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# KENYA LAW REFORM COMMISSION

## TWENTIETH ANNUAL REPORT

2002

Kenya Law Reform Commission  
P.O. Box 34999-00100  
NAIROBI, KENYA

060  
KLRC

**KENYA LAW REFORM COMMISSION**

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**TWENTIETH ANNUAL  
REPORT**

**2002**

**KENYA NATIONAL ASSEMBLY**

Accession: 10013286

Call No: 060/KLRC



**KENYA LAW REFORM COMMISSION  
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**KENYA LAW REFORM COMMISSION NINETEENTH ANNUAL  
REPORT, 2002**

**The Honourable S. Amos Wako, E.G.H., E.B.S., M.P.,  
Attorney-General  
Sheria House  
P.O. Box 40112  
NAIROBI.**

In accordance with the provisions of Section 3(3) of the Law Reform Commission Act (Cap.3) we have the honour to present the Nineteenth Annual Report.

This Report relates to the period 1<sup>st</sup> January, 2002 to 31<sup>st</sup> December, 2002.

**CHAIRMAN:**

Mr. J.F.H. Hamilton, E.B.S., C.B.E., - Chairman (upto 28<sup>th</sup> February, 2002)

**Commissioners:**

Mr. J.N. King'arui

Mr. A. Okoth-Owiro

Mrs Z.M. Wandera

Mr. N.P. Sheth

Prof. J.B. Ojwang

Mr. E.O. Abang - Secretary

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LECTURE NOTES

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## ACKNOWLEDGEMENTS

The members and staff of the Commission wish to express sincere appreciation to all those Government Ministries and departments, individuals/organizations who contributed to the successful work of the Commission.

We wish to thank the Hon. Attorney-General and all those in his office who during the year contributed to the work of the Commission. We particularly wish to thank the Solicitor-General, the Accounting officer who ensured that the Commission had resources to carry out its work..

We also wish to record the cordial working relationship with the personnel of the office of Parliamentary Drafting Department who have assisted greatly in our work.

Received of the Treasurer of the State of New York  
the sum of one hundred and fifty dollars  
for the year ending on the 31st day of December  
1846

Witness my hand and seal of office  
this 1st day of January 1847

John C. Spencer  
Treasurer of the State of New York



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The first part of the document  
 discusses the general principles  
 of the proposed system  
 and the various methods  
 of implementation.  
 It is intended to provide  
 a clear and concise  
 summary of the  
 main points of the  
 report.  
 The second part  
 contains a detailed  
 account of the  
 results of the  
 experiments  
 conducted during  
 the year.  
 The third part  
 discusses the  
 conclusions  
 drawn from the  
 results and  
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 recommendations  
 for further  
 research.  
 The fourth part  
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 The fifth part  
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## INTRODUCTION

- 1.1 This Twentieth Annual Report of the Commission covers the Commission's activities during the period 1<sup>st</sup> January, to 31<sup>st</sup> December, 2002. We however, have highlighted some important events, which took place after that date but before the Report was published.

What is in this Report is a summary of what the Commission does as required by section 3(3) of the Law Reform Commission Act (Cap.3). Any details on the subjects discussed in the Report and actual reports on them can be given by the Commission on request.

The Kenya Law Reform Commission continued to implement measures designed to improve its performance during the year.

## CHAPTER ONE

### THE COMMISSION

#### Establishment and Membership

The Commission was established by the Law Reform Commission Act (Cap.3). The first Commissioners were appointed and started working with effect from 1<sup>st</sup> September, 1982.

#### Functions of the Commission

The functions of the Commission are set out in section 3(1) of the Law Reform Commission Act (Cap.3). They are:-

“3(1) It shall be the function of the Law Reform Commission to keep under review all the Law of Kenya to ensure its systematic development and reform, including in particular the integration, unification and codification of the law, the elimination of anomalies, the repeal of obsolete and unnecessary enactments and generally its simplification and modernization, and for that purpose ...”

