

SPECIAL ISSUE

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KAKAMEGA COUNTY ACTS, 2017

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KAKAMEGA COUNTY ORDER OF PRECEDENCE ACT, 2017

No. 8 of 2017

Date of Assent: 14th March, 2017

Date of Commencement: 21st March, 2017

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**THE KAKAMEGA COUNTY ORDER OF PRECEDENCE
ACT, 2017**

AN ACT of the County Assembly of Kakamega to provide for the order of precedence for officials at official public and county functions and for connected purposes

PART I—PRELIMINARY

Short title and Commencement

1. This Act may be cited as the Kakamega County Order of Precedence Act, 2017 and shall come into effect upon publication.

Interpretation

2. In this Act unless the context otherwise requires;

“county” means the Kakamega County;

“county assembly” means the County Assembly of Kakamega;

“executive committee member” means the County Executive Committee Member responsible for Public Service and Administration.

“Order of Precedence” means list of officers arranged in their order of seniority in the County; and

“county public officer” means any person appointed by the County Government and holding or acting in county public office whether paid, unpaid or on permanent terms but does not include a person engaged on a part time basis in a county public body paid at an hourly or daily rate.

Object and Purpose

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

(a) maintain public order and decorum at public, social and official functions of the County; and

(b) promote a culture of respect, orderliness and discipline for public officials;

PART II—ORDER OF PRECEDENCE AND PROTOCOL

Order of Precedence

4. (1) There is established an Order of Precedence for the holders of the following public offices in the following hierarchy—

(a) the Governor;

(b) the Deputy Governor;

(c) the Speaker of the County Assembly;

- (d) the Leader of Majority and Leader of Minority of the County Assembly;
 - (e) Member of County Assembly;
 - (f) County Executive Committee Member;
 - (g) County Secretary and Head of County Public Service;
 - (h) Chairpersons of County Agencies and Boards;
 - (i) Chief Officers, Clerk of County Assembly and Chief of Staff;
 - (j) County Attorney;
 - (k) Advisors;
 - (l) Heads of County Agencies; and
 - (m) County Section Heads.
- (2) In functions attended by National Government officials, their order of precedence shall be as prescribed in National law.
- (3) The order of precedence shall be used to—
- (a) determine and rank county public officers;
 - (b) develop seating charts, programmes and the order in which national and county governments officials deliver address at national and county functions;
 - (c) Any other matters of protocol at county public functions;

PART III—MISCELLANEOUS

Offences and Penalties

5. (1) Every county public officer shall be under obligation to comply with the provisions of this act.

(2) If any such officer acts in contravention of the provisions of this Act, either through his or her disobedience, disregard, abuse, neglect or negligence, the county public officer commits an offence and shall be liable on conviction to a fine not exceeding Kenya shillings ten thousand or to imprisonment for a term not exceeding one month or both.

(3) Any other person other than a county public officer who contravenes the provisions of this Act commits an offence and shall be liable on conviction to a fine not exceeding Kenya shillings five thousand or to imprisonment for a term not exceeding one month or both.

Regulations

6. The Executive Committee Member may make regulations for the better carrying into effect of the provisions of this Act.

