



**THE REPUBLIC OF KENYA**

LAWS OF KENYA

---

**THE POWERS AND PRIVILEGES COMMITTEE PROCEDURES  
FOR THE ADMINISTRATION OF PART IV OF THE**

NO. 133 OF 2003

Revised and published by the National Council for Law Reporting  
with the authority of the Attorney-General as gazetted by the Government Printer

[www.kenyalaw.org](http://www.kenyalaw.org)

---

Kenya

Public Officer Ethics Act

## The Powers and Privileges Committee Procedures for the Administration of Part IV of the Act Legal Notice 133 of 2003

Legislation as at 31 December 2022

By [Kenya Law](#) and [Laws.Africa](#). Share widely and freely.

[www.kenyalaw.org](http://www.kenyalaw.org) | [info@kenyalaw.org](mailto:info@kenyalaw.org)

FRBR URI: [/akn/ke/act/ln/2003/133/eng@2022-12-31](#)

There is no copyright on the legislative content of this document.

This PDF copy is licensed under a Creative Commons Attribution NonCommercial ShareAlike 4.0 License ([CC BY-NC-SA 4.0](#)). This license enables reusers to distribute, remix, adapt, and build upon the material in any medium or format for noncommercial purposes only, and only so long as attribution is given to the creator. If you remix, adapt, or build upon the material, you must license the modified material under identical terms. CC BY-NC-SA includes the following elements:

- BY: credit must be given to the creator.
- NC: Only noncommercial uses of the work are permitted.
- SA: Adaptations must be shared under the same terms.

Share widely and freely.

The Powers and Privileges Committee Procedures for the Administration of Part IV of the Act (Legal Notice 133 of 2003)

Contents

- 1. Citation ..... 1
- 2. Interpretation ..... 1
- 3. Scope of procedures ..... 1
- 4. Administration officer ..... 1
- 5. To whom declarations submitted ..... 1
- 6. Who may make requests for clarifications ..... 1
- 7. Review of declarations, etc. .... 2
- 8. Authorization of staff under section 30(2) ..... 2
- 9. Condition for certain disclosures to police, etc. .... 2
- 10. Condition for disclosures to representatives ..... 2
- 11. Administration officer to report non-compliance ..... 2

**PUBLIC OFFICER ETHICS ACT**

**THE POWERS AND PRIVILEGES COMMITTEE PROCEDURES  
FOR THE ADMINISTRATION OF PART IV OF THE ACT  
LEGAL NOTICE 133 OF 2003**

Published in Kenya Gazette Vol. CV—No. 80 on 8 August 2003

**Commenced on 8 August 2003**

[Revised by [24th Annual Supplement \(Legal Notice 221 of 2023\)](#) on 31 December 2022]

**1. Citation**

These procedures may be cited as the Powers and Privileges Committee Procedures for the Administration of Part IV of the Act.

**2. Interpretation**

In these procedures, unless the context otherwise requires—

"administration officer", in relation to a public officer for whom the Committee is the responsible Commission under the Act, means the person prescribed by section 4(2) or (3) in relation to that public officer;

"Committee" means the Powers and Privileges Committee of the National Assembly.

**3. Scope of procedures**

These procedures are for the administration of Part IV of the Act with respect to the public officers for whom the Committee is the responsible Commission under the Act.

**4. Administration officer**

- (1) The administration officer shall be responsible for the administration of Part IV of the Act by the Committee.
- (2) In relation to staff of the parliamentary service, the administration officer is the Clerk of the National Assembly.
- (3) In relation to any other public officer for whom the Committee is the responsible Commission under the Act, the administration officer is the Speaker of the National Assembly.

**5. To whom declarations submitted**

Declarations to be submitted under Part IV of the Act shall be submitted to the administration officer.

**6. Who may make requests for clarifications**

Requests for clarifications under section 28 of the Act shall be made, on behalf of the Committee, by the administration officer or by staff of the parliamentary service authorised in writing by him for that purpose.

## **7. Review of declarations, etc.**

- (1) The administration officer, or staff of the parliamentary service authorized by him for the purpose, shall review each declaration to ascertain if, in the opinion of the administration officer or staff, any of the following conditions are satisfied—
  - (a) on the face of the declaration, or in light of any other information the Committee may have, there is reason to suspect the declaration may be false or incomplete;
  - (b) the assets of the person who submitted the declaration are disproportionate to his income; or
  - (c) the income, assets or liabilities of the person who submitted the declaration raise concerns of impropriety or conflict of interest.
- (2) If it is ascertained that any of the conditions in subparagraph (1) are satisfied, the person who submitted the declaration shall be given an opportunity to give an explanation.
- (3) If, after considering any explanation the person who submitted the declaration may give, the administration officer is of the opinion that any of the conditions in subparagraph (1) are still satisfied, the administration officer shall bring the matter to the attention of the Committee.
- (4) The Committee may, with respect to a matter brought to its attention under paragraph (3), take such action as it considers appropriate including, without limiting the generality of the foregoing, notifying the Kenya Anti-Corruption Commission and giving the Kenya Anti-Corruption Commission particulars of the condition that is satisfied and a copy of the declaration.

## **8. Authorization of staff under section 30(2)**

- (1) The Committee or the administration officer may authorize staff of the parliamentary service for the purposes of section 30(2) of the Act.
- (2) An authorisation under paragraph (1) shall be in writing.

## **9. Condition for certain disclosures to police, etc.**

Except as provided under paragraph 7(4) information shall not be disclosed, under section 30(2) of the Act, to the police or any other law enforcement agency unless a written request is provided.

## **10. Condition for disclosures to representatives**

Information shall not be disclosed, under section 30(2) of the Act, to a representative of the person who provided the information unless the representative provides copies of documents that establish the representative's authority to receive the information.

## **11. Administration officer to report non-compliance**

The administration officer shall ensure that failures by public officers to comply with the requirements of Part IV of the Act are brought to the attention of the Committee.