- (a) to receive and consider any proposals for the reform of the law that may be made or referred to them;
- (b) to prepare and submit to the Attorney-General programmes for the examination of different branches of the law with a view to reforming, including recommendations as to the agency by which that examination should be carried out;
- (c) to undertake, pursuant to any programme approved by the Attorney-General, the examination of particular branches of the law and the formulation, by means of draft Bills or otherwise, of proposals for reform therein;
- (d) to prepare, at the request of the Attorney-General comprehensive programmes of consolidation to facilitate the exercise by him of his powers under the Revision of the Laws Act, and to undertake the drafting of Bills pursuant to any programme of consolidation approved by him;

- (e) to provide advice and information to Ministries and Departments in the Government with regard to the reform or amendment of a branch of the law appropriate to that Ministry or Department.

The Commission is mandated to receive proposals to reform the laws from the Attorney-General. The others who refer proposals to the Commission include Government Ministries and Departments, State Corporations, the legal profession and the Public. The Commission may also initiate its own proposals for legal reform.

## **STRUCTURE AND MEMBERSHIP OF THE COMMISSION**

### **Chairman - The Late Mr. J.F.H. Hamilton (Tribute)**

During the period under review the former Chairman Mr. J.F.H. Hamilton who had retired in March, passed away in England on 28<sup>th</sup> May, 2002.

The late Hamilton was appointed a part-time Commissioner on 1<sup>st</sup> July, 1985. He was later appointed as a full-time Commissioner on 2<sup>nd</sup> January, 1991. He eventually rose to the Chairmanship of the Commission in 1993, a position he held until his retirement. May God Rest His Soul in Eternal Peace.

### **Commissioners**

As stated in the Seventeenth Annual Report, the appointments of all Commissioners except full time Commissioners Mr. J.N. King'arui and Mr. A. Okoth-Owiro had expired and had not been renewed by the end of the period under review. However, the following Commissioners continued attending meetings and to participate in the Commission's activities:

- (i) Mr. N.P. Sheth
- (ii) Mrs. Z.M. Wandera
- (iii) Prof. J.B. Ojwang

During the period under review the Commission therefore had a Chairman (upto 28/2/2002), two full-time and three part-time Commissioners who continued with the work of the Commission.

As stated in the last report, it is hoped the appointment of other Commissioners will be regularised and extra ones appointed. This would make the Commission effective in the performance of its functions.

### **Staff**

During the year the number of members of staff fluctuated as some joined the Commission and others left.

The staff of the Secretariat consisted of the Secretary and thirty four other members of staff (which fluctuated from time to time) eleven of whom were legal officers. Four of them some of who are most Senior continued on assignments outside the Commission as detailed in our last Report.

The work of the Commission suffered due in part, to shortage of Legal Research staff, lack of training opportunities and lack of policy strategy for the Commission. For the work of the Commission to be effective, it is necessary for the Government to provide adequately for the training and motivation of professionals, facilitate the development of a policy strategy for the Commission and develop a continuous training programme for legal staff.

### **Support Staff**

Apart from the shortage of professional legal staff, the Commission suffers from an acute shortage of support staff. The Commission has lost several members of staff through death, resignations and retrenchment.

It would be important at this juncture to report that during the period under review, the Commission lost the services of Mr. Jackson Mutuku Munywoki (Storeman) who passed away on 2<sup>nd</sup> April, 2002, having worked for the Commission from 1986 and Mr. Kepher Osoro (Driver) who died on 18<sup>th</sup> April, 2002, having joined the Commission on 5<sup>th</sup> December, 2001. May God Rest Their Souls in Eternal Peace.

The Senior Executive Officer and Senior Supplies Officer who left the Commission in the year 2000 were not replaced. Their absence weakened the Secretariat as there was no one to assist with Executive/Administrative duties nor in the supplies functions which are essential for performance of Commission duties. It is extremely important that an Executive Officer or Assistant Secretary be posted to the Commission to assist the Secretary with administrative duties.

The post of Supplies Officer should be filled ensuring a qualified person takes charge of supplies and purchasing of goods for the Commission. The full list of establishment of posts showing details of vacant posts which should be filled is at appendix 3.

