

<https://kenyaembassydc.org/birthdeathduplicate/#:~:text=To%20obtain%20a%20copy%20of%20The%20Republic%20of%20Kenya>

Kenya

Registration of Birth of Kenyans Occurring abroad and Issuance of Kenyan Birth Certificates

<https://hudumakenya.go.ke/lifeEvent/ServiceDetails/17>

Is there a way to get my birth certificate without going somewhere in person?

Yes. If you have an eCitizen account, you may be able to get copies of your birth certificate online.

<https://accounts.ecitizen.go.ke/en>

Where can I find information online about getting a birth certificate?

Your local Huduma Centre in Kenya, Kenyan eCitizen account services, or your local Kenyan embassy or consulate can provide more information.

<https://hudumakenya.go.ke/lifeEvent/Services/1>

UNHCR Kenya resources also indicate that they may be able to assist with acquiring a birth certificate in scenarios where one is otherwise unavailable — more information here:

<https://help.unhcr.org/kenya/helpful-services/birth-certificates-for-newborns/>

Making changes to government ID documents

What vital doc should I start with to change my name? Is the process easier for one of the IDs?

You will need to register a deed poll to be able to change your name on any ID. Once you register the deed poll, you'll have to apply for a new ID card and subsequently any other ID card you may need. Please see below for more information.

Requirements for change of name

- The process of changing one's name in Kenya is governed by The Registration of Persons Act, The Births and Deaths Registration Act, and the Registration of Documents (Change of Name) Regulations.
- To legally change the name of a person, a deed poll needs to be registered first before changing any IDs.
- Upon registration, the Registrar will cause the deed poll to be advertised in the Kenya Gazette.
- The consequence of the change of name is that the applicant will need to apply for a fresh national ID Card to reflect the new name, and subsequently apply for any other IDs.
- The requirements for change of name slightly differ from one set of persons to the other. For example, the parent or legal guardian of a minor below 16 years shall sign the deed poll. If the minor is above 16 years old, the minor shall consent to the change of name.

Deed poll procedure

As a matter of practice, you will be required to furnish the following:

- Letter from the local area chief.
- Identity report (fingerprint printout).
- Deed poll prescribed as form 1 of the Regulations to the Registration of Documents Act. (It must be commissioned by a commissioner of oaths). Please see SCHEDULE, Form 1, p.20 here: <https://faolex.fao.org/docs/pdf/ken62642.pdf>
- The birth certificate of the applicant to the deed poll
- Statutory declaration as prescribed under the Act (Form 6). It is sworn by a person resident in Kenya and who personally knows the applicant by the name they want to change.

The deed poll is then registered with the Registrar of Documents.

Upon registration, the endorsed documents are to be lodged at the Government Printers' offices for publishing in the Kenya Gazette. The name change is effected at this point. You will then be advised to apply for a new ID.

<https://smkadvocates.com/the-legal-process-of-changing-your-name-in-kenya/>

How do I change my name on my birth certificate?

You will need to register a deed poll to be able to change your name on your birth certificate and any ID. Please see below for more information:

1. Visit the Registrar Generals Department (<https://www.statelaw.go.ke/departments/registrar-general-division/>) and have a copy of the deed poll drafted.

(Note: It takes at most 5-21 working days to produce deed poll)

A fee of Ksh.500 is payable for the deed poll presented for registration.
2. Complete a deed poll prescribed as (Form 1) of the Regulations to the Act;
3. Make an application for registration that is prescribed as Form A in the Registration of Documents (Forms) Regulations;
4. The deed poll is accompanied by the applicant's birth certificate.
5. The application is also accompanied by a statutory declaration prescribed under the Act (Form 6).

