

SPECIAL ISSUE

Kenya Gazette Supplement No. 15 (Nairobi City County Acts No. 5)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

NAIROBI CITY COUNTY ACTS, 2017

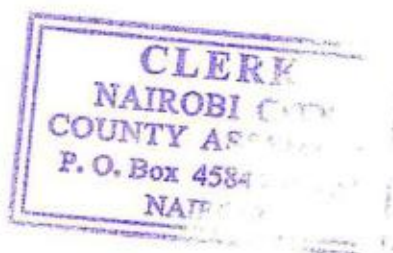
NAIROBI, 14th July, 2017

CONTENT

Act—

PAGE

The Nairobi City County Inspectorate Service Act, 2017 1



THE NAIROBI CITY COUNTY INSPECTORATE SERVICE ACT, 2017

No. 5 of 2017

Date of Assent: 7th July, 2017

Date of Commencement: 28th July, 2017

ARRANGEMENT OF SECTIONS

Section

PART I—PRELIMINARY

- 1—Short title.
- 2—Interpretation.
- 3—Object of Act.

PART II— THE INSPECTORATE SERVICE

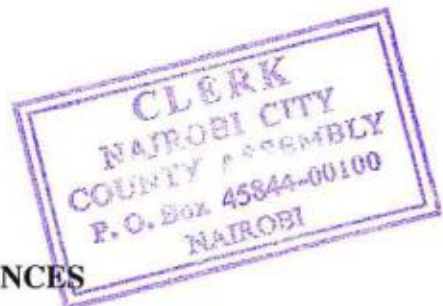
- 4—Establishment of the Inspectorate Service.
- 5—Gender, ethnic and regional balance.
- 6—Functions of the Inspectorate.
- 7—County Chief Commandant.
- 8—Functions and powers of the County Chief Commandant.
- 9—Allocations of Funds.
- 10—Training institutions.
- 11—Certificate of Appointment.
- 12—Oath of office.
- 13—Inspectorate officers prohibited from taking other employment.
- 14—Public property not to be used privately.
- 15—Surrender of public property on resignation, etc.
- 16—Limitation of rights and fundamental freedoms of inspectorate officers.
- 17—Access to information.



PART III —INSPECTIONS

- 18—Designation of Inspectorate posts.
- 19—Duties and powers of officers.
- 20—Stoppage.

- 21—Power to arrest without a warrant.
- 22—Arrests by an Inspectorate officer
- 23—Nonviolent means.
- 24—Entry of dwelling place.
- 25—Inspection report.
- 26—Obstruction.
- 27—Seizure during inspections.
- 28—Cooperation with National Police



PART IV—OFFENCES

- 29—Prohibition against torture or cruel treatment.
- 30—Impersonation of inspectorate officer or wearing inspector uniform etc.
- 31—Assault in execution of duty.
- 32—General penalty

PART V—PROVISIONS ON DELEGATED POWERS

- 33—Rules.

FIRST SCHEDULE—Oath/affirmation of office.

SECOND SCHEDULE—Offences Against Discipline

**THE NAIROBI CITY COUNTY INSPECTORATE
SERVICE ACT, 2017**

**AN ACT of the County Assembly of Nairobi City to
establish the Nairobi City County Inspectorate
Service and provide for its organization, functions,
and powers and for connected purposes**

ENACTED by the County Assembly of Nairobi City, as
follows —

PART I— PRELIMINARY

1. This Act may be cited as the Nairobi City County
Inspectorate Service Act, 2017.

Short title.

2.(1) In this Act unless the context otherwise
provides—

“arrest” means the act of apprehending a person
suspected of committing an offence or by the action of
legal authority;

“Board” means the Nairobi City County Public
Service Board established by section 57 of the County
Government Act, 2012;

County Chief Commandant” means the officer
appointed under section 7;

“County law” means a law made by the Nairobi City
County Assembly pursuant to Article 185 of the
Constitution.