### **Office Accommodation**

The Commission's offices are on 8<sup>th</sup> floor, Maendeleo House. The one floor that the Commission occupies is inadequate and it is necessary that extra office space be availed as the Commission is expanding. Currently the Commission has no proper storage facility for its supplies and has a shortage of offices for its staff.

### **Equipment**

The Commission continued to suffer from lack of computers and photocopiers. Neither photocopiers nor computers were purchased during the period under review despite numerous requests to Headquarters where purchasing is done. This was despite the fact that funds were allocated for purchase of equipment.

The Commission requires specialised equipment such as a lap top computer, braille "n" speak and brailite for our visually impaired officer, and also scanners, internet facilities and more computers for other members of staff.

### **Transport**

The Commission suffered from lack of sufficient transport. The Chairman's official car was involved in an accident and had not been repaired. The Secretary's official car is old having been bought in 1990 and has become extremely expensive to maintain. The new Commissioner who is entitled to official transport had not been provided with any. The Commission requests

that vehicles be provided for the Chairman, Commissioner and Secretary. Another vehicle should also be provided for use by the part-time Commissioners and other members of staff when on duty.

## **Library**

The success of the Commission depends on adequate and up to date reference material. While our library is reasonably stocked most of the publications are old. It is necessary to have upto date publications and update some of the publications through subscriptions to the publishers. There was inadequate allocation of funds for library expenses. This should be increased. The Commission is facing difficulty in purchase of publications abroad since the Government Institutions requested to place orders have proved to be unreliable resulting in delay or none payment to the suppliers. A faster and less cumbersome manner should be found on how to purchase publications from abroad.

## **Funds**

The allocation of funds improved as a result of the new method of allocation of funds introduced by Treasury. A problem arose however, on how the funds were utilized. While there were reasonable increases in funds allocated for Kenya Law Reform Commission, the centralised purchasing and control of funds at Headquarters made it impossible to spend the funds for their intended purposes. It was therefore difficult to spend funds allocated for equipment, workshops, research and other related activities which are core to the Commission functions. We recommend that accounting and supplies functions be decentralised to facilitate a more expedient appropriation usage of funds.

## **Training**

During the period under review the Commission was fortunate to train the following members of staff on the specified areas of interest-

- (a) Ms. C. Munyao - Principal State Counsel
  - (i) TOT Strategy, Improvement in Public Service organized by D.P.M. Sept. 9<sup>th</sup> - 11<sup>th</sup> 2002.



- (ii) Deputy Heads of Department Seminar on Management organized by Sheria House 23<sup>rd</sup> – 27<sup>th</sup> September 2002
- (iii) Public Service Management – Seminar organized by DPM 1<sup>st</sup> – 22<sup>nd</sup>

(b) Mrs. J. Oiro - Secretary

(c) Ms. V. Arina - Librarian

The Commission wishes to embark on a training needs assessment as part of its strategy for a sustainable training policy framework for its staff. This strategy must of necessity identify all conceivable constraints which may affect the training programme negatively.

### **Constraints**

The general constraints affecting the Commission's work can be summarised as follows:

- (i) Lack of appointment and Gazettement of Commissioners.
- (ii) Lack of trained research officers
- (iii) Lack of adequate support staff
- (iv) Lack of training opportunities and facilities for research officers.
- (v) Lack of up-to-date reference material in the library
- (vi) Lack of equipment – computers, photocopier, internet facilities
- (vii) Unavailability of transport
- (viii) Lack of adequate office space

## **CHAPTER TWO**

### **LAW REFORM PROGRAMME**

It is a requirement of the Act establishing the Commission that its work programmes are approved by the Attorney-General. The Commission is also empowered to initiate its own projects. However, it does not have the capacity to oversee or review all the laws of the country. Thus the Attorney-General has discretion to refer subjects which need reform to the Commission or alternatively to appoint Task Forces. The functions carried out by the Task Forces could easily be carried out by the Commission if properly constituted and adequately funded. The Attorney-General has appointed Task forces to work either under the auspices of the Commission or as independent units to carry out Law Reform activities. The Attorney-General also updates legislation through the Legislative Drafting Department in his Chambers. The Commission is equally mandated to fulfil this function.