This declaration is sworn by a person resident in Kenya and who personally knows the applicant by the name they want to change.
6. The documents are presented to the Registrar of Documents for registration.
7. Upon registration, the registrar causes the deed poll to be advertised in the Kenya Gazette. The name change in the birth certificate is effected at this point.
8. Documents to carry with you depending on the reason for changing particulars:
 - (a) Letter from the area chief
 - (b) Fingerprint printout
 - (c) Deed poll and affidavit to which shall be attached the required documents
 - (d) An affidavit by a witness who has known you for at least 10 years
 - (e) Two passport size photos
 - (f) Birth certificate or baptismal certificate

- (g) Identity cards of your parents
- (h) Marriage certificate
- (i) School leaving certificate
- (j) Sworn affidavits
- (k) Copy of parents' ID card
- (l) Birth certificate
- (m) Divorce certificate
- (n) Parental consent to marriage

Website: <https://www.bizbrokerskenya.com/Deed-poll-application-Kenya.html>

How do I change my name on my National ID?

You will need to register a deed poll to be able to change your name on any ID. Once you register the deed poll, you'll have to apply for a new national ID card. Please see below for more information.

Requirements for change of name

- To legally change the name of a person, a deed poll needs to be registered first before changing any IDs.
- Upon registration, the Registrar will cause the deed poll to be advertised in the Kenya Gazette.
- The consequence of the name change is that the applicant will need to apply for a fresh national ID card to reflect the new name.
- The requirements for change of name differ slightly from one set of persons to the other: *For a minor below 16 years, the parent or legal guardian shall sign the deed poll. If the minor is above 16 years old, the minor shall consent to the change of name.*

Procedure to change name on the Identity Card:

To change your name in the Identity Card (ID) in accordance with the Registration of Persons Act Kenya, and follow these steps:

Step 1: Complete the deed poll form (form 1) for the change of name and submit it to the registration officer. This form includes the necessary details regarding the name change. You can get the form from the registrar general's office or download it online.

Step 2: Gather the relevant supporting documents based on the type of name change. These may include documents such as:

- Marriage certificate
- Deed poll

- School leaving certificates
- Sworn affidavits
- Confirmation letters from an administrative office
- Birth certificate
- Copy of your parents' ID card

Step 3: Surrender your current identity card and pay the prescribed fee of Ksh.1000

Step 4: The registration officer will sign a certificate, following the format specified in the fourth schedule, which will be issued to you.

Step 5: Your photograph will be taken for the purpose of issuing a new identity card.

Step 6: The registration officer will forward the application form, photograph, and surrendered identity card to the Principal Registrar. The changes will be recorded in the register of persons, and the surrendered ID card will be canceled.

Step 7: After sixty days from the date the certificate is received from the registration officer, you need to visit the specified registration office mentioned in the certificate. Surrender the certificate and receive a new identity card in exchange.

As a matter of practice, you will be required to furnish the following documents to register the deed poll:

- A letter from the local area chief
- An identity report (fingerprint printout)
- A deed poll prescribed as form 1 of the Regulations to the Registration of Documents Act (that is, it must be commissioned by a commissioner of oaths). Please see SCHEDULE, Form 1, p.20 here: <https://faolex.fao.org/docs/pdf/ken62642.pdf>
- The birth certificate of the applicant to the deed poll
- A statutory declaration as prescribed under the Act (Form 6). It is sworn by a person resident in Kenya and who personally knows the applicant by the name they want to change.
- Two passport-sized photos

The deed poll is then registered with the Registrar of Documents.

Upon registration, the endorsed documents are to be lodged at the Government Printers' offices for publishing in the Kenya Gazette. The name change is effected at this point. The Applicant is then advised to apply for a new ID

Website: <https://youverify.co/blog/how-to-legally-change-your-name-in-kenya>

How do I change my name on my driver's license?

To legally change one's name, a deed poll needs to be registered.

- Upon registration, the Registrar will cause the deed poll to be advertised in the Kenya Gazette.
- The consequence of the change of name is that you will need to apply for a fresh national ID Card to reflect the new name and subsequently can request a driver's license with the new name.
- To make changes to your driver's license (DL), you need to visit the NTSA offices near you with your ID and apply for amendment of profile details. You will also be required to apply for a duplicate DL with the amended profile.
- A copy of your marriage certificate or deed poll document may be supplied instead of a birth certificate or passport as evidence of change of name. On receipt and successful processing, a confirmation letter will be sent to you. All incomplete applications will be returned.

