

THE PRESIDENCY  
EXECUTIVE OFFICE OF THE PRESIDENT  
CHIEF OF STAFF AND HEAD OF THE PUBLIC SERVICE

Telegraphic Address  
Telephone: +254-20-22274  
When replying please quote

STATE HOUSE  
P.O. Box 40530-00100  
Nairobi, Kenya

Ref. No. .... OP/SCAC.9/73 VOL.I/(84)  
and date

30<sup>th</sup> July, 2015

The Attorney General

All Cabinet Secretaries

All Principal Secretaries

### BOARD APPOINTMENTS

Appointments of Chairpersons and Members of the Boards of State Corporations is governed by the provisions of both the State Corporations Act, Cap 46 any other enabling legal instruments. In most instances, the respective Cabinet Secretaries are given the leeway to appoint persons to serve as independent members other than those representing Ministries and other Public Institutions as specified by law. It is envisaged that under such circumstances, eligible members from private sector and professional bodies would be the ones appointed to bring diversity to the Board.

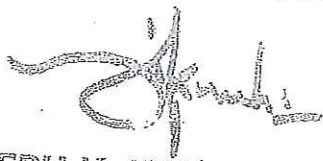
A trend has, however, emerged whereby public servants are being appointed to serve as Members of Boards of State Corporations and other public institutions in their individual capacities. Their employment in public service compromises their envisaged independence and so the practice should be stopped hence forth.

Accordingly, and in order to safeguard the independence of Boards, only public servants who represent Ministries or other public institutions shall

20

20

serve as Members of Boards. Where any public Officer is currently serving as an independent Member or Director in a Board, action should be immediately taken to revoke the appointment and a replacement made as required. An exception to this rule shall only apply: (a) where any written law has stipulated that such a public Officer be so appointed, (b) to Academic Staff of Public Universities with relevant knowledge and skills, (c) to Researchers serving in research institutions with relevant knowledge and skills, and (d) in exceptional circumstances as this office may approve on advise by the State Corporations Advisory Committee.



**JOSEPH K. KINYUA, CBS**

**CHIEF OF STAFF AND HEAD OF THE PUBLIC SERVICE**

cc: Prof. Margaret Kobla, CBS  
Chairperson  
Public Service Commission  
NAIROBI.

Mr. Edward Ouko  
Auditor General  
Office of the Auditor General  
P.O. Box 30084 - 0100  
NAIROBI.

Dr. Halakhe Waigo  
Chief Executive Officer  
Ethics and Anti-Corruption Commission (EACC)  
NAIROBI.

Mrs. Jane Mugambi  
Secretary  
State Corporations Advisory Committee  
NAIROBI.