#### **Methods of work**

To ensure that the law keeps pace with economic, social and political developments and that fair laws are enacted, the Commission recognises the importance of the role of the public and herice makes public consultations an integral part of its work. The Commission discusses the issues and options for reform and seeks comments on proposals for change.

When the Commission initiates or receives recommendations for reform, such recommendations are first researched by the State Counsel and then discussed by the Commissioners. The Commission then consults stakeholders and members of the public on the subject. The consultations may include sending out memoranda for comments, workshops, seminars and field visits to solicit public views on the subject.

Consequently the Commission prepares recommendations for reform taking into account submissions received from the public and other stakeholders. Often the Commission prepares a draft Bill which forms part of the Report.

The Reports (and draft Bill where applicable) are then submitted to the Attorney-General who is supposed to make comments, amendments and to take any action he deems appropriate in the circumstances. The law requires the Attorney-General to table such reports including the Annual Reports in Parliament.

While the Commission is aware that the Attorney-General tables its Annual Reports in Parliament, it does not know how many Reports have likewise been tabled in Parliament. However, some of the draft Bills emanating from the Commission have also been tabled in Parliament.

It is significant to note that most of the recommendations which emanated from the Task Forces have ended up in Parliament.

## **COMPLETED PROGRAMMES**

During the period under review the Commission dealt with a number of subjects. Some of the subjects were completed and reports and/or draft Bills submitted to the Attorney-General. The following are subjects which were completed and submitted to the Attorney-General:

### **Kenya Law Reform Commission Bill, 2000**

The objective of the Bill was to make the Commission a Semi Autonomous Government Agency (SAGA) independent from Attorney-General's Chambers. The report and draft Bill were submitted to the Attorney-General in February 2001. The Bill was published but was not tabled as Parliament was dissolved shortly after its publication

### **Landlord and Tenancy Legislation**

The report and the draft Bill was submitted to the Attorney-General in April 2001. The main objective of the Bill was to amalgamate the Rent Restriction Act (Cap. 296) and the Landlord and Tenant (Shops, Hotels and Catering Establishments) Act (Cap. 302). The Attorney-General directed that the report and the Bill be submitted to the Ministry of roads and Public Works which deals with policy on housing to consider the same. The Ministry considered the matter and informed the Attorney-General that the Bill was comprehensive enough and seemed to tackle most of the issues that may arise in a landlord and tenant relationship.

It however requested further research be conducted in certain areas. On completion of such research, the Commission made additional recommendations and forwarded them to the Attorney-General for inclusion in the Bill. The Legislative Drafting Department however raised some technical issues on the Bill. As a result it is the position of the Commission that there is need to convene a retreat for a small working group to have a further look at the Bill before being forwarded to the Drafting Department.

### **Laws Relating to Companies, Insolvency, Partnerships and Investment**

As stated in our last report the Attorney-General asked the Commission to carry out further research on the report of the Task Force which dealt with the subject. The Commission decided that due to the complexity of the subject, it would be more efficiently dealt with under the following different sub-topics:

#### **(i) Laws Relating to Insolvency**

A workshop organised by this Commission was held on the subject on 6<sup>th</sup> and 7<sup>th</sup> June 2001. The stakeholders discussed the report of the Task Force in relation to its recommendations on laws touching on Insolvency. The workshop produced a refined report on Insolvency and prepared a draft Insolvency Bill. The Report and the Bill were forwarded to the Attorney-General for his necessary action. Further instructions thereon are awaited.

#### **(ii) Investment**

The Task Force drafted an Investment Code which was forwarded to the Attorney-General. The same was later forwarded to the Ministry of Trade and Industry. The Ministry set up a committee to examine the draft further. Mr. King'arui and Ms Munyao were appointed as members of the committee. The draft Bill was finalised and forwarded to the Minister of Trade in November 2001. It is also being considered together with the proposed harmonised Investment Code of East African countries.

