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GAZETTE NOTICE No. 7699

OFFICE OF THE PRESIDENT

THE NATIONAL ECONOMIC AND SOCIAL COUNCIL

APPOINTMENT

IT IS NOTIFIED for general information that His Excellency, Mwai Kibaki, the President and Commander-in-Chief of the Armed Forces of the Republic of Kenya, has established a council to be known as the National Economic and Social Council.

1. The National Economic and Social Council will be chaired by His Excellency the President or in the absence of His Excellency the President, the Minister for the time being responsible for Finance. The Council shall comprise of the following:

- (a) His Excellency the President.
- (b) The Ministers responsible for matters relating to:
 - (i) Finance.
 - (ii) Planning and National Development.
 - (iii) Trade and Industry.
 - (iv) Agriculture
 - (v) Labour.
 - (vi) Education; and
 - (vii) Health.
- (c) Four experts appointed by the President but not representing Government institutions.
- (d) Eleven persons nominated as follows:
 - (i) Three members nominated by the Private Sector Alliance.
 - (ii) Three members nominated by registered professional societies.
 - (iii) One person from the labour unions.
 - (iv) One person representing Farmer's Associations.
 - (v) One person representing National Council for Higher Education.

- (vi) One person representing National Council for Science and Technology; and

- (vii) One person representing Private Health Care Providers.

- (e) Three international experts appointed by the President to bring in expertise from outside the country.

- (f) The Permanent Secretary, Secretary to the Cabinet and Head of the Public Service, Office of the President.

- (g) The Permanent Secretaries of the Ministries for the time being responsible for:

- (i) Planning and National Development; and
- (ii) Finance.

- (h) The Economic Secretary, Ministry of Finance.

- (i) The Director of Planning, Ministry of Planning and National Development; and

- (j) The Governor, Central Bank of Kenya.

- (2) The members of the Council appointed under paragraphs (c), (d) and (e) shall hold office for a period of three (3) years and shall then retire, but shall be eligible for re-appointment for a further term of three (3) years only.

2. The functions of the Council shall be to—

- (a) create a forum in which the Government, Private Sector and the labour unions can discuss and identify policy issues and recommend to the Government implementation of such policies;

- (b) gather, analyze and compile information on economic developments and trends and submit such information to the Cabinet with appropriate recommendations;

- (c) appraise the various programs and activities of the Government, including the Economic Recovery Investment Programme, for the purpose of determining the extent to which such programmes and activities contribute to the achievement of Government policy objectives;

- (d) develop and recommend to the Cabinet, co-ordinated policies that will promote social equity, economic growth, create employment and reduce poverty and inequality;

- (e) give its opinion, suggestions or recommendations on any matter or question on which it may be consulted by the Government, the Private Sector or the Civil Society;
- (f) improve the targeting of strategic objectives with a focus on the most critical social and economic needs especially in areas that have direct impact on strengthening the potential of the Private Sector to create employment opportunities and those that address poverty reduction;
- (g) utilize the Private Sector and the Civil Society capacities and synergy through collaboration, engagement and networking in order to promote efficiency and effectiveness of economic planning process; and
- (h) liaise with existing research institutions, the universities and the Central Bureau of Statistics in the performance of its functions.
3. In the performance of its functions the Council—
- (a) shall hold such number of meetings in such places and at such times as the Council shall consider necessary for the proper discharge of its functions;
- (b) may use official reports of any previous investigations relevant to its mandate;
- (c) may carry out or cause to be carried out such studies or research as may inform the Council on its mandate; and
- (d) subject to the foregoing, the Council shall have all the powers necessary or expedient for the proper execution of its mandate, including the power to regulate its own procedure.
4. The Secretariat of the Council:
- (1) The Secretariat of the Council shall be based at the Office of the President, P.O. Box 62345-00200, Nairobi, and shall consist of—
- (a) a Secretary appointed by the President who shall be the Chief Executive of the Council responsible to the Council in carrying out the functions set out in paragraph (2); and

(b) such number of staff as shall be deemed appropriate by the Council.

(2) The Secretariat of the Council shall be responsible for—

- (a) providing appropriate background briefing to the Council;
- (b) preparing the Council's reports and disseminating any information deemed relevant to the Council; and
- (c) undertaking research and liaising with research institutions in order to gather the relevant information necessary for informing the Council.

Dated the 21st September, 2004.

MWAI KIBAKI,
President.

GAZETTE NOTICE NO. 7700

THE NON-GOVERNMENTAL ORGANIZATIONS
CO-ORDINATION ACT

(No. 19 of 1990)

APPOINTMENT OF MEMBERS OF THE BOARD

IN EXERCISE of the powers conferred by section 4 (1) (i) of the Non-Governmental Organizations Co-ordination Act, the Vice-President and Minister for Home Affairs appoints—

Hubbie Hussein Al-Haji (Mrs.),
Abdulhamid Slatch,

to be members of the Non-Governmental Organizations Co-ordination Board, for a period of three (3) years.

Dated the 20th September, 2004.

MOODY AWORI,
Vice-President and Minister for Home Affairs.

GAZETTE NOTICE NO. 7701

THE NATIONAL ASSEMBLY AND PRESIDENTIAL ELECTIONS ACT

(Cap. 7)

THE NATIONAL ASSEMBLY ELECTIONS (ELECTION PETITIONS) RULES

ELECTION PETITION

NOTICE is given that the Chief Justice of the Republic of Kenya directs that the Election Petition whose details are given hereunder be heard at the High Court of Kenya at Nairobi by an Election Court presided over by Justice J. B. Ojwang'. The petition shall be mentioned before the Election Court on a date to be fixed in the Registry. This notice supersedes Gazette Notice No. 1395 of 2003.

| Election Petition No. | Petitioner(s) | Respondent(s) | Election Court |
|-----------------------|---------------------|---|-----------------------------------|
| Nairobi 16 of 2003 | Ezekiel Mwaka Musau | Gideon Musyoka Ndambuki Peter Mugambi (Returning Officer) Electoral Commission of Kenya | Justice J. B. Ojwang' at Nairobi. |

Dated the 22nd September, 2004.

J. E. GICHERU,
Chief Justice.