

**THE KENYA INSTITUTE FOR PUBLIC POLICY RESEARCH AND  
ANALYSIS (AMENDMENT) BILL, 2026**

**A Bill for**

**AN ACT** of Parliament to amend the Kenya Institute for Public Policy  
Research and Analysis Act, and for connected purposes

**ENACTED by the Parliament of Kenya, as follows—**

Short title.

**1.** This Act may be cited as the Kenya Institute for Public  
Policy Research and Analysis (Amendment) Act, 2026.

Amendment of  
section 2 of the  
principal Act.

**2.** Section 2 of the Kenya Institute for Public Policy  
Research and Analysis Act, in this Act referred to as “the  
principal Act” is amended by—

*No. 15 of 2006.*

(a) deleting the definition “Executive Director”  
appearing in section 2 and substituting therefor with  
the following new definition—

“Director General” means the Director-General of the  
Service appointed under section 12;

(b) deleting the definition of the term “Minister” and  
substituting therefor the following new  
definition—

“Cabinet Secretary” means the Cabinet Secretary for the  
time being responsible for planning;

(c) inserting the following new definition in its proper  
alphabetical order—

“Government” means the National Government and county  
governments;

(d) inserting the following new section immediately after section 2—

Guiding principles.

**2A.** (1) In fulfilling its mandate under this Act, the Institute shall be guided by the following principles—

- (a) inclusivity and participatory governance;
- (b) promotion of national values and principles of governance provided under Article 10 of the Constitution;
- (c) respect for the constitutional status of the two levels of government and the institutions of Government;
- (d) promotion of equality and equity in policy formulation;
- (e) objectivity and impartiality for informed policy decision making; and
- (f) promotion of accountability in policy research and analysis.

Amendment of section 5 of the principal Act.

**3.**The principal Act is amended by deleting section 5 and substituting therefor with the following new section—

Objects and purpose of the Institute.

**5.** (1) The objects and purpose for which the Institute is established is to—

- (a) develop human and institutional capacities by undertaking economic forecasting, policy analysis and research;
- (b) contribute to the formulation of medium and long-term strategic perspective for the economic and social development of Kenya in accordance with the provisions of this Act;

- (c) support National and County Governments in the public policy cycle through evidence-based policy analysis, policy design, monitoring, evaluation, and review of public policies; and
- (d) enable the Institute to be a global benchmark in public policy research and analysis.

Amendment of section 7 of the principal Act.

4. The principal Act is amended by deleting section 7 and substituting therefor the following new sections—

Board of the Institute.

7. (1) There is established a Board to be known as the Board of the Institute comprising—

- (a) a non-executive chairperson appointed by the President;
- (b) the Cabinet Secretary for the time being responsible for finance;
- (c) the Principal Secretary for the time responsible for planning;
- (d) the Attorney-General;
- (e) five persons of whom-
  - (i) one shall be an expert in audit, financial management or accounting and a member of a professional body in good standing;
  - (ii) one shall represent Universities in Kenya;
  - (iii) one shall represent business and private sector;
  - (iv) one shall represent special interest groups;
  - (v) one shall represent research institutes; and
- (f) the Director General of the Institute, who shall be an *ex officio* member of the Board with no voting rights.

(2) The members of the Board specified under subsection (1) (b), (c) and (d) may designate a representative, in writing, to represent them in the meetings of the Board.

(3) The members of the Board referred to in subsection (1) (e) shall be competitively recruited and appointed by the Cabinet Secretary.

(4) In appointing the chairperson and members of the Board referred to under subsection (1) (e), the Cabinet Secretary shall ensure—

- (a) equal opportunities for the youth and persons with disabilities;
- (b) not more than two-thirds of the members are of the same gender;
- (c) the composition of the Board reflects the regional and ethnic diversity of the people of Kenya;
- (d) existence of a variety of skills and competencies necessary for the achievement of the objectives of the Institute on public policy; and
- (e) the overall Board membership encompasses a basic understanding of the management of public finances, personnel management and social science research procedures.

Qualifications  
of  
chairperson  
or members.

**7A.** (1) A person is qualified for appointment as a chairperson of the Board, if that person—

- (a) holds at least a doctorate degree in economics or other related social

sciences from a university recognized in Kenya;

- (b) has at least fifteen years post qualification experience in a field relevant to the functions of the Institute;
- (c) has had a distinguished career in their respective field; and
- (d) satisfies the requirements of Chapter Six of the Constitution.