### (iii) **Company Law**

The Commission started work on Company Law generally and a workshop for stakeholders is to be organised before a final report and Bill are prepared.

### **Religious Bodies Bill**

The Task Force on Public Security and Public Order Laws prepared the Bill. Its objective was to provide for registration, regulation and control of religious bodies which are currently registered like any other society. The Bill was forwarded to the Attorney-General with the recommendation that further consultation and research be done on the subject but the Attorney-General advised that no action should be taken on it until further notice.

### **Political Parties Bill**

The Bill was also forwarded to the Attorney-General who in turn passed it to the Chairman, Electoral Commission for consideration as they were in a better position to deal with political parties affairs.

## **CHAPTER 3**

### **PROGRAMMES IN PROGRESS**

#### **Laws Impacting on Poverty**

As reported in the year 2000, the Government was engaged in implementing a programme on good governance for poverty reduction with a focus on laws which hinder efficient delivery of services and those affecting public sector management among other activities. In line with the programme, a workshop was held which identified several laws which needed to be reviewed as a matter of priority. The Commission was involved in the review of some of those laws:

#### **The Local Government Act (Cap 265)**

The Ministry of Local Government appointed a Task Force to review the Local Government Act as it was considered one of the laws that directly impede the development of poor people and affect public sector management in one way or the other. Two of the Commission's officers were appointed members of the Task Force and review of the Act was continuing at the time writing this report.

#### **Labour Laws**

The Ministry of Labour also appointed a Task Force to review Labour Laws and the Secretary to the Commission was appointed a member. Work on the project was continuing.

#### **Legislation on Health**

The Minister for Health appointed a Task Force on Mandatory National Social Health Insurance in January 2002.

Mr. King'arui was appointed a member. The work of the Task Force was on going at the time of writing this report.

## **Marriage Bill**

As stated in our last report, the Commission was considering the report of the Task Force on Laws relating to women. The Commission identified the laws on marriage as deserving immediate action and therefore began preparations to examine the same.

The Marriage Bill was taken to Parliament sometime in 1968 but was not passed. The same Bill was redrafted with amendments as proposed by Members of Parliament in 1993 but was never tabled. Work on the project is in progress with the ultimate intention of calling Stakeholders for appropriate consultations.

## **Computer Legislation**

The rapid growth of information technology has resulted in a large legal lacuna as evidenced by the lack of regulatory mechanisms in our laws. Several unco-ordinated initiatives have been undertaken by various organisations. The Commission recognised the need for a co-ordinated approach and embarked on unifying the various initiatives. The Commission organised a Stakeholders Workshop on the subject at Whitesands Hotel, on the 27<sup>th</sup> – 30<sup>th</sup> August, 2002. The Workshop Report has since been forwarded to Sheria House.

## **Contempt of Court**

It is necessary to have consolidated legislation on the subject as at the moment there is none and the Courts rely on legislation and practices originating in England. The Attorney-General gave the Commission a reference to look into the matter. A background paper together with a draft Bill was prepared by the Commission and circulated to the Stakeholders for purposes of discussion during a proposed Workshop. Plans to hold the Workshop were underway at the time of writing the report.

## **Small Claims Courts**

A background paper was prepared by the Commission and circulated to Legal Staff and Commissioners whose comments are still awaited.

## **Sentencing Law (Standardisation of Penalties)**

Consultations were going on with the Judiciary and other stakeholders on how to proceed with the subject.

## **Consumer Legislation**

The Law to protect consumers from substandard products was inadequate and legislation on the subject was necessary. A background paper was prepared and circulated to Legal Staff and Commissioners for further comments.

## **Private Prosecutions**

There is need for an Act to streamline the procedure. At the moment there is a court decision which requires the Attorney-General's consent in cases of private prosecutions which appears to be in conflict with the law. For example, what happens when the Attorney-General refuses consent? Where the Attorney-General terminates the proceedings of such a case, it does amount to interference. A background paper was prepared and circulated to the Legal Staff and Commissioners for further comments.

