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REPUBLIC OF KENYA

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ACTS, 2024

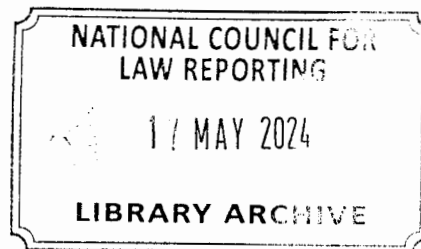
NAIROBI, 3rd May, 2024

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**THE NATIONAL GOVERNMENT
ADMINISTRATION LAWS (AMENDMENT) ACT
No. 4 of 2024**

Date of Assent: 2nd May, 2024

Date of Commencement: 17th May, 2024

AN ACT of Parliament to make various amendments to statute law on national government administration, and for connected purposes

ENACTED by the Parliament of Kenya, as follows—

1. This Act may be cited as the National Government Administration Laws (Amendment) Act, 2024. Short title.

2. The several laws specified in the first column of the Schedule are amended in the provisions specified in the second column thereof, in the manner specified in the third column. Amendment of written laws.

SCHEDULE

<i>Written law</i>	<i>Provision</i>	<i>Amendment</i>
The Assumption of the Office of President Act (Cap. 6C).	s. 5(2)	Delete the words “Cabinet Secretary” appearing in paragraph (c) and substitute therefor the words “Principal Secretary”.
		Insert the following new paragraph immediately after paragraph (c)—
		(ca) the Principal Secretary in the State Department responsible for matters relating to defence.
		Delete paragraph (h).
		Delete paragraph (j).
		Delete paragraph (r) and substitute therefor the following new paragraph—
		(r) six persons nominated by the President-elect.
		Delete paragraph (t).

- s. 5(3) Delete.
- s. 5(4) Delete the words “the commencement of this Act” and substitute therefor the words “declaration of a President-elect”.
- s. 8(2) Delete the word “three” and substitute therefor the word “six”.
- The National s. 2
Government
Co-
ordination
Act (Cap.
127).
- Insert the following new definitions in proper alphabetical sequence—
- “Chief Administrative Secretary” means a Chief Administrative Secretary appointed under section 12A;
- s. 7(2) Insert the following new paragraph immediately after paragraph (b)—
- (ba) the Head of the Public Service.
- Insert the following new paragraph immediately after paragraph (c)—
- (ca) Chief Administrative Secretary.
- s. 8 Delete the marginal note and substitute therefor the following new marginal note—
- “The Executive Office of the President”
- Insert the following new subsections immediately after subsection (2)—
- (3) There is established the office of the Head of Public Service in the Executive Office of the President which shall be an office in the public service.
- (4) The President shall, on the recommendation of the Public Service Commission appoint the Head of the Public Service.
- (5) The Head of the Public Service shall serve at the pleasure of the President.
- (6) The Head of the Public Service shall—

- (a) support the President in facilitating the organization and execution of Government business;
- (b) be the Chief of Staff to the President and the administrative head of the Executive Office of the President; and
- (c) perform such other functions as may be assigned by the President.

(7) A person shall be qualified for appointment as the Head of the Public Service if he or she—

- (a) holds a degree from a university recognized in Kenya;
- (b) has at least ten years' proven experience in public administration, leadership or public affairs; and
- (c) meets requirements under Chapter Six of the Constitution.

(8) A person who, immediately before the commencement of this section, was appointed and held office as the Head of the Public Service shall continue to hold that office as if appointed under this section.

New

Insert the following new section immediately after section 12—

Chief Administrative Secretaries. **12A.** (1) There is established the office of the Chief Administrative Secretary which shall be an office in the public service.

(2) The complement of Chief Administrative Secretaries shall be as determined by the Public Service Commission.

(3) The President shall on the recommendation of the Public Service Commission appoint Chief Administrative Secretaries, observing regional and gender balance.

(4) A person shall be eligible to be appointed as a Chief Administrative Secretary if that person—

- (a) holds a degree from a university recognized in Kenya;
- (b) has knowledge of and experience in the public service; and
- (c) satisfies the requirements of Chapter Six of the Constitution.

(5) A person is not qualified to be appointed as a Chief Administrative Secretary if the person—

- (a) has been convicted of an offence carrying a penalty of imprisonment for a term of at least six months without the option of a fine;
- (b) has been adjudged bankrupt by a court of competent jurisdiction;
- (c) holds any office in a political party;
- (d) is a public officer; or
- (e) has been removed from any public office by impeachment or conviction by a court of competent jurisdiction.

(6) A Chief administrative Secretary shall be responsible for—

- (a) responding to issues relating to the portfolio assigned to the office;
- (b) representing the Cabinet Secretary at any meeting as directed by the Cabinet Secretary; and

(c) performing any other duties assigned by the relevant Cabinet Secretary.

(7) Functions assigned to a Chief Administrative Secretary shall not include matters relating to parliamentary affairs.

(8) Remuneration of the Chief Administrative Secretaries shall be determined by the Public Service Commission on the recommendation of the Salaries and Remuneration Commission.