“commissioned officer” means a gazetted officer
holding the rank of Assistant Superintendent and above;

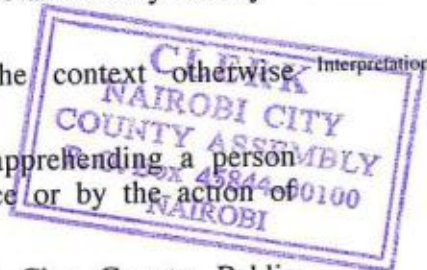
“Inspectorate” means the Nairobi City County
Inspectorate established by section 4;

“Inspectorate officer” means an officer appointed to
serve as an inspection officer in the Inspectorate;

“Inspectorate post” means a place designated by the
County Chief Commandant, as an inspector post under
section 18;

“inspectorate units” mean any of the organs of the
Service specified under section (4) 3;

“Member of the County Executive Committee”
means the Member of the County Executive Committee for



the time being responsible for matters relating to the Inspectorate;

“police officer” means an officer in the National Police Service by virtue of Article 243 of the Constitution;

“reasonable time” means any period of time between six o’clock in the forenoon and six o’clock in the afternoon of any day of the week.

3. The objects of this Act are—

- (a) to deliver an effective and independent inspectorate service within the county that shall among others ensure compliance with county legislation and provisions of the Constitution by the county residents;
- (b) give effect to the provisions of Article 187 of the Constitution that require the county executive committee to implement county legislation and to implement within the county, national legislation to the extent that the legislation so requires;
- (c) give effect to the provisions of Article 189 (1) (b) that require the county government to assist, support and as appropriate, implement legislation of the national government; and
- (d) establish by law, pursuant to Article 185 (2) of the Constitution, an inspections mechanism so as ensure the effective performance and exercise of the powers conferred on the county government under Part 2 of the Fourth Schedule of the Constitution.

PART II— THE INSPECTORATE SERVICE

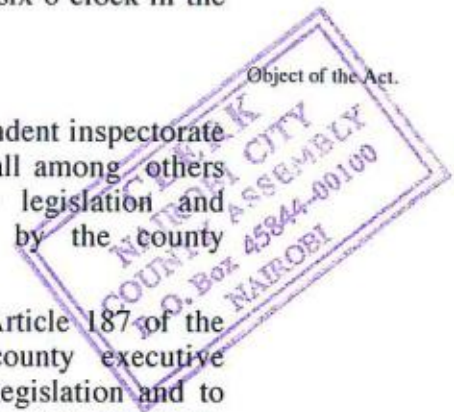
4. (1) There is hereby established a service to be known as the Nairobi City County Inspectorate Service.

Establishment of
the Inspectorate
Service.

(2) The Inspectorate shall be a department within the County Public Service.

(3) The Inspectorate Service Department shall consist of the following units—

- (a) an inspection unit;
- (b) a fire and emergency services unit;
- (c) a disaster and rescue services unit;



- (d) a traffic unit;
- (e) such other unit as the Board with the approval of the Assembly may prescribe.

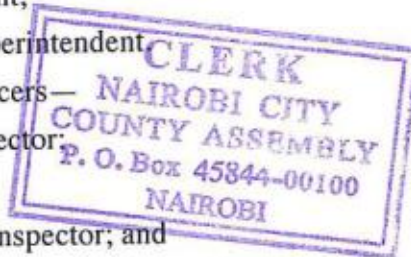
(4) The ranks of the Inspectorate shall consist of—

- (a) commissioned officers including—
 - (i) County Chief Commandant;
 - (ii) Deputy County Chief Commandant;
 - (iii) Assistant County Commandant;
 - (iv) Senior County Superintendent;
 - (v) County Superintendent;
 - (vi) Assistant County Superintendent;
- (b) County Inspectorate Officers—
 - (i) County Chief Inspector;
 - (ii) County Inspector;
 - (iii) Assistant County Inspector; and
- (c) Non Commissioned County Inspectorate Officers—
 - (i) Senior County Sergeant;
 - (ii) County Sergeant;
 - (iii) County Corporal and;
 - (iv) County Constable.

(5) Inspectorate officers shall have seniority according to their position as set out in subsection (4).

(6) All persons who immediately before the commencement of this Act were officers or employees of the city inspectorate shall upon commencement of this Act become members of the Inspectorate in accordance with this Act in such ranks as the Board shall designate.

(7) Notwithstanding subsection (6), all officers or employees of the city inspectorate shall undergo vetting by the Board to assess their suitability and competence to continue in service with regards to compliance with the requirements of Chapter six of the Constitution, the Leadership and Integrity Act and other written law applicable to public officers.



