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REPUBLIC OF KENYA

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**KENYA GAZETTE SUPPLEMENT**

**MERU COUNTY ACTS, 2018**

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**NAIROBI, 17th September, 2018**

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# **THE MERU COUNTY HONOURS AND AWARDS ACT, 2018**

**No. 7 of 2018**

*Date of Assent: 27th August, 2018*

*Date of Commencement: See Section one*

## **ARRANGEMENT OF SECTIONS**

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##### **SECOND SCHEDULE—CRITERIA FOR IDENTIFICATION AND SELECTION OF THE RECOGNIZED PERSONS**

## THE MERU COUNTY HONOURS AND AWARDS ACT, 2018

**AN ACT of the County Assembly of Meru to establish a system of County Honours including recognition and conferment of titles of honour, decoration, medals, awards and orders for the purpose of according recognition to the heroes of Meru County and other exemplary persons for distinguished or meritorious service, and for connected purposes**

**ENACTED** by the County Assembly of Meru as follows—

### PART I—PRELIMINARY

#### Short title

1. This Act may be cited as the Meru County Honours and Awards Act, 2018, and shall come into operation upon publication in the *Gazette*.

#### Interpretation

2. In this Act unless the context otherwise requires—

“Committee” means the Meru County Honours and Awards Committee established under section 6 of this Act;

“County” means the County Government of Meru;

“County honour” means an official recognition, decoration, status or award conferred by the Governor;

“Executive Member” means the County Executive Committee Member for the time being responsible for matters relating to cultural heritage; and

“Recognized person” means any person who is recognized as a County Hero or who is conferred with a title of honour, decoration, medal, award or order under this Act.

#### Objects and purpose of the Act

3. The object and purpose of this Act is to—

- (a) give effect to cultural activities function under Schedule IV of the Constitution;
- (b) provide for recognition and conferment of titles of honour, decorations, medals, awards and orders for the purpose of according recognition to the people of Meru County and other persons for distinguished or meritorious service;

- (c) provide for recognition of persons as County Heroes and Heroines where such persons have positively contributed selflessly and sacrificed for the county in any of the functional areas set out in the Second Schedule.

## **PART II—ESTABLISHMENT OF HONOURS AND AWARDS**

### **Establishment of the County Honours and Awards**

4. There shall be established, under this Act, an honours and awards system for Meru County.

### **Governor to confer honours and awards**

5. (1) Subject to this Act, the Governor may confer a title of honour, decoration, medal, award or an order on any person and may suspend or revoke the same.

(2) The titles of honour, decorations, medals, awards and orders to be conferred under this Act and their descriptions and incidents are those specified in the First Schedule to this Act or as may be proposed by the Meru County Honours and Awards Committee.

### **Honours and Awards Committee**

6. (1) There shall, for the purposes of this Act, be a Committee to be known as Meru County Honours and Awards Committee (hereinafter referred to as the Committee)

(2) The Committee shall consist of not more than nine members, who shall comprise—

- (a) a chairperson, who shall be appointed by the Governor with the approval of the County Assembly;
- (b) the Chief Officer responsible for matters relating to culture;
- (c) the Chief Officer responsible for matters relating to finance;
- (d) an officer responsible for matters relating to law or a designated representative;
- (e) One person nominated by the Governor, with the approval of the County Assembly, to ensure compliance to the gender requirements;
- (f) two eminent women appointed by the Governor with the approval of the County Assembly;
- (g) two eminent men appointed by the Governor with the approval of the County Assembly.

- (3) Not more than two-thirds of the members shall be of the same gender.
- (4) Decisions of the Committee shall be confidential and by majority vote and where the votes are equal the chairperson shall exercise a casting vote.
- (5) No member of the Committee shall, while serving as such member, be appointed to or advanced with any of the Orders or honours established by this Act.
- (6) The Committee shall meet not more than twice a year unless otherwise authorised by the Executive Member in writing, upon request by the chairperson.
- (7) Members of the Committee shall not be entitled to any allowances or emoluments. However, all reasonable expenses incurred in the process of execution of the mandate of the committee shall be reimbursed.

