



Salaries & Remuneration
Commission
Rewarding productivity

Ref. No: SRC/TS/CGOVT/3/61

21st May, 2013

Mr. Kinuthia Wamwangi
Chairperson
Transitional Authority
NAIROBI

Dear Mr Wamwangi

IMPLEMENTATION OF THE KENYA GAZETTE NOTICE NO.2888 ON REMUNERATION AND BENEFITS FOR STATE OFFICERS IN THE COUNTY GOVERNMENT

Your attention is drawn to the Kenya Gazette Notice No. 2888 dated 28th February, 2013 on the Remuneration and Benefits for State Officers in the County Government. Following several enquiries on the implementation of the Remuneration and Benefits for State Officers in the County Government, it has become necessary to provide clarification on the structure to ensure uniformity of implementation and compliance to the provision and spirit of the Gazette Notice and the Constitution.

(a) Capping Allowances at 40%

Please note that the gross monthly remuneration package for State Officers in County government, in the Gazette Notice which is also indicated in the table below is inclusive of 40% allowance.

State Officer	Gross Monthly Remuneration Package (Kshs.)					
	Minimum			Maximum		
	Basic (60%)	Allowances (40%)	Total	Basic (60%)	Allowances (40%)	Total
County Governor	384,409	256,272	640,681	512,545	341,696	854,241
Deputy Governor	276,750	184,500	461,250	369,000	246,000	615,000
Speaker of the County Assembly Member of the Executive Committee	135,000	90,000	225,000	180,000	120,000	300,000
Member of the County Assembly	47,520	31,680	79,200	63,240	105,600	105,600

The 40% Allowance is therefore, included in the gross monthly remuneration and any other allowances that could have been paid to respective State Officers. The only exception is the additional allowances and benefits specifically stated in the Gazette Notice.

22 XIB 999A

(b) County Assembly Committee Sitting Allowance

(i) The Gazette Notice No. 2888 provides for payment of sitting allowance to County Assembly Committees. The allowance is only payable as and when the respective County Committees sit. Consequently, the Sitting Allowance are only payable to the Chairperson, Vice Chairperson and Members as and when they sit in Committees and the same are subject to the maximum stated in the Gazette.

(ii) Normal County Assembly sitting is compensated through payment of basic salary.

(c) Accommodation Allowance

Payment of Accommodation and Subsistence Allowance to State Officers in the County Government should be based on the existing rates applicable to the Public Service for equivalent grades as shown in the **attached Circular** No: MSPS 18/2A/(89) dated 12th November, 2009. Based on the Circular, the listed positions would be paid at the rates payable to the following equivalent levels:

<u>Office</u>	<u>Level</u>
(i) Governor	- Band A ₂ ,
(ii) Deputy Governor	- Band A ₃ , upper
(iii) Speaker and Members of the Executive Committee	- Band A ₃ , lower
(iv) Deputy Speaker	- Band B ₁ , upper
(v) Members of the County Assembly	- Band B ₁ , lower

(d) ~~Remuneration Package for Positions not Established in the Constitution as State Officers~~

As you are aware, the positions of the Deputy Speaker, Clerk of the County Assembly and other ~~positions not gazetted are not specified in the Constitution as State Offices~~. Consequently, there is need for consultation with the Public Service Commission, Transition Authority and Salaries and Remuneration Commission on the County Government structure for purposes of determining the applicable remuneration structure. Invitation for this consultative forum has been sent under separate letter.

The purpose of this letter therefore, is to clarify the issues raised and request that you communicate the contents of this letter to all Governors and County Assembly Speakers to ensure uniformity in the implementation of the Gazette Notice and for ensuring parity of treatment. The Commission is available to provide further clarification on the implementation of the provisions of the Gazette Notice as and when need arises.

Yours *Sincerely,*


G. A. Otieno (Mrs.), MBS
COMMISSION SECRETARY

CC:

Mr. Edward R. Ouko
Auditor General
Kenya National Audit Office
NAIROBI

Mrs. Agnes Odhiambo
Controller of Budget
Bima House
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Mrs. Alice A. Otwala, MBS
Secretary
Public Service Commission
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All County Governors
All Speakers, County Assembly




