

## **THE COMPANIES (AMENDMENT) BILL, 2020**

### **A Bill for**

### **AN ACT of Parliament to amend the Companies Act, 2015**

**ENACTED** by the Parliament of Kenya, as follows—

### **PART I—PRELIMINARY**

- Short title.           **1.**      This Act may be cited as the Companies (Amendment) Act, 2020.
- Amendment of section 3 of No. 17 of 2015   **2.** The Companies Act, 2015, hereinafter referred to as the “principal Act” is amended in section 3 (1) by inserting the following new definitions in proper alphabetical sequence—
- “hybrid meeting” means where a company conducts meetings and a subset of the people attending the meeting are located together in the same place whereas the other participants join the meeting by remote electronic means (virtually);
- “meetings” in relation to a company include virtual meeting and hybrid meeting;
- “virtual meeting” means when people conduct meetings regardless of their location, using video, audio, and text to link up online to share information and data in real-time without being physically located together this includes teleconferences, videoconferences and webconferences;
- Amendment section 275A of No. 17 of 2015.   **3.** Section 275A of the principal Act is amended by inserting the following words “which may be a physical, virtual or hybrid meeting” immediately after the words “once a year”.
- Amendment section 276 of No. 17 of 2015.   **4.** Section 276 of the principal Act is amended by inserting the following words “which may be physical, virtual or hybrid meeting” immediately after the words “meeting of the company”.
- Amendment section 283 of No. 17 of 2015.   **5.** Section 283 (2) of the principal Act is amended by inserting the following new paragraph immediately after paragraph (c)—
- “(d) in the case of a virtual or hybrid meeting, provide clear instructions of accessing and participating in the proceedings of the meeting.”
- Amendment section 285 of No. 17 of 2015.   **6.** Section 285 (1) of the principal Act is amended by inserting the following new paragraph immediately after paragraph (c)—
- “(d) clear instructions of accessing and participating in the proceedings of the meeting, in the case of a virtual or hybrid meeting.”

*The Companies (Amendment) Bill, 2020*

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Made on the .....2020

**P. Kihara Kariuki,**  
Attorney-General.