

CHAPTER 291

THE SALARIES AND ALLOWANCES (SPECIFIED OFFICERS)

ACT.

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CHAPTER 291

THE SALARIES AND ALLOWANCES (SPECIFIED OFFICERS) ACT.

Commencement: 1 July, 1998; 1
October, 1999.

An Act to provide in pursuance of article 158 of the Constitution for the salaries and allowances to be paid to the holders of certain offices, the salaries and allowances attached to which are charged on the Consolidated Fund, and for related matters.

1. Interpretation.

In this Act, unless the context otherwise requires—

- (a) “commission” includes the National Citizenship and Immigration Board established by article 16 of the Constitution;
- (b) “specified officers” means the officers specified in the First Schedule to this Act.

2. Amendment of First Schedule.

- (1) Parliament may by resolution amend the First Schedule to this Act.
- (2) A resolution passed under this section shall, as soon as possible, be published in the Gazette.

3. Salaries and allowances of specified officers.

- (1) Specified officers shall be paid such salaries and allowances and afforded such benefits as are prescribed respectively in relation to their offices in the Second Schedule to this Act.
- (2) Parliament may, by resolution, amend the Second Schedule to this Act.
- (3) A resolution passed under subsection (2) shall, as soon as possible, be published in the Gazette.

(4) Subject to article 158 of the Constitution, a resolution under this section may be given retrospective effect.

(5) For the purposes of this Act, the salaries and allowances of the chairperson and members of a commission and the Inspector General of Police, the Deputy Inspector General of Police, the Commissioner of Prisons and the Deputy Commissioner of Prisons mentioned in the First Schedule to this Act shall be charged on the Consolidated Fund.

(6) For the avoidance of doubt, the cost of any benefits afforded to specified officers under the Second Schedule to this Act shall be charged on the Consolidated Fund.

4. Regulations.

The Minister responsible for public service may, by statutory instrument, make regulations for carrying into effect the provisions and purposes of this Act.

5. Gratuity payable to certain specified officers.

(1) Where under the terms of appointment of a specified officer, he or she is not entitled to receive any pension or gratuity in respect of his or her service, the specified officer shall, upon ceasing to hold office, be paid in respect of his or her service as a specified officer a gratuity amounting to one year's salary in that office or at a rate of 30 percent of that salary for each completed year of his or her service in that office, whichever is the greater.

(2) A specified officer referred to in subsection (1) is not entitled to gratuity under that subsection if he or she resigns from the office or is removed from that office in accordance with the Constitution for inability to perform the functions of his or her office or for misbehaviour or misconduct, except where the removal is as a result of infirmity of mind or body which does not result from his or her own willful neglect or default or misbehaviour.

(3) Any gratuity payable under this section shall be charged on the Consolidated Fund.

6. Protection of accrued rights.

Nothing in this Act shall prejudice any rights acquired under the Salaries and Allowances (Specified Officers) Act, 1984, or any other enactment and accrued or otherwise lawfully enjoyed before the commencement of this Act.

SCHEDULES

First Schedule.

s. 1.

Specified officers.

1. Chief Justice
2. Deputy Chief Justice
3. Principal Judge
4. Justice of the Supreme Court
5. Justice of Appeal
6. Judge of the High Court
7. Auditor General
8. Inspector General of Government
9. Deputy Inspector General of Government
10. Chairperson of a commission established by the Constitution
11. Deputy chairperson of a commission established by the Constitution
12. Member of a commission established by the Constitution
13. Inspector General of Police
14. Deputy Inspector General of Police
15. Commissioner of Prisons
16. Deputy Commissioner of Prisons

Second Schedule.

s. 2.

Salary, allowances and benefits for specified officers.

Part I. Salary, allowances and benefits for judges.

Category	Salary (shillings per month)	Allowance (in shillings)	Benefits
Chief Justice	3,150,000	Medical allowance of 3,600,000 per year.	Furnished house. Transport: chauffeur driven car; security; travel 1st class.
Deputy Chief Justice	2,870,000	Housing allowance of 2,500,000 per month. Medical allowance of 3,000,000 per year.	Transport: chauffeur driven car; security; travel 1st class.
Principal Judge	2,730,000	Housing allowance of 2,300,000 per month. Medical allowance of 3,000,000 per year.	Transport: chauffeur driven car; security; travel 1st class.
Justice of the Supreme Court	2,640,000	Housing allowance of 2,200,000 per month. Medical allowance of 2,400,000 per year.	Transport: chauffeur driven car; security; travel club class.
Justice of the Court of Appeal	2,550,000	Housing allowance of 2,100,000 per month. Medical allowance of 2,400,000 per year.	Transport: chauffeur driven car; security; travel club class.
Judge of the High Court	2,460,000	Housing allowance of 2,000,000 per month. Medical allowance of 2,400,000 per year.	Transport: chauffeur driven car; security; travel club class.

Part II. Salary, allowances and other benefits for other specified officers.

Category	Salary (shillings per month)	Allowance (in shillings)	Benefits
Auditor General	2,900,000	Housing allowance of 2,500,000 per month. Medical allowance of 3,000,00 per year.	Transport: chauffeur driven car; travel club class.
Inspector General of Government	2,900,000	Housing allowance of 2,500,000 per month. Medical allowance of 3,000,000 per year.	Transport: chauffeur driven car; travel club class.
Deputy Inspector General of Government	2,700,000	Housing allowance of 2,300,000 per month. Medical allowance of 2,400,000 per year.	Transport: chauffeur driven car; travel club class.
Chairperson of Commission	2,900,000	Medical allowance of 2,400,000 per year.	Transport: chauffeur driven car; travel club class.
Deputy Chairperson of Commission	2,700,000	Medical allowance of 2,400,000 per year.	Transport: chauffeur driven car; travel club class.
Member of Commission	2,600,000	Medical allowance of 2,400,000 per year.	Transport: chauffeur driven car; travel club class.
Inspector General of Police	1,840,473	Medical allowance of 2,400,000 per year.	Furnished house. Transport: chauffeur driven car; travel club class.
Deputy Inspector General of Police	1,778,032	Medical allowance of 2,400,000 per year.	Furnished house. Transport: chauffeur driven car; travel club class.
Commissioner of Prisons	1,840,473	Medical allowance of 2,400,000 per year.	Furnished house. Transport: chauffeur driven car; travel club class.
Deputy Commissioner of Prisons	1,778,032	Medical allowance of 2,400,000 per year.	Furnished house; Transport: chauffeur driven car; travel club class.

Part III.
*Allowances for part-time members of commission
established by the Constitution.*

Sitting allowance: shs. 100,000 per sitting.

Transport: Mileage to office and back while on official duties. The amount to depend upon capacity of the car and distance covered at the existing Government rates.

Safari day allowance and night allowance shall be specified in Government Circular Standing instructions.

*Part IV. Allowances for
furniture for certain specified officers.*

Office	Benefits
Deputy Chief Justice	The Deputy Chief Justice shall on appointment be given seventeen million shillings for the procurement of furniture.
Principal Judge	The Principal Judge shall on appointment be given sixteen million shillings for the procurement of furniture.
Justice of the Supreme Court	A justice of the Supreme Court shall on appointment be given fifteen million shillings for the procurement of furniture.
Justice of the Court of Appeal	A justice of the Court of Appeal shall on appointment be given fourteen million shillings for the procurement of furniture.
Judge of the High Court	A judge of the High Court shall on appointment be given thirteen million shillings for the procurement of furniture.

History: Act 4/1999; S.I. 41/1999.

Cross References

Constitution of 1995.

Salaries and Allowances Act, 1984, Act 6/1984.