NTSA Form: <https://www.nationaltransport.ie/wp-content/uploads/2021/09/Form-VL-7-Change-of-Name-V6.1.pdf>

At what age can I change my name by myself?

To legally change your name, a deed poll needs to be registered first with the Registrar of Documents. The deed poll must subsequently be gazetted, and it is only after gazettelement that you may legally take up the use of your new name.

If you are a **minor below 16 years**, your parent or legal guardian needs to sign the deed poll. If you are **above 16 years old**, you will need to consent to the change of name via deed poll.

<https://gichehalewis.wordpress.com/2020/06/06/change-of-name-in-kenya/>

Kenya: Legal gender recognition

Name Change: Nominally Possible. Name change is possible according to the [Registration of Persons Act](#) (1998) and [Registration of Name Act](#) (2010), though the change will be publicized by the Registrar in the Kenya Gazette. Theoretically, all identity documents can be changed, but in practice, transgender and gender-diverse people have faced challenges when seeking to change their names.

There was reportedly a High Court judgement in 2014 where the Court found that the Registrar was at fault for not allowing five trans persons to change their names. In July 2019, the Court of Appeals upheld the 2014 judgement in [Civil Appeal No. 355 of 2014](#) (2019). The Court ruled that a trans woman should have been allowed to change her name and not have her gender marker on her Kenyan Certificate of Secondary Education (KCSE).

Despite this jurisprudence seemingly verifying that gendered name changes are possible, no amendment has been discussed to make this explicit in the law.

Gender Marker Change: Not Possible. In 2019, the Court of Appeals found in [Civil Appeal No. 355 of 2014](#) (2019) that a person's gender marker can be removed from their Kenyan Certificate of Secondary Education (KCSE), though this judgement does not affect the legally recognized gender on ID documents and birth certificates.

With respect to the nonbinary marker on birth certificates, there has been the notable case of [Baby A](#) (2014) where the High Court acknowledged the intersex status of a baby. However, the court found that it was for the legislature to make this change in the law, not the judiciary.

The [Registration of Persons \(Amendment\) Bill](#) (2019) was introduced to allow for legal gender recognition only for intersex people, though this has yet to be discussed by the legislature. It should be noted, however, that in 2019, the government also recognized intersex persons in the national population census.

More recently, the [Children Act](#) (2022) was adopted, Section 5(3) of which states that "[t]he Principal Registrar shall take measures to ensure correct documentation and registration of intersex children at birth", and as such under the Act's Sixth Schedule (Section 250) the [Births and Deaths Registration Act](#) (2012) is amended to state that the National Register "shall include details of an intersex child and intersex person". The Children Act does not specify what form of gender marker should be applied to intersex newborns or whether any processes for gender marker amendments exist, nor does the Births and Deaths Registration Act in its current form. The Children Act does in several instances, such as Sections 26(3) and 64(3), indicate that children in State custody or protection should be housed in separate facilities for "boys, girls and intersex children".

In February 2023, MP George Peter Kaluma introduced the [Family Protection Bill](#) (2023), which proposes the prohibition of gender affirming care. Medical practitioners found providing such care would face a minimum sentence of 10 years of imprisonment. The bill encompasses various procedures, including puberty blockers, hormone therapy, and surgeries aimed at affirming gender. The bill does not extend its restrictions to surgeries performed on intersex individuals.

Breakdown of requirements:

Self-ID: No.

Diagnosis: N/A.

Hormone treatment: N/A.

Surgery: N/A.

Forced sterilization: N/A.

Real life test: N/A.

Expert testimony: N/A.

Witnesses: N/A.

Forced divorce: N/A.

No children: N/A.

