



LAWS OF KENYA



## **NATIONAL ASSEMBLY REMUNERATION ACT**

### CHAPTER 5

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**CHAPTER 5**

**NATIONAL ASSEMBLY REMUNERATION ACT**

ARRANGEMENT OF SECTIONS

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**CHAPTER 5****NATIONAL ASSEMBLY REMUNERATION ACT**

[Date of assent: 28th October, 1975.]

[Date of commencement: 1st October, 1975.]

**An Act of Parliament to fix the salaries and allowances for the Speaker, the Deputy Speaker and Members of the National Assembly, and for the Vice-President and other Ministers, and for Assistant Ministers; and for purposes incidental thereto and connected therewith**

[Act No. 9 of 1981, Act No. 12 of 1981, Act No. 12 of 1984, Act No. 7 of 1986, Act No. 2 of 1992, Act No. 9 of 1994, Act No. 2 of 2002, Act No. 2 of 2003, Act No. 7 of 2007, Act No. 8 of 2009, Act No. 4 of 2012.]

**1. Short title**

This Act may be cited as the National Assembly Remuneration Act, 1975.

**2. Payment of salaries and allowances**

(1) The persons for the time being holding the several offices specified in the first column of Part I of the First Schedule to this Act shall each receive salaries and allowances at the annual rates specified in relation to those offices in that Schedule.

(2) In addition to the allowances referred to in subsection (1)—

- (a) the persons for the time being holding the several offices specified in the first column of Part II of the First Schedule shall receive a sitting allowance at the rates respectively specified in the second column of that Schedule in respect of every meeting attended;
- (b) every Member of the National Assembly shall, in respect of every sitting of the National Assembly he attends, receive an attendance allowance of KSh. 5,000.00 per sitting.

[Act No. 2 of 2003, s. 2, Act No. 8 of 2009, s. 30A.]

**3. Gratuities**

(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 of this Act, 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.

**4. Payment of further allowances**

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

(2) In the Second Schedule, “**mileage allowance**” means an allowance at such rate as the Treasury may authorize.

[Act No. 2 of 2003, s. 3.]

**5. Exemption from income tax**

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

**6.** *Repealed by Act No. 12 of 1984, Sch.*

**7.** *Repealed by Act No. 2 of 2003, s. 4.*

[Act No. 12 of 1984, Sch., Act No. 7 of 1986, s. 2, Act No. 2 of 1992, s. 2,  
Act No. 9 of 1994, s. 2, Act No. 2 of 2003, s. 4.]

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## National Assembly Remuneration

SCHEDULES  
FIRST SCHEDULE  
[Section 2(1).]

## PART I

[Act No. 9 of 1981, s. 3, Act No. 12 of 1981, Sch., Act No. 7 of 1986, s. 3, Act No. 2 of 1992, s. 3, Act No. 9 of 1994, s. 3, Act No. 2 of 2002, Sch., Act No. 2 of 2003, s. 5, Act No. 4 of 2012, s. 23.]

Office	Salary (KSh. per year)	Parliamentary Responsibilities Allowance (KSh. per year)	Constituency Allowance (KSh. per year)	House Allowance (KSh. per year)	Extraneous Duty Allowance (KSh. per year)	Entertainment Allowance (KSh. per year)
Vice-President	3,600,000.00	2,400,000.00	1,200,000.00		1,400,000.00	1,400,000.00
Speaker	3,600,000.00	3,600,000.00			1,400,000.00	1,400,000.00
Deputy Speaker	2,400,000.00	2,400,000.00	600,000.00	1,200,000.00	500,000.00	960,000.00
Minister	2,400,000.00		600,000.00	1,200,000.00	800,000.00	960,000.00
Leader of Official Opposition	2,400,000.00		600,000.00	1,200,000.00	500,000.00	960,000.00
Assistant Minister	2,400,000.00		600,000.00	960,000.00	380,000.00	840,000.00
Parliamentary Service Commissioner	2,400,000.00	1,200,000.00	600,000.00	960,000.00	380,000.00	840,000.00
Member of Parliament	2,400,000.00		600,000.00	840,000.00	360,000.00	720,000.00
Government Chief Whip	2,400,000.00		600,000.00	1,200,000.00	500,000.00	840,000.00
Deputy Government Chief Whip	2,400,000.00		600,000.00	960,000.00	380,000.00	840,000.00
Opposition Whips	2,400,000.00		600,000.00	960,000.00	380,000.00	840,000.00
Member of Chairmen's Panel	2,400,000.00	2,400,000.00	600,000.00	960,000.00	360,000.00	840,000.00
Other recognized Whips	2,400,000.00		600,000.00	840,000.00	360,000.00	720,000.00