## **MAJOR PROJECTS PENDING IN THE COMMISSION**

The Commission was actively involved in the research on the subjects below during the period under review although no specific subjects or statutes were dealt with or completed. They are however major long term references whose completion is likely to surpass the time-limit of ordinary projects and whose consideration will by and large encompass the entire laws not only in Kenya but also in the region.

### **General Review**

During the year, the Commission continued with a systematic review of our laws from Chapter 1, its objective being to suggest any reforms which may be necessary. In the process of such study the Commission takes on any areas which may need urgent attention and makes appropriate recommendations for amendments to the relevant legislation. The exercise is necessary because most of our laws are outdated and therefore need review.



This is a major reference from the Attorney-General and work on it has been hampered by shortage of resources, staff, funds for research, workshops and a clear policy on which the Commission should operate. The Commission has however, continued to make piecemeal recommendations of certain sections of statutes to be amended.

### **Applied Legislation**

The aim is to study all laws of other jurisdictions which still apply as part of our laws by reference so that they may be domesticated. There are several English and Indian laws which are still applicable to us by reference but which should either be repealed or enacted as our laws. This is also a major reference from the Attorney-General. A background paper has since been prepared and forwarded to the Commissioners for directions.

### **Harmonization of Laws of East Africa States**

The Commission, in conjunction with the Attorney-General's Chambers and other Ministries was engaged in an exercise which aims to harmonize the Laws of the East African States to simplify their application in the Courts of the three East African countries. The project is being undertaken under the auspices of the East African Community Secretariat through a Sub-committee on Approximation of Laws of the States. The Chairman and two Commission officers are involved in the project.

## **CHAPTER FOUR**

### **CO-OPERATION AND CONSULTATION WITH OTHER INSTITUTIONS**

Consultation and co-operation with other organizations form one of the most fundamental attributes of research institutions. The Commission achieves this by means of continuous networking and consultation with both international and local institutions on matters of general and particular concern to the commission.

The Commission has reciprocal relations with other Law Reform Agencies whereby they exchange Publications free of charge and thereby benefit from areas where other Agencies have carried out research. The Commission also actively participates in workshops, conferences and seminars organised by International Organizations.

The co-operation further extends to local institutions where Commissioners and staff participate in their activities.

I state below some of the activities which the Commission has either organized or participated in.

#### **WORKSHOPS/SEMINARS**

As stated above the Commission co-operates with other bodies in its work. Such co-operation includes activities like participating in workshops and seminars organised by other organizations.

Besides the workshops, seminars and conferences organised by the Commission, the Commission actively participates in fora organised by other organisations. This not only exposes the staff to diverse schools of thought but also furthers the Commission's core functions as provided by Cap. 3. Some of the functions attended are summarised herein below.

## **Approximation of East Africa Municipal Laws**

The East Africa Community Secretariat organised several meetings in Arusha, Tanzania. The objective of the meetings was to harmonise the various pieces of legislation of the member states to help in realising the objectives of the East African Community Treaty.

Since June 2001, Mr. King'arui has been attending meetings of the E. A. Community Sub-Committee on Approximation of Laws whose other members are the Chairmen of the Law Reform Commissions and Heads of Legislative Drafting Departments of the three East African States

Ms. C. Munyao, Principal State Counsel and Mr. J. O. Dache, State Counsel, are members of a Task Force on Approximation of Municipal Laws of East African Community. The Task Force is an experts forum which draws its membership from Law Reform Commissions and Legislative Drafting Departments of the East African States. The Task Force was mandated to identify the relevant national statutes for approximation. They attended several meetings on the subject.

## **Meetings of the East African Community Sectoral Council on Legal and Judicial Affairs**

The Sectoral Council is established under Article 126 of the Treaty for the Establishment of the East African Community and comprises the Attorney-Generals of the East African Countries. Its mandate includes the harmonization of legal training and certification, standardization of judgements of courts within the Community, harmonization of national laws among others, Ms. C.W. Munyao attended two of its meetings viz 17<sup>th</sup> – 24<sup>th</sup> August, 2002 in Jinja Uganda and 28<sup>th</sup> – 30<sup>th</sup> October, 2002 in Arusha, Tanzania.