Legal gender recognition (LGR) available for children: Unclear. The National Register is required to register intersex newborns as such, though it is unclear whether persons of diverse sex characteristics can apply to retroactively change their gender marker, or whether intersex persons registered as such at birth will be able to choose a binary gender marker for themselves later in life.

Nonbinary Gender Marker: Only for intersex. The National Register is required to register intersex newborns as such, though it is unclear whether persons of diverse sex characteristics can apply to retroactively change their gender marker, or whether intersex persons registered as such at birth will be able to choose a binary gender marker for themselves later in life.

Source: ILGA World, [ILGA World Database: Legal gender recognition - Kenya](#) (retrieved: 12 June 2024).

What can I do if I do not have a parent or guardian with me to change my name and do not have anyone who can help me?

If you are above 16 years old, you can consent to the change of your name via deed poll (the legal procedure to change your name in Kenya). If you are below 16 years, your parent or legal guardian needs to sign the deed poll. If you do not have a parent or legal guardian, you will need to apply for a court order in Kenya requesting a Specific Issue Order.

<https://gichehalewis.wordpress.com/2020/06/06/change-of-name-in-kenya/>

What vital doc should I start with to change my gender marker? Is the process easier for one of the IDs?

Start with the birth certificate.

Since 2022, intersex people can now be identified with an 'I' gender marker on their birth certificate in Kenya. However, we still await legislation to this effect.

The Intersex Persons Bill 2023 (not yet law) provides that:

5(1): "Subject to the law relating to the registration of births and deaths, an intersex child shall be entitled at birth to be issued with a written confirmation of birth or an official birth certificate stating that the child is intersex."

5(2): The registration shall include the name and date of birth of the child, the name and date of both parents, and the sex of the child as male, female or intersex."

"7(1) An intersex person may at any time apply to the Registrar under this part to have the Registrar correct any particulars in the national identification document. (2) The application under subsection (1) shall be made in writing, indicating the particulars in the identification document, to be amended."

<https://www.knchr.org/Portals/0/Intersex%20Persons%20Bill%2C%20January%202024%20.pdf>

Documents in scope for amendment will include birth certificates. The birth certificate may be the easiest starting point.

However, please note that the ILGA's website (<https://database.ilga.org/legal-gender-recognition>) states that it is currently not possible to change the gender marker, and that there is no established procedure for this in Kenya.

How do I change my gender marker on my birth certificate?

In 2019, the Court of Appeals found that a persons' gender marker can be removed from their Kenyan Certificate of Secondary Education, though the judgment does not affect the legally recognized gender on ID documents and birth certificates.

With respect to the nonbinary marker on birth certificates, the Baby A case acknowledges the intersex status of a baby. However, the court found it was for the legislature to make this change in law.

Children Act 2022: Children can be registered as intersex at birth.

Births and Deaths Registration Act 2012: the National Register shall include details of an intersex child and intersex person.

The current position, therefore, is that new legislation since 2022 only allows intersex persons identified as male or female at birth to request a change to "I". Since 2022, intersex people can now be identified with an 'I' gender marker on their birth certificate in Kenya.

The Intersex Persons Bill 2023 (not yet law) provides that:

5(1): "Subject to the law relating to the registration of births and deaths, an intersex child shall be entitled at birth to be issued with a written confirmation of birth or an official birth certificate stating that the child is intersex."

5(2): The registration shall include the name and date of birth of the child, the name and date of both parents and the sex of the child as male, female or intersex."

"7(1) An intersex person may at any time apply to the Registrar, under this part, to have the Registrar correct any particulars in the national identification document. (2) The application under subsection (1) shall be made in writing, indicating the particulars in the identification document to be amended."

Documents in scope for amendment will include birth certificates.

However, please note that the ILGA's website (<https://database.ilga.org/legal-gender-recognition>) states that it is currently not possible to change the gender marker, and that there is no established procedure for this in Kenya.

How do I change my gender marker on my National ID?