## National Assembly Remuneration

FIRST SCHEDULE—*continued*

## PART II

[Act No. 9 of 1981, s. 4, Act No. 7 of 1986, s. 4, Act No. 2 of 1992, s. 4,  
Act No. 9 of 1994, s. 4, Act No. 2 of 2003, s. 5.]

<i>Office held</i>	<i>Sitting Allowance (KSh. per day)</i>
Chairperson, Parliamentary Service Commission	20,000.00
Vice-Chairperson, Parliamentary Service Commission	15,000.00
Chairperson, Sub-committee of the Parliamentary Service Commission	12,500.00
Other Commissioners, Parliamentary Service Commission	10,000.00
Chairperson of a Parliamentary Committee	8,000.00
Member, Parliamentary Committee	5,000.00

## SECOND SCHEDULE

[Section 4, Act No. 7 of 1986, s. 4, Act No. 2 of 1992, s. 4, Act No. 9 of 1994,  
s. 4, Act No. 2 of 2002, No. 2 of 2003, s. 6, Act No. 7 of 2007, Sch.,  
Act No. 4 of 2012, s. 24.]

<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>



SECOND SCHEDULE—*continued*

<i>Category of Member</i>	<i>Nature of Allowance</i>
	<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 the purpose of discussing any business before or to come before the National Assembly, and the Member is present at the meeting:</p> <p>Provided that—</p> <p>(i) mileage allowance shall not be paid to any Member of the National Assembly more than once in respect of any one day;</p> <p>(ii) transport 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; and</p> <p>(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 kilometres shall be paid a commuted mileage of £1,350; and such a member shall not be paid transport allowance.</p> <p>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 connection with the business of the National Assembly.</p> <p>C. Mileage allowance in any other circumstances approved by the Treasury.</p>

SECOND SCHEDULE—*continued*

<i>Category of Member</i>	<i>Nature of Allowance</i>
2. The Deputy Speaker, the Vice-President, other Ministers, and Assistant Ministers.	<p>Transport allowance as follows—</p> <p>(a) in respect of any journeys, not exceeding fifty-two in any 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</p> <p>(b) a commuted mileage allowance for travel in and about Nairobi, where an official car is not provided, of £1,350.</p>
3. Every Member of the National Assembly including the Speaker, the Deputy Speaker, the Vice-President, other Ministers and Assistant Ministers.	<p>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:</p> <p>Provided that—</p> <p>(a) in the case of a journey by air, the Member shall only be entitled to travel business class; and</p> <p>(b) in the case of a journey by railway, the Member shall be entitled to travel first class.</p>
4. Every Member of the National Assembly, including the Speaker, the Deputy Speaker, the Vice President, other Ministers and Assistant Ministers.	<p>A. A motor vehicle purchase allowance for the purchase of one motor vehicle of the Member's choice, for use in respect of attending to the business of the National Assembly, which shall be KSh. 3,300,000.00, payable to a Member only once during the Parliamentary term of five years.</p> <p>B. A car maintenance allowance in respect of motor vehicle purchased and pursuant to item A, at the rate of KSh. 900,000.00 per year.</p>

National Assembly Remuneration

SECOND SCHEDULE—*continued*

<i>Category of Member</i>	<i>Nature of Allowance</i>
5. Every Member of the National Assembly.	A severance allowance at the rate of thirty-one per centum of the salary specified in the second column of the First Schedule for every year in service.

