

(Legislative Supplement No. 11)

LEGAL NOTICE NO. 26

## THE STATE CORPORATIONS ACT

(Cap. 446)

IN EXERCISE of the powers conferred by section 3 (1) of the State Corporations Act, I, Mwai Kibaki, President and Commander in Chief of the Armed Forces of the Republic of Kenya, make the following order:—

THE KENYA INFORMATION AND COMMUNICATIONS  
TECHNOLOGY BOARD ORDER, 2007

1. This Order may be cited as the Kenya Information Communications and Technology Board Order, 2007.

Citation.

2. In this Order unless the context otherwise requires -

Interpretation.

“Board” means the Kenya Information and Communications Technology Board established under paragraph 3.

“Minister” means the Minister responsible for matters relating to information and communications technology.

3. (1) There is established a state corporation to be known as the Kenya Information and Communications Technology Board, which shall be a body corporate in accordance with section 3 of the Act.

Establishment and composition of the Board

(2) The Board shall consist of—

- (a) a non-executive chairman appointed by the President;
- (b) a chief executive of the Board who shall be appointed by the Minister;
- (c) the Permanent Secretary to the Treasury;
- (d) the Permanent Secretary in the Ministry for the time being responsible for information and communications technology;
- (e) three members who are public officers, appointed by the Minister; and
- (f) not more than four members, not being public officers, appointed by the Minister by virtue of their knowledge or experience in matters relating to information and communications technology or related consumer interests.

4. The functions of the Board shall be to—

Functions of the Board.

- (a) advise the Government on all relevant matters pertaining to

- the development, co-ordination and promotion of information and communications technology industries in the country;
- (b) promote both locally and internationally the opportunities for investment in information and communications technology;
  - (c) facilitate and manage information and communications technology, industrial incubation parks and technology parks together with associated facilities on sites, estates and land;
  - (d) appoint agents within and without the country to carry out such functions, as it may consider necessary, in accordance with this Order;
  - (e) carry out any other activity as, in the Board's opinion, will promote and facilitate the development of information and communications technology products and services.
- Headquarters. 5. The Headquarters of the Board shall be in Nairobi.
- Funds for the Board. 6. The funds of the Board shall consist of—
- (a) such moneys as may be provided by Parliament for the purposes of the Board;
  - (b) such moneys or assets as may accrue or vest in the Board in the course of the performance of its functions under this Order; and
  - (c) such moneys as may be payable to the Board pursuant to this order or any written law or pursuant to any gift or trust.
- Financial year. 7. The financial year of the Board shall be the period of twelve months ending on the thirtieth June in each year.
- Annual estimates. 8. (1) At least three months before the commencement of each financial year, the Board shall cause to be prepared estimates of the revenue and expenditure for that year.
- (2) The annual estimates shall make provision for all estimated expenditure of the Board for the financial year concerned, and in particular shall provide for—
- (a) the payment of the salaries, allowances and other charges in respect of the members and the staff of the Board;
  - (b) the payment of pensions, gratuities and other charges in respect of retirement benefits to staff of the Board;
  - (c) the proper maintenance of the buildings and grounds of the Board;
  - (d) the proper maintenance, repair and replacement of the equipment and other movable property of the Board; and
  - (e) the creation of such reserve funds to meet future or contingent liabilities in respect of retirement benefits, insurance or replacement of buildings or equipment or in respect of such other matters as the Board may consider necessary.