**Functions of the Committee**

7. The functions of the Committee shall be to—
  - (a) receive and consider nominations of persons, upon whom may be conferred the honours established by this Act;
  - (b) conduct such investigations as to determine persons, either living or dead, upon whom may be conferred the honours established by this Act;
  - (c) prepare a list of recommendations for the conferment of honours;
  - (d) oversee the design and creation of appropriate commemorative items for purposes of honouring persons recognized under this Act;
  - (e) oversee the keeping and maintenance of registers in which shall be entered the names of every recognized person; and,
  - (f) carry out such other duties in relation to this Act as the Executive Member may, from time to time assign to the Committee.

**Secretary of the Committee**

8. (1) The Chief Officer for the time being responsible for matters relating to culture or his or her representative shall be the secretary to the Committee.

(2) The Secretary shall maintain a register of names of persons to whom dignities, honours and decorations have been awarded and such other records relating to the award of dignities, honours and decorations as the committee considers necessary.

### **Nominations and selection**

9. (1) Any person or organization may nominate a person for the bestowal of membership of any of the Honours established by this Act and such nominations shall be submitted to the Secretary of the Committee for consideration by the Committee.

(2) The Committee shall on receipt of the names of the nominees forwarded under subsection (1), apply the criteria set out in the Second Schedule to determine whether the proposed nominee qualifies for conferment of a title of honour, decoration, medal, award and/or an order under this Act.

(3) The Committee shall submit to the Governor, for his or her approval, list of nominees selected from the nominations submitted pursuant to this section or otherwise arrived at by the Committee.

(4) Notwithstanding subsections (1) and (2) above, the Committee may on its own motion nominate a person to receive a county honour under this Act.

### **Investiture**

10. (1) The Governor shall confer title of honours, decorations, medals, awards and orders under this Act at a public ceremony.

(2) The investiture of honours and awards shall be made on a National public holiday in each year as may be determined by the Governor.

(3) The honours proposed by this Act may be awarded during the lifetime of the recognized person or posthumously.

### **Forms of recognition and honour of recognized persons**

11. (1) A person recognized under this Act shall be entitled to the following privileges, among others—

- (a) invitations to county and community functions as a county guest;
- (b) having monuments, statues and memorials erected or conducted, and cultural and sports events organised, in their honour as the case may be;

- (c) having towns, institutions, open parks in urban areas, roads, streets, estates, stamps and notable landmarks named after them;
- (d) the award of medals, insignia, commendations, certificates and such other commemorative as may be determined by the Committee from time to time;
- (e) the publication of books, articles and poems depicting their respective roles in the country's history or the social life of the society, which shall be part of the educational curriculum;
- (f) being accorded ex gratia financial assistance where in the opinion of the Committee, the economic circumstances of the recognized person warrants such assistance; and
- (g) any other manner as the Committee may deem fit.

#### **Withdrawal of honours**

12. (1) The Committee may, on its own motion or upon receipt of allegations of misconduct by a person recognized under this Act from any person or institution, appoint a committee of its members to investigate the allegations and make a report to it within a specified period.

(2) The committee shall conduct its investigations within the time specified, and, during the course of the investigations—

- (a) may adduce evidence from the complainants or from any other person to prove the allegations; and
- (b) shall accord the person against whom the allegations are made a chance to be heard in his or her own defence.

(3) Upon receipt and consideration of the report of the committee under this section, the Committee may, with the approval of the Executive Member—

- (a) caution or censure the person; or
  - (b) Withdraw all the privileges attaching to such person under this Act and order the removal of the name of such person from the Register.
- (4) For the purposes of this section “misconduct” includes—
- (a) conviction by a court of law of a cognisable offence and sentence to a term of imprisonment; or
  - (b) any form of conduct that is in violation of Chapter Six of the Constitution.

**Offences**

13. A person who—

- (a) receives or solicits, or agrees to receive or solicit, a benefit as an inducement or reward for procuring or assisting in the procurement of a county honour under this Act;
- (b) gives or offers, or agrees to give or offer, a benefit as an inducement or reward for procuring or assisting in the procurement of a county honour under this Act; or
- (c) purports to confer or to receive or in any other manner fake or counterfeit an award or honour provided for in this Act,

commits an offence and is liable, on conviction, to a fine not exceeding five hundred thousand shillings or a term of imprisonment not exceeding two years, or to both.

**Regulations**

14. (1) The Executive Member may, make Regulations generally for the better carrying out of the objects of this Act.