(2) A person is qualified for appointment as a member of the Board, if that person—

- (a) holds at least a degree from a university recognized in Kenya in either economics or social sciences;
- (b) has served in a senior management position for a period of at least six years;
- (c) has had a distinguished career in their respective field; and
- (d) satisfies the requirements of Chapter Six of the Constitution.

(3) A person shall not be qualified for appointment as a chairperson or member of the Board, if that person—

- (a) is a member of a governing body of a political party;
- (b) is an undischarged bankrupt;
- (c) has been convicted of a criminal offence and sentenced to a term of imprisonment exceeding six months;
- (d) has been removed from any public office for contravening the provisions of the Constitution or any other written law; or
- (e) is a member of Parliament or a county assembly.

Functions of  
the Board.

**7B.** The Board shall—

- (a) provide strategic direction to the Institute;
- (b) approve annual work plans, budget and targets of the Institute;
- (c) monitor and evaluate the performance of the Institute;
- (d) mobilize adequate resources for the Institute;
- (e) ensure long term sustainability of the Institute;
- (f) ensure effective risk management;
- (g) set terms and conditions of service of the Director-General and staff of the Institute;
- (h) ensure the observance of high standards of professionalism, corporate governance and ethics in the Institute; and
- (i) perform any other functions assigned to it under this Act.

Term of office.

**7C.** (1) The chairperson and members, other than the *ex officio* members, shall hold office on a part-time basis for a term of three years and may be eligible for reappointment, subject to satisfactory performance.

(2) The appointment of the members shall be staggered to ensure that the respective expiry dates of their term of office, commences at different times.

Vacancy.

**7D.** The office of the chairperson or a member shall become vacant if the holder—  
(a) dies;

- (b) resigns from office by notice, in writing, addressed to the appointing authority;
- (c) is convicted of a criminal offence and sentenced to a term of imprisonment exceeding six months;
- (d) is absent, without permission of the chairperson, from three consecutive meetings of the Board;
- (e) fails to comply with the provisions of this Act relating to disclosure; or
- (f) is removed from office on the grounds of—
  - (i) violation of the Constitution or any other written law;
  - (ii) gross misconduct or misbehaviour;
  - (iii) inability to perform functions of the office arising out of physical or mental infirmity;
  - (iv) incompetence or neglect of duty; or
  - (v) being adjudged bankrupt.

Removal  
from Office.

*No. 4 of 2015.*

**7E.** The chairperson or member may subject to Article 47 of the Constitution and the Fair Administrative Action Act, 2015 be removed from Office by the appointing authority on grounds of—

- (a) inability to perform the functions of the office arising from physical or mental incapacity;
- (b) gross misconduct or misbehaviour;
- (c) incompetence or negligence of duty; or
- (d) absence from three consecutive meetings of the Board without a good cause.

Filling of vacancy. **7F.** A vacancy arising in the membership of the Board shall be filled by the appointing authority in accordance with the provisions of this Act.

Amendment of section 8 of the principal Act. **5.**The principal Act is amended by deleting section 8 and substituting therefor the following new sections—

Powers of the Board. **8.** (1) The Board shall have the powers necessary for the proper performance of its functions under this Act.

(2) Without prejudice to the generality of subsection (1), the Board shall have the power to—

- (a) oversight the Institute in such manner as best promotes the purpose for which the Institute is established;
- (b) invest any funds of the Institute not immediately required for its purposes in the manner provided in section 22;
- (c) collaborate with any other organisation for the furtherance of the purpose for which the Institute is established;
- (d) receive any grants, gifts, donations or endowments and make legitimate disbursements from them;
- (e) enter into contracts;
- (f) open a banking account for the funds of the Institute;
- (g) delegate any of its powers under this Act; and
- (h) undertake any activity necessary for the fulfilment of any of the functions of the Institute.

Committees **8A.** (1) The Board may constitute such

of the Board. Committees for the better carrying out of its functions under this Act.

(2) The Board may co-opt a person with the necessary expertise, to a Committee established under subsection (1) for a particular reason and such period as the Board may determine.

Amendment of section 11 of the principal Act.

**6.**The principal Act is amended by deleting section 11 and substituting therefor the following new section—

Remuneration of Board.

**11.** The chairperson and members of the Board shall be paid such allowances as the Cabinet Secretary, may from time to time, determine on the recommendation of the Salaries and Remuneration Commission.

Amendment of section 12 of the principal Act.

**7.**The principal Act is amended by deleting section 12 and substituting therefor the following new section—

Director-General.

**12.** (1) There shall be a Director-General of the Institute competitively recruited and appointed by the Board on such terms and conditions as the Board may specify in the instrument of appointment.

