

**THE INTERNATIONAL MONETARY FUND
(AMENDMENT OF ARTICLES) ACT, 1977**

No. 11 of 1977

Date of Assent: 4th October, 1977

Date of Commencement: 7th October, 1977

An Act of Parliament to provide for the acceptance by Kenya of amendments to the Articles of Agreement of the International Monetary Fund.

WHEREAS the Board of Governors of the International Monetary Fund have approved in Resolution No. 31-4 of 31st March, 1976, Amendments (hereinafter in this Act referred to as the Amendments) to the Articles of Agreement of the said Fund;

AND WHEREAS the text of the Articles as revised by the Amendments have been laid before the National Assembly;

AND WHEREAS it is expedient that Kenya should accept the Amendments and fulfil the obligations of the revised Articles:

NOW THEREFORE, be it enacted by the Parliament of Kenya, as follows:—

1. This Act may be cited as the International Monetary Fund (Amendment of Articles) Act, 1977. Short title.

2. (1) The Minister is hereby authorized to communicate, on behalf of the Government of Kenya, the acceptance by the Republic of Kenya of the Amendments, and to execute an instrument under his hand setting forth that the Republic of Kenya undertakes all of the obligations required by the Amendments and has taken all steps necessary to carry out all of the said obligations. Acceptance of the Amendments.

(2) The Minister is hereby also authorized to communicate, on behalf of the Government of Kenya, the acceptance by the Republic of Kenya, of other amendments whenever he shall, from time to time, determine it expedient and in the interest of Kenya so to do: Acceptance of other amendments.

Provided that the text of every such other amendment with any notes which the Minister may consider to be appropriate shall be laid without delay before the National Assembly.

Implementation
of the
Amendments.

Cap. 464.

Cap. 467.

3. (1) As from the date that the Amendments come into force as provided by the hereinbefore recited Resolution, the Bretton Woods Agreements Act and the International Monetary Fund Act shall apply to the Articles of Agreement of the International Monetary Fund as modified by the Amendments.

(2) As from each of the dates that any other amendments accepted by the Minister in accordance with section 2 (2) of this Act come into force, the Bretton Woods Agreements Act and the International Monetary Fund Act shall apply to the Articles of Agreement of the International Monetary Fund as modified by such other amendments.

(3) The provisions of section 8 of Article IX of the Articles of Agreement of the International Monetary Fund, as inserted therein by the Amendments, set out in the Schedule to this Act shall have the force of law in Kenya and shall be substituted for section 8 of the Schedule which relates to the International Monetary Fund in the Bretton Woods Agreements Act.

SCHEDULE

ARTICLE IX—STATUS, IMMUNITIES, AND PRIVILEGES

Section 8—Immunities and Privileges of Officers and Employees

All Governors, Executive Directors, Alternates, members of committees, representatives appointed under Article XII, Section 3 (j), advisors of any of the foregoing persons, officers and employees of the Fund—

- (i) shall be immune from legal process with respect to acts performed by them in their official capacity except when the Fund waves this immunity;
- (ii) not being local nationals, shall be granted the same immunities from immigration restrictions, alien registration requirements, and national service obligations and the same facilities as regards exchange restrictions as are accorded by members to the representatives, officials, and employees of comparable rank of other members; and
- (iii) shall be granted the same treatment in respect of travelling facilities as is accorded by members to representatives, officials and employees of comparable rank of other members.