

Constitutional Offices (Remuneration) Act Cap 423

Short title

1. This Act may be cited as the Constitutional Offices (Remuneration) Act.

Salaries and allowances for certain offices under the constitution

2.(1) The salaries to be paid to the holders of the offices specified in the first column of the Schedule, being the offices mentioned in section 104 of the Constitution, shall, be at the annual salary scales or rates specified in relation to those offices in the second column of that Schedule-

(a) in the case of the Attorney-General, the Chief Justice, Judges of Appeal and Puisne Judges, with effect from the 1st November, 1997;

(b) in the case of the Controller and Auditor-General, with effect from the 9th April, 1996;

(c) in the case of the Chairman, Deputy Chairman and members of the Public Service Commission, with effect from the 1st November, 1997; and

(d) in the case of the Chairman, Vice-Chairman and members of the Electoral Commission with effect from the 1st January, 1997.

Provided that where a salary scale is specified, the holder of the office shall be paid such salary, within the scale, as the President may determine having regard to-

(a) the seniority of the various office holders, based on the the number of years served in a particular office; and

(b) the differences in skills, workload and accountabilities attached to each office.

(2) The holders of the offices specified in the first column of the Schedule shall be paid such allowances as may be determined from time to time by the President.

Allowances for members of electoral commission [repealed by 8 of 2000, s. 3]

3. The allowances to be paid to appointed members of the Electoral Commission shall be-

(a) an attendance allowance of eighty shillings for each day or part of a day on which the Electoral Commission meets and the member is present at the meeting, but so that he shall not be paid more than once in respect of any one day;

(b) a subsistence allowance at such rate and in such circumstances as the Treasury may authorize;

(c) a transport allowance in respect of any journey made to attend a meeting of the Electoral Commission, at the appropriate rate for the time being in force in respect of

Government officers, or, if there is no such rate which is appropriate, at such rate as the Treasury may authorize.

Other allowances

4. Nothing contained in this Act shall preclude the payment to the holder of the office specified in the first column of the Schedule any allowance not mentioned or determined in accordance with this Act which he is eligible to receive other than by virtue of this Act.

Exemption from income tax [to be repealed by section 47 of the Finance Act 2008]

5. All allowances payable to the holder of the offices specified in the first column of the Schedule shall be exempt from income tax notwithstanding the provisions of any other written law relating to income tax.

Validation of increments.

6. Notwithstanding the provisions of this Act or of any other written law, any increments in the salaries paid to the holders of any of the offices specified in the first column of the Schedule, between the 1st July, 1985 and the date of commencement of this section shall be deemed to be in accordance with the provisions of this Act.

SCHEDULE

<i>Office</i>	<i>Salary Scale or Rate</i>
Attorney-General	Band A 1
Chief Justice	Band A 1
Judge of Appeal	Band A 2
Puisne Judge	Band A 3
Controller & Auditor-General	Band A 2
Chairman, Public Service Commission	Band A 2
Deputy Chairman, Public Service Commission	Band A 3
Member, Public Service Commission	Band A 3
Chairman, Electoral Commission	Band A 2
Vice-Chairman, Electoral Commission	Band A 3
Member, Electoral Commission	Band A 3

"Salary Scale Band A 1" means a salary scale commencing at Kshs. 300,105 per month, increasing by Kshs. 30,010 per annum to Kshs. 330,115 per month;

- thereafter increasing by Kshs. 33,010 per annum to Kshs. 363,125 per month;
- thereafter increasing by Kshs. 36,310 per annum to Kshs. 399,435 per month;
- thereafter increasing by Kshs. 39,945 per annum to Kshs. 439,380 per month;
- thereafter increasing by Kshs. 43,940 per annum to Kshs. 483,320 per month;
- thereafter increasing by Kshs. 48,330 per annum to Kshs. 531,650 per month.

"Salary Scale Band A 2" means a salary scale commencing at Kshs. 180,655 per month, increasing by Kshs. 16,260 per annum to Kshs. 196,915 per month;

- thereafter increasing by Kshs. 17,720 per annum to Kshs. 214,635 per month;
- thereafter increasing by Kshs. 19,320 per annum to Kshs. 233,955 per month;

- thereafter increasing by Kshs. 21,055 per annum to Kshs. 255,010 per month;
- thereafter increasing by Kshs. 22,950 per annum to Kshs. 277,960 per month;
- thereafter increasing by two annual increments of Kshs. 25,015 each to Kshs. 327,990 per month;
- thereafter increasing by Kshs. 30,000 per annum to Kshs. 357,990 per month;
- thereafter increasing by two annual increments of Kshs. 35,000 each to Kshs. 427,990 per month.

"Salary Scale Band A3" means a salary scale commencing at Kshs. 130,315 per month, increasing 11,730 per annum to Kshs. 142,045 per month;

- thereafter increasing by Kshs. 12,785 per annum to Kshs. 154,830 per month;
- thereafter increasing by Kshs. 13,930 per annum to Kshs. 168,760 per month;
- thereafter increasing by Kshs. 15,190 per annum to Kshs. 183,950 per month;
- thereafter increasing by Kshs. 16,555 per annum to Kshs. 200,505 per month;
- thereafter increasing by Kshs. 2435 per annum to Kshs. 217070 per month;
- thereafter increasing by Kshs. 14,130 per annum to Kshs. 214,635 per month;
- thereafter increasing by two annual increments of Kshs. 17,500 each to Kshs. 252,070 per month;
- thereafter increasing by three annual increments of 18,250 each to Kshs. 306,820 per month;
- thereafter increasing by Kshs. 18,430 per annum to Kshs. 325,250 per month and
- thereafter increasing by Kshs. 18,070 per annum to Kshs. 343,320 per month.