(2) A person is qualified for appointment as the Director General of the Institute under subsection (1), if that person—

- (a) is a citizen of Kenya;
- (b) holds at least a doctorate degree in economics or other related social sciences from a university recognised in Kenya;
- (c) has at least fifteen years of relevant experience five of which shall be in a senior management position;

- (d) has demonstrated exceptional visionary leadership and management skills; and
- (e) satisfies the requirements of Chapter Six of the Constitution.

(3) The Director-General shall be the chief executive officer and the accounting officer of the Institute; and Secretary to the Board and shall be responsible for the—

- (a) day-to-day administration and management of the affairs of the Institute;
- (b) execution of the Boards' directions and policies;
- (c) supervision of the staff of the Institute;
- (d) plan and co-ordinate the overall research programme of the Institute;
- (e) identify emerging issues for public policy research and analysis and design appropriate work plans for carrying out such research and analysis;
- (f) establish guidelines and schedules for regular updating of economic models based on available data and research methodology;
- (g) establish procedures for effective communication and co-ordination with agencies of the Government, the Universities, other research bodies, donor agencies and the general public;
- (h) authorise the submission of tenders for the award of contracts and sign any contracts on behalf of the Institute;
- (i) prepare annual reports on the activities of the Institute;

- (j) ensure the maintenance of efficiency and discipline by all staff of the Institute;
- (k) manage the budget of the Institute to ensure that its funds are properly expended and accounted for; and
- (l) perform such other duties as the Board may, from time to time, assign.

(4) The Director-General shall submit to the Board for approval, not later than three months before the commencement of each financial year, a programme of activities of the Institute in respect of that financial year.

(5) The Director-General shall hold office for a term of five years and may be eligible for re-appointment, subject to satisfactory performance, for a final term of five years.

Removal from office of the Director-General

**12A.** The Director-General may subject to Article 47 of the Constitution and the Fair Administrative Action Act, be removed from Office by the Board on the grounds of—

- (a) violation of the Constitution or any other written law;
- (b) gross misconduct or misbehaviour;
- (c) inability to perform functions of the office arising out of physical or mental infirmity;
- (d) incompetence or neglect of duty; or
- (e) being adjudged bankrupt.

Amendment of section 13 of the principal Act.

**8.** The principal Act is amended by deleting section 13.

Amendment of section 15 of the principal Act.

**9.** The principal Act is amended by deleting section 15 and substituting therefor the following new section—

Seal and execution of documents.

**15.** (1) The common seal of the Institute shall be kept in the custody of the Deputy Director, Legal Services.

(2) The common seal shall not be affixed to any instrument or document except as may be authorized by the Board.

(3) The affixing of the common seal of the Institute shall be authenticated by the signature of the Chairperson and the Director-General.

(4) A document that is not required by law to be made under seal and all decisions of the Board may be authenticated by the signatures of the Chairperson, Director-General or any other person authorized in writing by the Board for that purpose.

(5) Despite subsection (3), in the event that either the Chairperson or the Director-General is absent, the Board shall nominate one member of the Board to authenticate the seal on behalf of the Chairperson or Director-General.

(6) The common seal of the Institute when affixed to a document and duly authenticated shall be judicially noticed and unless the contrary is proved, any necessary order or authorization by the Board under this section shall be presumed to have been duly given.

Amendment of section 23 of

**10.** The principal Act is amended in section 23 by—

the principal Act.

- (a) deleting the word “Minister” appearing in subsection 23(1) and substituting therefor the words “Cabinet Secretary”;
- (b) deleting the word “Minister” appearing in paragraph 23(2)(b) and substituting therefor the words “Cabinet Secretary”; and
- (c) deleting subsection (3) and substituting therefor the following new subsection—

(3) The Institute shall prepare and submit to the Cabinet Secretary, by the 30<sup>th</sup> of June in each financial year, a report on the—

- (a) performance of the economy of Kenya in the preceding financial year;
- (b) economic prospects of Kenya for the next three financial year; and
- (c) thematic research areas of public policy relevance.

- (d) deleting the word “Minister” wherever it appears in subsection (4).

Amendment of section 24 of the principal Act.

**11.** The principal Act is amended in section 24 by—

- (a) Deleting the words “Executive Director” and substituting therefor with the words “Director-General”; and
- (b) deleting the proviso and substituting therefore the following new proviso—

commits an offence and shall on conviction, be liable to a fine not exceeding five hundred thousand shillings, or to imprisonment for a term not exceeding three years, or to both.

(c) inserting a new subsection immediately after subsection (3) as follows—

(3) Without prejudice to the provision of subsections (1) and (2), the Access to Information Act, 2006 shall apply under this Act.

