Provided that a member of staff of the Bandari College may exercise the option not to continue in the service of the Academy.

(2) The person who immediately before the commencement of this Order, was the Principal of Bandari College shall oversee the transition of the Academy for a period to be determined by the Board but not exceeding twelve months.

(3) All rights, obligations, powers and duties whether arising under any written law or otherwise which immediately before such day were vested in or imposed on Bandari College shall, by virtue of this subparagraph, be deemed to be vested in or imposed on the Academy.

(4) All the funds, assets and other movable and immovable property including land, buildings, machinery, apparatus and materials, which immediately before the coming into operation of this Order, were held by or on behalf of the Bandari College shall by virtue of this subparagraph be vested in the Academy.

(5) All actions, suits or legal proceedings by or against the Bandari College shall be carried on or prosecuted by or against the Authority and no such suit, action or legal proceedings shall abate or be affected by the coming into operation of this Order.

(6) The administrative directions made by the Bandari College or by the Cabinet Secretary which were in force immediately before the coming into operation of the Order shall, on and after such day, have force as if they were directions made by the Board or the Cabinet Secretary under this Order.

(7) Any reference in any written law or in any document or instrument to the Bandari College shall on and after the commencement of this Order, be construed to be a reference to the Academy.

Dated the 16th November, 2018

UHURU KENYATTA,
President.

LEGAL NOTICE NO. 234

THE INCOME TAX ACT
(Cap. 470)

EXEMPTION

IN EXERCISE of the powers conferred by section 13 (2) of the Income Tax Act, the Cabinet Secretary for the National Treasury and Planning directs that the severance pay, salary in lieu of notice, payment of accumulated leave days, transport allowance and golden handshake to three hundred and fifteen employees of the Kerio Valley Development Authority who qualify to leave service under the Voluntary Early Retirement Programme shall be exempt from the provisions of the Act:

Provided that—
(a) this exemption shall not apply to employees who have attained the age of sixty years or have less than one year before they retire from service;

(b) this exemption shall not apply to any payment received from the Provident Fund;

(c) any employee who shall retire under the Voluntary Early Retirement Programme and benefit from this exemption shall not be re-employed by the Kerio Valley Development Authority in any capacity or under any terms whatsoever before the expiry of five years from the date of retrenchment;

(d) the Kerio Valley Development Authority shall comply with any condition imposed on it by the Commissioner of Income Tax; and

(e) the Kerio Valley Development Authority shall provide the Commissioner of Income Tax with the name of each employee who retires under the Voluntary Early Retirement Programme, the date that the retired, the total amount paid to the employee and a copy of the letter from the employee confirming the employee's retirement.

Dated the 23rd November, 2018.

HENRY ROTICH,
Cabinet Secretary for the National Treasury.