Since 2022, intersex people can now be identified with an 'I' gender marker on their birth certificate in Kenya. However, we still await legislation to this effect.

The Intersex Persons Bill 2023 (not yet law) provides that:

5(1): "Subject to the law relating to the registration of births and deaths, an intersex child shall be entitled at birth to be issued with a written confirmation of birth or an official birth certificate stating that the child is intersex."

5(2): the registration shall include the name and date of birth of the child, the name and date of both parents and the sex of the child as male, female or intersex."

"7(1) An intersex person may at any time, apply to the Registrar under this part, to have the Registrar correct any particulars in the national identification document. (2) The application under subsection (1) shall be made in writing, indicating the particulars in the identification document, to be amended."

Documents in scope for amendment will include national ID cards.

However, please note that the ILGA's website (<https://database.ilga.org/legal-gender-recognition>) states that it is currently not possible to change the gender marker, and that there is no established procedure for this in Kenya.

How do I change my gender marker on my driver's license?

Since 2022, intersex people can now be identified with an 'I' gender marker on their birth certificate in Kenya. However, we still await legislation to this effect.

The Intersex Persons Bill 2023 (not yet law) provides that:

5(1): "Subject to the law relating to the registration of births and deaths, an intersex child shall be entitled at birth to be issued with a written confirmation of birth or an official birth certificate stating that the child is intersex."

5(2): The registration shall include the name and date of birth of the child, the name and date of both parents and the sex of the child as male, female or intersex."

"7(1) An intersex person may at any time apply to the Registrar, under this part, to have the Registrar correct any particulars in the national identification document. (2) The application under subsection (1) shall be made in writing, indicating the particulars in the identification document, to be amended."

Documents in scope for amendment will potentially include driver's licenses, though this remains to be confirmed.

However, please note that the ILGA's website (<https://database.ilga.org/legal-gender-recognition>) states that it is currently not possible to change the gender marker, and that there is no established procedure for this in Kenya.

Additional information on Kenyan policy is available in an information note produced by the UK Home Office in April 2020: https://assets.publishing.service.gov.uk/media/5e96ed80d3bf7f4128b01ee1/Kenya_-SOGIE-CPIN-v3.0_GOV.UK_.pdf

At what age can I change my gender marker by myself?

Since 2022, intersex people can now be identified with an 'I' gender marker on their birth certificate in Kenya. However, we still await legislation to this effect.

The Intersex Persons Bill 2023 (not yet law) provides that:

5(1): "Subject to the law relating to the registration of births and deaths, an intersex child shall be entitled at birth to be issued with a written confirmation of birth or an official birth certificate stating that the child is intersex."

5(2): The registration shall include the name and date of birth of the child, the name and date of both parents and the sex of the child as male, female or intersex."

"7(1) An intersex person may at any time apply to the Registrar under this part to have the Registrar correct any particulars in the national identification document. (2) The application under subsection (1) shall be made in writing, indicating the particulars in the identification document, to be amended."

The proposed law states that an intersex person may apply at any time. We await clarity on whether this will require the person to be 18+.

Kenya: Legal gender recognition

Name Change: Nominally Possible. Name change is possible according to the [Registration of Persons Act](#) (1998) and [Registration of Name Act](#) (2010), though the change will be publicized by the Registrar in the Kenya Gazette. Theoretically, all identity documents can be changed, but in practice, transgender and gender-diverse people have faced challenges when seeking to change their names.

There was reportedly a High Court judgement in 2014 where the Court found that the Registrar was at fault for not allowing five trans persons to change their names. In July 2019, the Court of Appeals upheld the 2014 judgement in [Civil Appeal No. 355 of 2014](#) (2019). The Court ruled that a trans woman should have been allowed to change her name and not have her gender marker on her Kenyan Certificate of Secondary Education (KCSE).

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Gender Marker Change: Not Possible. In 2019, the Court of Appeals found in [Civil Appeal No. 355 of 2014](#) (2019) that a person's gender marker can be removed from their Kenyan Certificate of Secondary Education (KCSE), though this judgement does not affect the legally recognized gender on ID documents and birth certificates.