Amendment of section 28 of the principal Act.

**12.** Section 28 of the principal Act is deleted and substituted therefor the following Part —

**PART VI— PROVISIONS ON  
DELEGATED POWERS**

Regulations. **28.**(1) The Cabinet Secretary may in consultation with the Board, make Regulations generally for better carrying out into effect, the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Regulations may provide for —

- (a) procedures requisite to implement this Act;
- (b) general administration and management of the Institute;
- (c) procedures to guide Government and other entities in the public policy process; and
- (d) any other matter as the Institute may consider necessary.

Amendment of section 28 of the principal Act.

**13.** The principal Act is amended by inserting a new section immediately after section 28—

**29.** A person serving as the chairperson or member of the Board, shall upon commencement of this Act, continue to serve for the remainder of the unexpired term.

Amendment of  
the Second  
Schedule to the  
principal Act.

**14.** The principal Act is amended in the Second Schedule  
by deleting—

- (a) paragraph 1; and
- (b) paragraph 2.
- (c) the word “seven” appearing in paragraph 3(5)  
and substituting therefore the word “five”; and
- (d) the word “Chairman” wherever it appears in the  
Act and substituting therefor the word  
“Chairperson”.

## MEMORANDUM OF OBJECTS AND REASONS

The purpose of this Bill is to amend the Kenya Institute for Public Policy Research and Analysis Act, 2006 (*No. 15 of 2006*) in order to harmonize the Act with the Constitution and the *Mwongozo*-The Code of Governance for State Corporations. The proposed amendments shall enhance the efficiency and the effectiveness of the Board of the Institute in the discharge and exercise of its functions and powers under the Act.

**Clause 1** provides for the short title of the Bill.

**Clause 2** proposes to amend section 2 of the principal Act in the definitions of Minister to Cabinet Secretary, Executive Director with Director-General and Government to refer to both levels of Government which aligns the provisions with the Constitution. The Clause further provides for guiding principles useful for the effective discharge of the mandate of the Institute.

**Clause 3** of the Bill proposes to amend section 5 of the Act in order to align the object and purpose of the Act.

**Clause 4** proposes to amend section 7 of the Act in order to restructure the composition of the Board to 9 members from 13 members in line with the *Mwongozo*. The clause further introduces new sections 7A to 7F providing for qualification criteria for Board members, functions of the Board, tenure of Office and vacancy in the Office of the Board.

**Clause 5** of the Bill proposes to amend section 8 of the Act to provide for the powers of the Board including powers to constitute Committees.

**Clause 6** of the Bill proposes to amend section 11 of the Act to provide for the Remuneration of the Board which should be in consultation with the Salaries and Remuneration Commission.

**Clause 7** of the Bill proposes to amend section 12 of the Act to provide for the appointment of the Director General, qualification criteria, functions, and removal from Office.

**Clause 8** proposes to delete section 13 of the principal Act.

**Clause 9** of the Bill proposes to provide for the custody of the common seal of the Institute by the Deputy Director, Legal Services and execution of documents.

**Clause 10** of the Bill *inter alia* requires the Institute to prepare an annual economic report and amends the date for submission of the annual economic report from the current three months before the beginning of the next financial year (31<sup>st</sup> March), to 30<sup>th</sup> June of each financial year.

**Clause 11** of the Bill proposes to amend section 24 of the Act in order to enhance the penalty arising from breach of the provisions of the Act. The penalty is enhanced from the current an amount not exceeding “thirty thousand or two years imprisonment” to an amount not exceeding “five hundred thousand or three years imprisonment”.

**Clause 12** of the Bill proposes to amend section 28 of the Act and introduces a new Part to conform with Article 94 (6) of the Constitution in relation to the power to make Statutory Instruments.

#### **Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms**

The Bill delegates legislative powers to the Cabinet Secretary responsible for matters relating to planning to make Regulations to operationalize the provisions of the Act. The Bill does not limit fundamental rights and freedoms.

#### **Statement as to whether the Bill is a money Bill within the meaning of Article 114 of the Constitution**

The Bill is not a Money Bill in terms of Article 114 of the Constitution. The enactment of this Bill will not occasion additional expenditure of public funds.

#### **Statement as to whether the Bill concerns a County Government**

This Bill does not concern county governments in terms of Article 110(l) (a) of the Constitution as it does not affect the functions and powers of county governments as set out in the Fourth Schedule to the Constitution.

Dated the ....., 2026.

**FCPA. JOHN MBADI NGO'NGO, EGH**  
**Cabinet Secretary for the National Treasury and Economic Planning.**