



THE REPUBLIC OF KENYA

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THE FOREIGN SERVICE ACT

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NO. 12 OF 2021

FOREIGN SERVICE ACT

[Date of assent: 17th November, 2021.]

[Date of commencement: 7th December, 2021.]

AN ACT of Parliament to provide for the establishment management, administration, accountability and functioning of a professional foreign service of the Republic of Kenya and for connected purposes

[Act No. 12 of 2021.]

PART I – PRELIMINARY

1. Short title

This Act may be cited as the Foreign Service Act, 2021.

2. Interpretation

In this Act, unless the context otherwise requires—

"Academy" means the Foreign Service Academy established under section 28;

"attache" means a public officer other than a foreign service officer deployed to a Kenya Mission abroad for specialized duties;

"Cabinet Secretary" means the Cabinet Secretary for the time being responsible for matters relating to foreign affairs;

"career diplomat" means an Officer of a rank eligible for appointment as a high commissioner, ambassador, diplomatic or consular representative;

"consular post" means any consulate-general, consulate, vice-consulate or consular agency;

"Council" means the Council of the Academy established under section 30;

"dependant child" means a biological offspring or a legally adopted child who is not married-

- (a) and is under the age of twenty-two years;
- (b) is in school and is under the age of twenty-four years; or
- (c) has special needs and is wholly dependent on an officer,

"diplomatic agent" means the Head of a Mission or a member of the diplomatic staff of the mission;

"Foreign Service" means the Foreign Service established under section 3.

"Government" means the Government of the Republic of Kenya;

"Headquarters" means the administrative centre of the Service in Kenya;

"Head of Mission" means an Ambassador, High Commissioner, Permanent Representative, a Consul-General or an Officer acting in that capacity;

"Honorary Consul" means an official representative of one country in the territory of another and does not include a career diplomat;

"international organization" means an intergovernmental organization;