



THE REPUBLIC OF KENYA

LAWS OF KENYA

**CABINET SECRETARY TO THE
TREASURY (INCORPORATION) ACT**

CHAPTER 101

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CHAPTER 101

CABINET SECRETARY TO THE TREASURY (INCORPORATION) ACT

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CHAPTER 101

CABINET SECRETARY TO THE TREASURY (INCORPORATION) ACT

[Date of assent: 6th March, 1962.]

[Date of commencement: 13th March, 1962.]

An Act of Parliament to incorporate the Cabinet Secretary to the Treasury of Kenya

[L.N. 2/1964, L.N. 124/1964, L.N. 374/1964, Act No. 21 of 1966, Act No. 18 of 2012.]

1. Short title

This Act may be cited as the Cabinet Secretary to the Treasury (Incorporation) Act.

[Act No. 18 of 2012, s. 2.]

2. Constitution of body corporate

(1) The officer for the time being discharging the duties of Cabinet Secretary to the Treasury of Kenya, and his successors in office, shall be a body corporate under the name of "Cabinet Secretary to the Treasury of Kenya" (hereinafter called the corporation).

(2) The corporation may sue and be sued in its corporate name and shall have perpetual succession and a corporate seal, and that seal may from time to time be broken, changed, altered and made anew as to the corporation seems fit:

Provided that until such time as a common seal for the corporation can be provided the officer for the time being discharging the duties of the office of Cabinet Secretary to the Treasury of Kenya may use such seal or stamp as may be approved by the Minister.

[L.N. 124/1964, Act No. 18 of 2012, s. 2.]

3. Powers

The corporation may acquire, purchase, take, hold and enjoy movable and immovable property of every description, and may convey, assign, surrender and yield up, mortgage, charge, demise, reassign, transfer or otherwise dispose of, or deal with, any movable and immovable property vested in the corporation upon such terms as to the corporation seems fit; and in respect of or in connexion with the matters aforesaid or any of them, the corporation may do all such things and acts as bodies corporate may lawfully do.

4. Execution of documents

(1) All deeds, documents or other instruments requiring the seal of the corporation shall be sealed with the seal of the corporation in the presence of the officer for the time being discharging the duties of the office of Cabinet Secretary to the Treasury of Kenya, who shall sign every such deed, document or other instrument to which the corporate seal is affixed, and that signing shall be sufficient evidence that the seal was duly and properly affixed and that it is the lawful seal of the corporation.

*Cabinet Secretary to the
Treasury (Incorporation)*

(2) Section 16 of the Registration of Documents Act (Cap. 285) shall not apply to the officer from time to time discharging the duties of the office of Cabinet Secretary to the Treasury of Kenya in respect of the registration of any instruments purporting to be or to have been executed under subsection (1) of this section.

[Act No. 18 of 2012, s. 2.]

5. Notification to be conclusive evidence of appointment

A notification in the *Gazette* of the appointment of any person to hold or act in the office of Cabinet Secretary to the Treasury of Kenya shall be conclusive evidence that that person was duly so appointed.

[Act No. 18 of 2012, s. 2.]

6. Corporation not bound

(1) No written law which does not bind the Government shall bind the corporation.

(2) Land vested in the corporation shall not be deemed to be Government land except for the purposes of any law relating to rating for the time being in force in Kenya.

[L.N. 374/1964.]

7. Transfer of property to the corporation

Upon the commencement of this Act there shall vest in the corporation by virtue of this section and without further assurance all movable and immovable property vested in, and the benefit and burden of all contracts made by or on behalf of the former Chief Secretary of the Colony and Protectorate of Kenya in the name of "Chief Secretary, Colony and Protectorate of Kenya", a body corporate by virtue of the Chief Secretary (Incorporation) Ordinance, 1958 (now repealed).

[Act No. 15 of 1958, Act No. 21 of 1966, First Sch.]
