

THE PRIVILEGES AND IMMUNITIES ACT

(Cap. 179)

IN EXERCISE of the powers conferred by section 11 of the Privileges and Immunities Act, the Cabinet Secretary for Foreign and Diaspora Affairs makes the following Order—

THE PRIVILEGES AND IMMUNITIES (PLAN INTERNATIONAL INC.) ORDER, 2023

1. This Order may be cited as the Privileges and Immunities (Plan International Inc.) Order, 2023.

2. The Plan International Inc., in this Order referred to as the “Organisation” being a non-profit making organisation with which the Government of Kenya has entered into an agreement for cooperation, is declared to be an organisation to which section 11 of the Act shall apply.

3. The Organisation shall have the privileges and immunities specified in Part I of the Fourth Schedule to the Act:

Provided that—

- (a) immunity from legal processes shall not apply in the case of commercial disputes, labour disputes or where immunity has been waived by the Fund; and
- (b) tax exemption shall not extend—

- (i) to the owner or lessor of any movable or immovable property rented by the organisation; or
- (ii) to the charges for public utility services, business and investment income, and indirect taxes which constitute part of the cost of goods purchased or services rendered.

4. The officials of the Organisation shall, while residing in Kenya and performing duties in the service of the Organisation, have the privileges and immunities specified in paragraphs 1, 2, 3, 4, 6 and 7 of Part III of the Fourth Schedule to the Act:

Provided that the provisions of paragraphs 3 and 4 shall not apply to citizens of Kenya or to any person who is ordinarily resident in Kenya except solely for the purpose of being an employee of, and working exclusively for, the Organisation.

Made on the September, 2023.

ALFRED N. MUTUA,
Cabinet Secretary for Foreign and Diaspora Affairs.