THE STATE CORPORATIONS ACT

In exercise of the powers conferred by section 3 (1) of the State Corporations Act, I, Mwai Kibaki, President and Commander-in-Chief of the Armed Forces of the Republic of Kenya, make the following Order:

THE KENYA YEARBOOK ORDER, 2007

1. This Order may be cited as the Kenya Yearbook Order, 2007.

2. In this Order, unless the context otherwise requires—

“Board” means the Kenya Yearbook Editorial Board established under paragraph 3.

“Minister” means the Minister responsible for matters relating to information and communications.

3. (1) There is established a state corporation to be known as the Kenya Yearbook Editorial Board, which shall be a body corporate in accordance with section 3 of the Act.

(2) The Board shall consist of—

(a) a non-executive chairman appointed by the President;
(b) a chief executive of the Board who shall be appointed by the Minister;
(c) the Permanent Secretary to Treasury;
(d) the Permanent Secretary in the Ministry for the time being responsible for information;
(e) the Permanent Secretary, Ministry for the time being responsible for provincial administration and internal security;
(f) the Permanent Secretary, Ministry of Trade and Industry;
(g) the Permanent Secretary, Ministry of Planning and National Development;
(h) the Permanent Secretary, Ministry of Tourism and Wildlife;
(i) the Permanent Secretary, Ministry of Science and Technology;
(j) three other members, nominated by the following bodies and appointed by the Minister—...
(i) the Kenya Private Sector Alliance;
(ii) the Kenya Chamber of Commerce;
(iii) the National Council of Non-Governmental Organizations.

(3) The members of the Board other than ex-officio shall hold office for a period of three years and shall be eligible for re-appointment once.

(4) The functions of the Board shall be to—
(a) periodically compile, edit and publish the Kenya Yearbook;
(b) document and detail the work of Government of Kenya in the Yearbook in partnership with the people;
(c) explain in the Yearbook the programme of action to sustain and speed up progress towards the kind of society Kenyans desire;
(d) convey in the Yearbook the immense resources Kenya and the potential still to be tapped.

(5) The Headquarters of the Board shall be in Nairobi.

(6) The funds and assets of the Board shall consist of—
(a) such monies or assets as may accrue to or vest in the Board, in the course of the exercise of its powers or the performance of its functions under this Order;
(b) any monies which may in any manner become payable to or vested in the Board in respect of any matter incidental to the carrying out of its functions;
(c) any gifts as may be given to the Board;
(d) such monies as may be appropriated by Parliament for the purposes of the Board; and
(e) all monies from any other source provided, donated or lent to the Board.

7. The financial year of the Board shall be the period of twelve months ending on thirtieth day of June in each year.

8. (1) At least three months before the commencement of each financial year, the Board shall cause to be prepared estimates of the revenue and expenditure of the Board for that financial year.

(2) The annual estimates shall make provision for all estimated expenditure of the Board for the financial year concerned, and in particular shall provide for:
(a) the payment of the salaries, allowances and other charges in respect of the financial officers, members of staff or agents of the Board;
(b) the payment of the pensions, gratuities and other charges in respect of the retirement benefits payable to the members of staff of the Board;
(c) the proper maintenance of the buildings and grounds of the Board;

(d) the proper maintenance, repair and replacement of the equipment and other movable property of the Board; and

(e) the creation of such reserve funds to meet future contingent liabilities in respect of retirement benefits, insurance, replacement of buildings or equipment, or in respect of such other matters as the Board may deem it.

(3) The annual estimates shall be approved by the Board before the commencement of the financial year to which they relate and, once approved, the sum provided in the estimates shall be submitted to the Minister for approval.

(4) No expenditure shall be incurred for the purposes of the Board except in accordance with the annual estimates approved under subparagraph (3), or in pursuance of an authorization of the Board given with prior written approval of the Minister, and the Permanent Secretary to the Treasury.

9. (1) The Board shall cause to be kept proper books other records of accounts of the income, expenditure, assets and liabilities of the Board.

(2) Within a period of three months after the end of each financial year, the Board shall submit to the Controller and Auditor-General the accounts of the Board, in respect of that year, together with—

(a) a statement of income and expenditure during that financial year; and

(b) a statement of the assets and liabilities of the Board on the last day of that financial year.

(3) The accounts of the Board shall be audited and reported upon in accordance with the provisions of the Public Audit Act, 2003.

10. (1) The Board may invest any of the funds of the Board in securities in which the Board may by law invest trust funds, or in any other securities which the Treasury may, from time to time, approve.

(2) The Board may place on deposit, with such bank or banks as the Treasury may approve from time to time, any monies not immediately required for the purposes of the Board.

11. (1) The Board shall, within three months after the end of each financial year, prepare and submit to the Minister, a report on the operations of Board for the immediately proceeding financial Year.

(2) The Minister shall lay the annual report before the National Assembly as soon as is practicable after the National Assembly next sits after the Minister has received the report.

Dated the 23rd August, 2007.

MWAI KIBAKI,
President.