



OFFICE OF THE PRESIDENT

PERMANENT SECRETARY, SECRETARY TO THE CABINET
AND HEAD OF THE PUBLIC SERVICE

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Ref. No. **OP.CAB. 2/7A**
and date

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Nairobi

20th March, 2009

All Permanent Secretaries/Authorized Officers
The Controller and Auditor General
The Registrar, High Court of Kenya
The Secretary, Public Service Commission
Vice Chancellors of Public Universities
Clerk to the National Assembly
All Chief Executive Officers of State Corporations
The Secretary, Teachers Service Commission
All Provincial Commissioners (**with sufficient copies for District Commissioners**)
Clerks to Local Authorities



REVIEW OF THE MANDATORY RETIREMENT AGE FOR PUBLIC SERVANTS

The current policy on retirement of Public Servants provides for a mandatory retirement age of 55 years. This is with the exception of Judges, Academic staff in Public Universities, Research Scientists and Public Servants with disabilities whose retirement age ranges from 60 years to 74 years.

Due to the current mandatory retirement at 55 years, the Public Service has continued to lose employees with critical skills while they are still productive. This is particularly so with regard to employees in the professional and technical areas in whom the Government has invested considerable resources in training and capacity building, and, who have several years of hands-on-experience in their respective professions. Their retirement has in most cases left succession gaps in key areas, necessitating requests for retention beyond retirement age or re-engagement on contract.

The current policy has also had the effect of rendering employees who would otherwise be productive, largely unproductive and reliant on the tax payer for funding of their pension when they should be contributing to the economy.

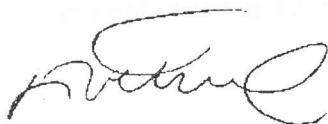
Further, the East African Community (EAC) of which Kenya is a member and a signatory to the EAC Treaty, has adopted an official retirement age of 60 years.

In order to address the above challenges and in the spirit of harmonizing the retirement age applicable to the East African Community Countries, the Government has decided to raise the mandatory retirement age for all Public Servants from 55 years to 60 years with effect from **1st April, 2009**. The provisions in the Pensions Act Cap 189, various Pension Schemes and other Policy Guidelines governing the Civil Service, Disciplined Services, Teachers, State Corporations, Public Universities and the Armed Forces regarding compulsory and voluntary retirement will remain.

Employees serving on contract as at **5th March, 2009** after attainment of the age of 55 years will however continue to serve for the duration of these contracts. Contracts expiring before the attainment of the age of 60 years will be renewed in accordance with the provisions of the contracts.

Employees who had already received retirement notices or had their pension claims already prepared, but had not attained the age of 55 years as at **5th March, 2009**, will continue to serve until they attain the age of 60 years if they so wish.

All Authorized Officers, Chief Executive Officers of State Corporations, Vice-Chancellors of Public Universities and Clerks to Local Authorities are required to note and implement this Policy accordingly.



Amb. Francis K. Muthaura, E.G.H.
PERMANENT SECRETARY, SECRETARY TO THE
CABINET AND HEAD OF THE PUBLIC SERVICE