With respect to the nonbinary marker on birth certificates, there has been the notable case of [Baby A](#) (2014) where the High Court acknowledged the intersex status of a baby. However, the court found that it was for the legislature to make this change in the law, not the judiciary.

The [Registration of Persons \(Amendment\) Bill](#) (2019) was introduced to allow for legal gender recognition only for intersex people, though this has yet to be discussed by the legislature. It should be noted, however, that in 2019, for the first time, the government also recognized intersex persons in the national population census.

More recently, the [Children Act](#) (2022) was adopted, Section 5(3) of which states that "[t]he Principal Registrar shall take measures to ensure correct documentation and registration of intersex children at birth", and as such under the Act's Sixth Schedule (Section 250) the [Births and Deaths Registration Act](#) (2012) is amended to state that the National Register "shall include details of an intersex child and intersex person". The Children Act does not specify what form of gender marker should be applied to intersex newborns or whether any processes for gender marker amendments exist, nor does the Births and Deaths Registration Act in its current form. The Children Act does in several instances, such as Sections 26(3) and 64(3), indicate that children in state custody or protection should be housed in separate facilities for "boys, girls and intersex children".

In February 2023, MP George Peter Kaluma introduced the [Family Protection Bill](#) (2023), which proposes the prohibition of gender affirming care. Medical practitioners found providing such care would face a minimum sentence of 10 years of imprisonment. The bill encompasses various procedures, including puberty blockers, hormone therapy, and surgeries aimed at affirming gender. The bill does not extend its restrictions to surgeries performed on intersex individuals.

Breakdown of requirements:

Self-ID: No.

Diagnosis: N/A.

Hormone treatment: N/A.

Surgery: N/A.

Forced sterilization: N/A.

Real life test: N/A.

Expert testimony: N/A.

Witnesses: N/A.

Forced divorce: N/A.

No children: N/A.

LGR available for children: Unclear. The National Register is required to register intersex newborns as such, though it is unclear whether persons of diverse sex characteristics can apply to retroactively change their gender marker, or whether intersex persons registered as such at birth will be able to choose a binary gender marker for themselves later in life. [Emphasis added]

Nonbinary Gender Marker: Only for Intersex. The National Register is required to register intersex newborns as such, though it is unclear whether persons of diverse sex characteristics can apply to retroactively change their gender marker, or whether intersex persons registered as such at birth will be able to choose a binary gender marker for themselves later in life.

Source: ILGA World, [ILGA World Database: Legal gender recognition - Kenya](#)

What can I do if I do not have a parent or guardian with me to change my gender marker and do not have anyone who can help me?

Unfortunately, publicly available Kenyan law and guidance is not clear on this point.

However, since 2022, intersex people can now be identified with an 'I' gender marker on their birth certificate in Kenya (<https://rightsafrika.com/2022/10/28/kenya-passes-landmark-law-to-recognize-and-protect-intersex-people/>). We still await legislation to this effect.

The Intersex Persons Bill, 2024 (not yet law) provides that:

"5: Subject to the law relating to registration of births and deaths, an intersex person may apply to the Registrar of births and deaths, to amend the sex marker from—

(a) male to intersex; or

(b) female to intersex.

6. (1) An intersex person may at any time apply to the Registrar under this part to have the Registrar correct any particulars in the national identity card.

(2) An application under subsection (1) shall be made in writing, indicating the particulars to be amended in the identification card."

<https://www.knchr.org/Portals/0/Intersex%20Persons%20Bill%2C%20January%202024%20.pdf>

The proposed law states that an intersex person may apply at any time, and it does not make a distinction between children or adults. The definition of "intersex person" includes "child," and the draft bill above makes no reference to children needing a parent or guardian to attend with them. If you need assistance with the process and do not have a parent or guardian, the best option is to seek out the assistance of a teacher, doctor or member of children's shelter.

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