



THE REPUBLIC OF KENYA

LAWS OF KENYA

THE COUNTY GOVERNMENTS ACT

NO. 17 OF 2012

Revised Edition 2020 [2012]

Published by the National Council for Law Reporting
with the Authority of the Attorney-General

www.kenyalaw.org

NO. 17 OF 2012

COUNTY GOVERNMENTS ACT

ARRANGEMENT OF SECTIONS

PART I – PRELIMINARY

Section

1. Short title and commencement
2. Interpretation
3. Object and purpose of the Act
4. County symbols

PART II – COUNTY GOVERNMENTS

5. Functions of county governments
6. Powers of county governments
- 6A. Location of county governments

PART III – COUNTY ASSEMBLY

7. Membership of the county assembly
- 7A. County Assemblies to be duly constituted at first sitting
- 7B. Location of sitting of a county assembly
8. Role of the county assembly
9. Role of members of the county assembly
- 9A. Speaker and deputy speaker
10. County assembly party leaders
11. Vacation of office of speaker
- 11A. Vacation of office of deputy speaker
12. The county assembly service board
13. Clerk and staff of the county assembly
14. Procedure and committees of the county assembly
15. Right to petition county assembly
16. Deleted
17. Deleted.
18. Official languages of a county assembly
19. Quorum
20. Voting in a county assembly
21. Procedure for the exercise of legislative powers
22. Bill to have a title
23. Publication of a Bill
24. Assenting to a Bill
25. Coming into force of a law

PART IV – ELECTORAL WARDS

26. Number and delimitation of electoral Wards, etc
27. Recall of a county assembly member
28. Petition for recall

29. Recall elections

PART V – COUNTY EXECUTIVE

- 30. Functions and responsibilities of a county governor
- 31. Powers of the governor
- 32. Functions of the deputy governor
- 32A. Inability of governor or deputy governor to assume office
- 32B. Assumption to office of governor by the deputy governor
- 32C. Vacancy in the office of deputy governor
- 32D. Filling of a vacancy in the office of deputy governor.
- 33. Removal of a governor
- 34. Exercise of executive authority
- 35. Appointment of county executive members
- 36. Functions of the executive committee
- 37. Role of the executive committee in urban area or city planning
- 38. Oath of office for the executive committee
- 39. Accountability of members of the executive committee
- 40. Removal of member of executive committee
- 41. Meetings of the county executive committee
- 42. County executive to remain in office after elections
- 43. Representation of county government by Attorney-General in court
- 44. Appointment of county secretary
- 45. Appointment of county chief officers
- 46. County executive committee to determine organisation of county
- 47. Performance management plan

PART VI – DECENTRALIZED UNITS

- 48. Decentralized units
- 49. Urban areas and cities structures
- 50. Office of the sub-county administrator
- 51. Establishment of the office of Ward administrator
- 52. Establishment of the office of village administrator
- 53. Village council
- 54. Structures of decentralization

PART VII – COUNTY PUBLIC SERVICE

- 55. Objectives
- 56. County to have county public service
- 57. Establishment of the County Public Service Board
- 58. Composition of the County Public Service Board
- 58A. Procedure for nomination and appointment of members of the Board.
- 59. Functions and powers of a County Public Service Board
- 59A. Independence of the county public service board
- 60. Criteria for establishment of public offices, etc
- 61. Criteria for abolition of public offices
- 62. Powers of the County Public Service Board to establish or abolish office

- 63. Powers of the County Public Service Board to make appointments
- 64. No unqualified person may be appointed in acting capacity
- 65. Matters to take into account during appointments, etc
- 66. Advertisements of positions to be widely publicised
- 67. Appointments to be in writing
- 68. Board to maintain records of applicants
- 68A. Promotion of equity by the county public service boards
- 68B. Collection and analysis of information on county public service
- 68C. County public service employment equity plan
- 68D. Review of county public service employment equity plan
- 68E. Report of the county public service board
- 69. Re-designation of officers
- 70. Provisions on appointments to apply to promotions
- 71. Confirmation of appointment on lapse of period
- 72. Power to deploy public officers
- 73. Secondments
- 74. County Public Service Board to regulate appointment of persons on contract
- 75. Action on irregularity of process
- 76. Prohibition of punishment contrary to the Constitution
- 77. Appeals to the Public Service Commission
- 78. Resignation, retirement, etc.
- 79. Grounds for retirement
- 80. Prescription of retirement on age
- 81. Retirement on the ground of ill health
- 82. Retirement on grounds of abolition of office
- 83. Retirement on grounds of public interest
- 84. Retirement pursuant to agreement or special retirement scheme
- 85. Entitlement to apply for review
- 86. Delegation by County Public Service Board

PART VIII – CITIZEN PARTICIPATION

- 87. Principles of citizen participation in counties
- 88. Citizens right to petition and challenge
- 89. Duty to respond to citizens' petitions or challenges
- 90. Matters subject to local referenda
- 91. Establishment of modalities and platforms for citizen participation
- 91A. Establishment of County Development Boards
- 91B. Operational expenses
- 91C. Offence of obstructing or hindering the County Development Board
- 92. Part to apply to decentralized units

PART IX – PUBLIC COMMUNICATION
AND ACCESS TO INFORMATION

- 93. Principles of public communication
- 94. Objectives of county communication