(2) Without prejudice to the generality of subsection (1) the Regulations may—

- (a) prescribe the types, categories or classes of county honours which the Governor may confer;
- (b) the precedence to be accorded to different county honours and different ranks of county honours;
- (c) limiting the number of persons who may, from time to time, be conferred with a particular county honour;
- (d) specify the designation which the recipient of a county honour shall be entitled to use and the abbreviations by which reference may be made to such designation;
- (e) the procedure for the ceremony of investiture of honours;
- (f) prescribe the insignia by which a county honour is to be distinguished;
- (g) provide for the manner in which a county honour may be amended or revoked;
- (h) prescribe the privileges or benefits that shall attach to an award of county honour;

- (i) provide for the honours and awards, if any, that may be conferred on persons from other counties and non-citizens; and
- (j) prevention of abuses in the wearing of insignia issued in relation to any Order created under this Act, or in assuming any style or title assigned to any member of such Order established under this Act.

**FIRST SCHEDULE**

1. (1) The Most Exalted Order of Koome Njue may be conferred upon a person in recognition of pre-eminently distinguished service to Meru County or to humanity at large.

(2) A Member of the Order of the Koome Njue shall be entitled to—

- (a) have the letters OKN, placed after his or her name on all occasions when the use of such letters is customary; and
- (b) wear the insignia of the Order of the Koome Njue as may be prescribed.

2. (1) The Most Illustrious Order of Kaura-o-Bechau may be awarded to any person who has rendered meritorious service to Meru County.

(2) A Member of the Order of the Kaura-o-Bechau shall be entitled to—

- (a) have the letters OKB, placed after his or her name on all occasions when the use of such letters is customary; and
- (b) Wear the insignia of the Order of the Kaura-o-Bechau as may be prescribed.

3. (1) The Order of Mugwe may be awarded to any person who has provided, without reward or gain, outstanding volunteer service or exceptional community involvement in an area that is beyond the performance of the individual's normal duties or the exercise of the responsibilities of a profession to which that individual belongs.

(2) A recipient of the Order of Mugwe is entitled to—

- (a) to wear the insignia of the Order of Mugwe as a decoration; and,
- (b) to use the initials "OM" after the recipient's name.

4. The awards of Distinguished Elder of Meru (DEM), Distinguished Son of Meru (DSM) and Distinguished Daughter of Meru (DDM), may be awarded to any person who has attained the highest level of achievement and excellence in his or her field of expertise.

5. Recipients of Orders under this Schedule shall receive certificates signed by the Governor.

**SECOND SCHEDULE****CRITERIA FOR IDENTIFICATION AND SELECTION OF THE  
RECOGNIZED PERSONS**

NO.	FUNCTIONAL AREAS	QUALITIES
1	LIBERATION STRUGGLE	<ul style="list-style-type: none"> <li>• Patriotism</li> <li>• Vision</li> <li>• Integrity</li> <li>• Commitment</li> <li>• Courage</li> <li>• Selflessness</li> <li>• Perseverance</li> <li>• Decisiveness</li> <li>• Optimism</li> <li>• Impact</li> </ul>
2	SPIRITUAL LEADERSHIP	<ul style="list-style-type: none"> <li>• Patriotism</li> <li>• Vision</li> <li>• Integrity</li> <li>• Commitment</li> <li>• Spirituality</li> <li>• Humility</li> <li>• Prophetic</li> <li>• Charisma</li> <li>• Honesty</li> <li>• Impact</li> </ul>
3	AGRICULTURE	<ul style="list-style-type: none"> <li>• Innovativeness</li> <li>• Analytical/Problem Solving skills</li> <li>• Resourcefulness</li> <li>• Proactivity</li> </ul>

		<ul style="list-style-type: none"> <li>• Yield</li> <li>• Impact</li> <li>• Understanding of local, national and international markets</li> <li>• Managerial aptitude</li> </ul>
4	INDIGENOUS KNOWLEDGE	<ul style="list-style-type: none"> <li>• Patriotism</li> <li>• Vision</li> <li>• Integrity</li> <li>• Commitment</li> <li>• Expertise</li> <li>• Talent</li> <li>• Innovativeness</li> <li>• Honesty</li> <li>• Reliability</li> <li>• Achievement</li> </ul>
5	CULTURAL VALUE AND PRACTICES	<ul style="list-style-type: none"> <li>• Patriotism</li> <li>• Vision</li> <li>• Integrity</li> <li>• Commitment</li> <li>• Honesty</li> <li>• Inspirational</li> <li>• Selflessness</li> <li>• Discipline</li> <li>• Achievement</li> </ul>
6	ARTS	<ul style="list-style-type: none"> <li>• Patriotism</li> <li>• Vision</li> <li>• Integrity</li> <li>• Commitment</li> </ul>

