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

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Ref. No. **OP/CAB.9/1A**
and date

3rd February, 2016

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All Cabinet Secretaries
The Attorney General
All Principal Secretaries/All Accounting Officers
(with sufficient copies to Chief Executive Officers (State Corporations))

**APPOINTMENT OF STATE OFFICERS AND PUBLIC OFFICERS TO
BOARDS OF STATE CORPORATIONS**

Article 77(1) of the Constitution provides that a “full time state officer shall not participate in other gainful employment”. This principle is extended to all public officers by Section 52(1) and (2) of Leadership and Integrity Act Cap 182 on application of Chapter Six of the Constitution that provides that the General Leadership and Integrity Code provided in Part II of the Act shall apply to all public officers in accordance with requirements of Article 80 of the Constitution. Public Officers are only exempted from requirements of Section 18 of the Act.

In view of the foregoing and in order to comply with the requirement of the rule of law under Article 10 (2)(a) of the Constitution, it has been decided that there shall be no more appointments of State Officers and Public Officers to Boards of State Corporations on their individual capacities, except where the legal instruments establishing a State Corporation provides otherwise.

This policy position takes immediate effect. Consequently the appointment of all State Officers and Public Officers as Board Chairpersons or Board members in their individual capacities is nullified.



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To avoid disruption of operations the affected Chairpersons or Board members shall be removed by the appointment of their replacements through the Gazette.

You are required to proceed with implementation.



JOSEPH K. KINYUA, EGH
CHIEF OF STAFF AND HEAD OF THE PUBLIC SERVICE

Copy to: Secretary
State Corporations Advisory Committee
NAIROBI.

Inspector-General (Corporations)
Inspectorate of State Corporations,
NAIROBI.

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