## **CONCLUSION**

The Kenya Law Reform Commission has the honour to submit its Nineteenth Annual Report for the year 2001 to the Hon. Attorney-General under the Law Reform Commission Act (Cap.3). Section. 3(3).

## **APPENDIX 1**

### **MEMBERS AND STAFF OF THE COMMISSION**

#### **CHAIRMAN**

Mr. J.F.H. Hamilton, E.B.S., C.B.E., B.A.(Hons.) M.A. (Cantab.)  
Barrister at Law, Grays Inn, Advocate of the High Court of Kenya (upto  
28/2/2002).

#### **COMMISSIONERS (FULL-TIME)**

Mr. J.N. King'arui, L.L.B. (Hons.) Advocate of the High Court of Kenya,  
F.C.P.A. (K) CPS(K).

Mr. Arthur Okoth-Owiro, LL.B, LL.M (Hons), Senior Lecturer in Law

#### **COMMISSIONERS (PART-TIME)**

Mrs. Z.M. Wandera, L.L.B. (Hons), Advocate of the  
High Court of Kenya.

Mr. N.P. Sheth, Barrister at Law, Lincoln's Inn,  
Advocate of the High Court of Kenya.

Prof. J.B. Ojwang, L.L.B. (Hons.) L.L.M. (Nairobi),  
Ph.D. (Cantab), Professor of Law.

#### **LEGAL STAFF**

##### **SECRETARY**

Mr. E.O. Abang, L.L.B. (Hons.), Chief State Counsel

## STATE COUNSEL/RESEARCH STAFF

Mrs V.W.M. Kattambo, L.L.B., (Hons.), L.L.M., Diploma in Law, Senior Principal State Counsel. (On secondment to the Land Law Review Commission)

Miss C.W. Munyao, B.A., L.L.B. (Hons), Diploma in Law, Principal State Counsel

Ms. E. Thuo, LL.B (Hons), Diploma in Law Principal State Counsel

Mr. M.M. Kimanzi, L.L.B., (Hons) Diploma in Law, State Counsel.

Miss Emma Njogu, L.L.B., (Hons) L.L.M. (London) Diploma in Law, State Counsel (On secondment to the Land Law Review Commission).

Mr. P.M. Musyimi, L.L.B., (Hons) Diploma in Law, State Counsel (On secondment to the Land Law Review Commission).

Mr. J.O. Dache, L.L.B., (Hons) Diploma in Law, State Counsel

Mr. J.O. Okello, L.L.B., (Hons) Diploma in Law, State Counsel

Mr. E.L. Ngugi, L.L.B., (Hons) Diploma in Law, State Counsel (upto 18<sup>th</sup> July, 2002)

Mr. J. Vungo, B.Ed (Hons) LL.B, Diploma in Law, State Counsel (upto 19<sup>th</sup> January, 2003)

Mr. F. Onunda, LL.B, Diploma in Law, State Counsel (from 10<sup>th</sup> October 2001)

## **LIBRARIANS**

Mr. C.T.N. Ndwiga - Senior Librarian

Miss V.G. Arina - Senior Librarian

## **SECRETARIES/TYPISTS**

Mrs J.A. Oiro

Miss A.N. Njoroge

Mrs A.W. Githuka (On secondment to Land Law Commission)

Miss S. Katiku

Miss S.M. Hamisi

Miss F. Ireri

Miss R.J. Mukoyani

## **SENIOR STOREMAN**

Mr. Michael Ochola (from 27<sup>th</sup> June, 2002)

Mr. J.M. Munywoki (upto 2<sup>nd</sup> April, 2002)