		<ul style="list-style-type: none"> <li>• Talent</li> <li>• Creativity</li> <li>• Persistence</li> <li>• Inspirational</li> <li>• Achievement</li> </ul>
7	SPORTS	<ul style="list-style-type: none"> <li>• Patriotism</li> <li>• Vision</li> <li>• Integrity</li> <li>• Commitment</li> <li>• Competitiveness</li> <li>• Discipline</li> <li>• Inspirational</li> <li>• Perseverance</li> <li>• Optimism</li> <li>• Achievement</li> </ul>
8	SCHOLARSHIP, PROFESSIONALISM, RESEARCH	<ul style="list-style-type: none"> <li>• Patriotism</li> <li>• Vision</li> <li>• Integrity</li> <li>• Commitment</li> <li>• Expertise</li> <li>• Talent</li> <li>• Innovativeness</li> <li>• Patience</li> <li>• Inspirational</li> <li>• Discipline</li> <li>• Discovery</li> <li>• Achievement</li> </ul>
9	PEACE MAKING	<ul style="list-style-type: none"> <li>• Patriotism</li> <li>• Vision</li> </ul>

		<ul style="list-style-type: none"> <li>• Integrity</li> <li>• Commitment</li> <li>• Expertise</li> <li>• Inspirational</li> <li>• Charisma</li> <li>• Reliability</li> </ul>
10	STATEMANSHIP	<ul style="list-style-type: none"> <li>• Patriotism</li> <li>• Vision</li> <li>• Integrity</li> <li>• Commitment</li> <li>• Courage</li> <li>• Optimism</li> <li>• Selflessness</li> <li>• Charisma</li> <li>• Countyism</li> <li>• Nationalism</li> </ul>
11	ENTERPRENEURSHIP AND INDUSTRY	<ul style="list-style-type: none"> <li>• Patriotism</li> <li>• Vision</li> <li>• Integrity</li> <li>• Commitment</li> <li>• Patience</li> <li>• Reliability</li> <li>• Courage</li> <li>• Talents</li> <li>• Innovation</li> <li>• Achievement</li> </ul>
12	PHILANTHROPY	<ul style="list-style-type: none"> <li>• Patriotism</li> <li>• Vision</li> <li>• Integrity</li> </ul>

		<ul style="list-style-type: none"> <li>• Commitment</li> <li>• Selflessness</li> <li>• Courage</li> <li>• Kindness</li> <li>• Discipline</li> <li>• Impact</li> </ul>
13	HUMAN RIGHTS	<ul style="list-style-type: none"> <li>• Patriotism</li> <li>• Vision</li> <li>• Integrity</li> <li>• Commitment</li> <li>• Courage</li> <li>• Optimism</li> <li>• Patience</li> <li>• Reliability</li> <li>• Courage</li> <li>• Talent</li> <li>• Innovation</li> <li>• Achievement</li> </ul>
14	COUNTY COHESION AND INTEGRATION	<ul style="list-style-type: none"> <li>• Patriotism</li> <li>• Vision</li> <li>• Integrity</li> <li>• Commitment</li> <li>• Courage</li> <li>• Optimism</li> <li>• Patience</li> <li>• Reliability</li> <li>• Courage</li> <li>• Talent</li> <li>• Innovation</li> </ul>

		<ul style="list-style-type: none"><li>• Achievement</li></ul>
15	ENVIRONMENTAL CONSERVATION	<ul style="list-style-type: none"><li>• Patriotism</li><li>• Vision</li><li>• Integrity</li><li>• Commitment</li><li>• Courage</li><li>• Optimism</li><li>• Patience</li><li>• Reliability</li><li>• Courage</li><li>• Talent</li><li>• Innovation</li><li>• Achievement</li></ul>