

National Assembly (Remuneration) Act Cap 5

Short title.

1. This Act may be cited as [the National Assembly Remuneration Act](#).

Payment of salaries and allowances.

2. The persons for the time being holding the several offices specified in the first column of the First Schedule shall each receive salaries and allowances at the annual rates specified in relation to those offices in that Schedule.

Gratuities.

3. (1) The Speaker and the Deputy Speaker, the Vice-President and every other Minister and every Assistant Minister shall receive a gratuity, at the rate of twenty per centum of the salary specified in the second column of the First Schedule, payable at such intervals and subject to such conditions as the President may from time to time direct.

(2) Gratuities under this section shall be payable in respect of service since the date of appointment of the person concerned.

Payment of further allowances.

4. Without prejudice to section 2 and in addition thereto, every Member of the National Assembly of the category specified in the first column of the Second Schedule shall receive the allowance specified in relation to him in the second column of that Schedule.

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 [to be repealed by section 47 of the Finance Act 2008]

5. All allowances payable under this Act shall be exempt from income tax notwithstanding the provisions of any other written law relating to income tax.

Interpretation of Schedules.

7. In the Schedules -

"accommodation allowance" means an allowance payable to the person -

(a) at the rate of £ 27,000 a year in respect of Leader of Official Opposition;

(b) at the rate of £ 22,000 A year in respect of Government Deputy Chief Whip, the Official Opposition Whip and Members of the Chairmen's Panel;

(c) at the rate of £ 20,000 a year in respect of all other Members of the National Assembly.

"attendance allowance" means an allowance payable to the person concerned for the attendance of Committee meetings of the National Assembly whenever the National Assembly is not sitting;

"constituency allowance" means an allowance at the rate of £ 2,664 a year;

"house allowance" means an allowance, payable when no housing accommodation is provided by the Government for the person concerned -

(a) at the rate of £6,000 a year in respect of the Speaker, the Vice-President, other Ministers, Assistant Ministers, the Deputy Speaker and the Chief Whip; and

(b) at the rate of £4,500 a year in respect of the Deputy Chief Whip and Members of the Chairmen's Panel.

(c) at the rate of £27,000 a year in respect of the Deputy Speaker and the Government Chief Whip;

(d) at the rate of £ 25,000 a year in respect of Assistant Ministers;

"transport allowance" means an allowance at such rate as the Treasury may authorize.

"Nominated or Ex -Officio Member allowance" means an allowance at the rate of £ 3,120 a year payable to a Nominated Member or an Ex-Officio Member;

"sitting allowance" means an allowance at such a rate as the Treasury may authorize.

FIRST SCHEDULE

Office

Salary

Allowances

The Speaker.

£

6,000

Sitting allowance, house allowance, ex-officio member allowance and transport allowance; responsibility allowance of £9,720 a year.

The Deputy Speaker.

6,000

Sitting allowance, constituency allowance, house allowance and transport allowance; responsibility allowance of £5,400 a year.

The Vice-President

6,000

Sitting allowance, constituency allowance, house allowance and transport allowance; responsibility allowance of £9,900 a year.

Every other Minister

6,000

Sitting allowance, constituency allowance or nominated member allowance, house allowance and transport allowance: responsibility allowance of £6,522 a year.

The Leader of the Official Opposition

6,000

Sitting allowance, constituency allowance, accommodation allowance, responsibility allowance of £5,400 a year.

Assistant Minister	6,000	Sitting allowance, constituency allowance, house allowance and transport allowance; responsibility allowance of £4,800 a year.
The Government Chief Whip	6,000	Sitting allowance, constituency allowance, house allowance and transport allowance; responsibility allowance of £5,400 a year.
The Government Deputy Chief	6,000	Sitting allowance, constituency allowance, accommodation allowance and transport allowance; responsibility allowance £4,680 a year.
The Official Opposition Whip	6,000	Sitting allowance, constituency allowance, accommodation allowance and transport allowance; responsibility allowance of £4,680 a year.
Member of the Chairmen's Panel	6,000	Sitting allowance, constituency allowance, accommodation allowance and transport allowance; responsibility allowance of £5,400 a year.
Every other Elected Member of the National Assembly	6,000	Sitting allowance, constituency allowance, accommodation allowance and transport allowance; responsibility allowance of £4,500 a year.