## **TELEPHONE OPERATOR**

Mr. J.M. Manji

## **SENIOR CLERICAL OFFICERS**

Mr. M.W. Kahinga

Miss O.K. Samson

## **CLERICAL OFFICERS**

Mr. J. Muthee

Mr. A.O. Ndege

Mr. Henry Mwanzia

## **DRIVERS**

Mr. Walter Ocholla

Mr. Katana Mapeya

Mr. E.G. Gitonga (upto 24<sup>th</sup> April, 2002)

Mr. K. Osoro (upto 18<sup>th</sup> April, 2002)

## **SUPPORT STAFF**

Mrs R. Otindo

Mr. J. Musembi

Miss Rachel Obiri

**APPENDIX 2**

**RECURRENT ESTIMATES OF EXPENDITURE**

**851 Kenya Law Reform Commission**

ITEM	Approved	Estimates
	Estimates	Estimates
	2001/2002	2002/2003
000 Personal Emoluments	7,509,332	6,856,520
040 Gratuity and Pensions Contributions	1,333,370	458,324
050 House Allowance	2,300,548	4,687,200
060 Other Personal Allowances	2,824,426	2,616,700
064 Transfer Allowance	5,080	20,000
065 Medical Allowance	540,800	479,700
067 Fees, Commission & Honoraria	362,000	350,000
068 Training Expenses	342,000	400,000
080 Passage and Leave Expenses	171,100	178,500
100 Transport Operating Expenses	1,500,000	1,107,000
110 Travelling & Accom. Expenses	800,000	590,400
112 External Travelling & Accommodation	800,000	672,900
120 Postal and Telegrams Expenses	140,000	137,760
121 Telephone Expenses	1,200,000	1,180,800
130 Official Entertainment	400,000	393,600
131 Seminars & Conferences	-	959,400
171 Publishing and Printing Expenses	600,000	590,400
172 Purchase of Uniforms & Clothing	300,000	295,200
173 Library Expenses	800,000	1,914,800
174 Purchase of Stationery	800,000	590,400
175 Advertising & Publicity	80,000	78,720
182 Payment of Rents and Rates-Non-Residential	2,520,000	3,125,155
184 Contracted Professional Services (Legal)	300,000	147,600
185 Computer Expenses	2,400,000	1,771,200
190 Miscellaneous Other Charges	200,000	147,600
193 Fees, Commissions and Honoraria	200,000	196,800
199 Review of Legislation	3,621,913	14,063,962
220 Purchase of Plant and Equipment	1,500,000	-
250 Maintenance of Plant, Machinery & Equipment	600,000	787,200
260 Maintenance of Buildings and Stations	140,000	137,760
295 Minor Alterations and Maintenance Works	640,000	629,760
	<b>35,930,569</b>	<b>45,565,361</b>



### Appendix 3

#### Establishment for Kenya Law Reform Commission As at January, 2003

POST	ESTABLISHMENT	IN POST	VACANT	TOTAL
Chairman (upto 28/2/02)	1	-	-	1
Commissioner (Full-time)	2	2	-	2
Commissioner (Part-time)	4	-	4	4
Secretary/Chief State Counsel	1	1	-	1
Deputy Chief State Counsel/ Director of Research	1	1	-	1
Senior Principal State Counsel	2	-	-	2
Principal State Counsel	2	2	-	2
Senior State Counsel	2	-	2	2
State Counsel I/II	4	5	-	5
Senior Executive Officer	1	0	1	1
Senior Supplies Officer	1	-	1	1
Librarian (Senior)	1	2	-	2
Executive Assistant	1	-	1	1
Senior Library Assistant	1	-	1	1
Senior Personal Secretary/Personal Secretary	4	2	2	4
Shorthand Typist/II	3	1	2	3
Copy Typist	5	4	1	5
Senior Clerical Officer	1	2	-	2
Higher Clerical Officer/Clerical Officer	6	3	4	6
Storeman	1	1	-	1
Telephone Operator	2	1	1	2
Receptionist	1	-	1	1
Drivers	5	2	3	5
Subordinate Staff	8	3	5	8
Watchmen	2	0	2	2
<b>TOTAL</b>	<b>62</b>	<b>32</b>	<b>35</b>	<b>66</b>