Nominated Member	6,000	Sitting allowance, constituency allowance. accommodation allowance and transport allowance: responsibility allowance of £4,500 a year.
Member of the National Assembly other than the Speaker, the Deputy Speaker, Vice-President other Minister, Assistant Ministers and the Government Chief Whip.		Attendance allowance of £150 for each member and £175 day for the chairman. National Assembly more than once in respect of any one day; and

SECOND SCHEDULE

<i>Category of Member</i>	<i>Nature of Allowance</i>
1. Every Member of the National Assembly other than the Speaker, the Deputy Speaker, the Vice-President, other Ministers, and Assistant Ministers.	<p>A. Mileage allowance in respect of any journey made in Kenya for the purpose of attending-</p> <p>(a) a sitting of the National Assembly at which the Member attends; or</p> <p>(b) a meeting of any committee of the National Assembly which the Member attends; or</p> <p>(c) a meeting of any other committee board or other body which the member attends, if the Member is also a Member of such committee, board or other body by virtue of a requirement in the constitution thereof that a Member of the National Assembly be included in the composition thereof whether as an individual Member of the National Assembly or as representing any organization or group of Members of the National Assembly; or</p> <p>(d) a meeting of any organization or group of Members of the National Assembly which is not less in number than the number of Members which constitutes a quorum of the Assembly and for purpose of discussing any business before or to come before the National Assembly, and the Member is present at the meeting;</p>

Provided that-

(i) mileage allowance shall not be paid to any Member of the National

Assembly more than once in respect of any one day; and

(ii) mileage allowance in respect of attendance at any meeting referred to in paragraph (d) shall not be paid in respect of more than fifty-two attendances in any one year

(iii) a member of the National Assembly representing a constituency within the Nairobi Area or an area outside Nairobi within a radius of one hundred kilometers shall be paid a commuted mileage allowance of £1,350; and such a member shall not be entitled to be paid transport allowance.

B. Mileage allowance in respect of any journey made in Kenya by a Member between Nairobi and his home and his electoral area or the area which he represents on or in connexion with the business of the National Assembly.

C. Mileage allowance in any other circumstances approved by the Treasury.

2. The Deputy Speaker, the Vice-President, other Ministers, and Assistant Ministers.

(a) Mileage allowance in respect of any journeys, not exceeding fifty-two in one year, made outside Nairobi in connexion with the business of the National Assembly or in connexion with other special business not coming within the normal business of the National Assembly or his Ministry, as the case may be; and

(b) a commuted mileage allowance for travel in and about Nairobi, where an official car is not provided, of £1,350.

Category of Member
3. Every Member of the National Assembly, including the Speaker, the Deputy Speaker, the vice-President, other Ministers and Assistant Ministers.

Nature of Allowance
An air or railway travel allowance (in lieu of mileage allowance) in respect of the journeys referred to under items 1 and 2 of this Schedule, where such travel is available and feasible:

Provided that-

- (a) in case of a journey by air, the Member shall only be entitled to travel business class; and
- (b) in case of a journey by railway, the Member shall be entitled to travel first class.

4. Every Member of the National Assembly, including the Speaker, the Deputy Speaker, the Vice-President, other Ministers and Assistant Ministers.

A. A motor vehicle purchase allowance for the purchase of one motor vehicle of the Member's choice, for use in respect of any journey made in Kenya for the purpose of attending to the business of the National Assembly, which shall be KSh. 3,300,000.00, payable during the Parliamentary term of five years.

B. A car maintenance allowance in respect of a motor vehicle purchased and used pursuant to item A, at the rate of KSh. 900,000.00 per year.

5. Every member of the National Assembly.

A severance allowance at the rate of Ksh. 300,000/= for every year in service.