- (a) The County Chief Commandant and the Deputy County Chief Commandant referred to in Section 4(4) (a) (i and ii) shall undergo vetting by the County Assembly before appointment;
- (b) The other officers referred to in Section 4(4) (a) and (b) shall undergo a vigorous recruitment by the Board.
- (8) The Board shall discontinue the Inspectorate of any inspectorate officer who fails in the vetting referred to under subsection (7).

5. The recruitment and composition of the Inspectorate shall, so as far as is reasonably practicable—

Gender, ethnic and regional balance.

- (a) uphold the principle that not more than two-thirds of the appointments shall be of the same gender;
- (b) reflect the regional and ethnic diversity of the County; and
- (c) ensure equity of opportunity amongst all the wards in the County.

6. (1) The functions of the Inspectorate shall be to —

Functions of the Inspectorate.

- (a) carry out inspections within Nairobi City County to ensure compliance with set standards in respect of the functions of the County Government as specified under Part 2 of the Fourth Schedule to the Constitution;
 - (b) regulate and control traffic on county roads and keep order and prevent obstructions in county public places;
 - (c) provide security services to county government properties;
 - (d) perform any other duties that may be prescribed by this Act or any other written law from time to time.
 - (e) offer firefighting and emergency services;
 - (f) co-ordinate disaster management.
- (2) The Inspectorate shall be deployed in Nairobi City County for the performance of the functions specified in this Act or any other law.

7. (1) The Inspectorate shall be under the command of the County Chief Commandant who shall be appointed by the Governor with the approval of the County Assembly.

County Chief
Commandant.

(2) The County Chief Commandant may perform the functions or exercise the powers of the office in person or may delegate to an officers subordinate to him.

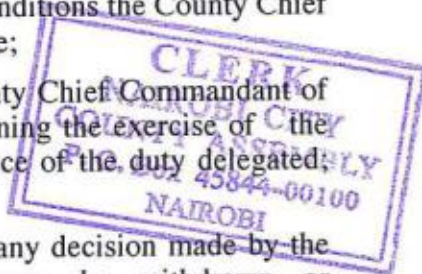
(3) A delegation under this Act —

(a) shall be in writing;

(b) shall be subject to any conditions the County Chief Commandant may impose;

(c) shall not divest the County Chief Commandant of the responsibility concerning the exercise of the powers or the performance of the duty delegated; and

(d) may be withdrawn, and any decision made by the person so delegated may be withdrawn or amended by the County Chief Commandant.



8. (1) The functions of the County Chief Commandant shall be to —

Functions and
powers of the
County Chief
Commandant.

(a) foster cooperation and collaboration between the Inspectorate service and the National Police in the performance of the inspectorate functions and shall in so doing ensure obedience to any directions issued by the Inspector-General of Police;

(b) ensure the implementation of policy and operational directions of the Inspectorate;

(c) prepare budgetary estimates and develop an Inspectorate plan before the end of each financial year, setting out the priorities and objectives of the Inspectorate and the justification thereof;

(d) determine the establishment and maintenance of Inspectorate posts, outposts, units or unit bases in the county and determine the boundaries of the inspectorate outposts or unit bases;

(e) determine the distribution and deployment of officers in the Inspectorate;

(f) recommend the establishment of, centers or places for the training of officers joining the Inspectorate

and other officers;

- (g) promote co-operation with the national police service and other security agencies;
- (h) issue and document Inspectorate Standing Orders;
- (i) co-operate with other public or private bodies to provide reliable inspector statistics on crime rates, detection rate, public confidence in the inspector, number of complaints against the inspector, as well as personnel statistics;
- (j) perform any other lawful act on behalf of the Inspectorate.

(2) The Inspectorate Standing Orders issued under subsection (1) shall—

- (a) be administrative orders;
- (b) be for the general control, direction and information of the Inspectorate, and
- (c) not be inconsistent with the Constitution, this Act or any written law;

(3) The Inspectorate Standing Orders shall be made available to each serving inspectorate officer and, be accessible to the public.

(4) In the performance of functions set out under this Act or any other law, the County Chief Commandant shall—

- (a) have all the necessary powers for the performance of such functions; and
- (b) uphold the national values, principles and objects set out in Articles 10 and 232 of the Constitution.

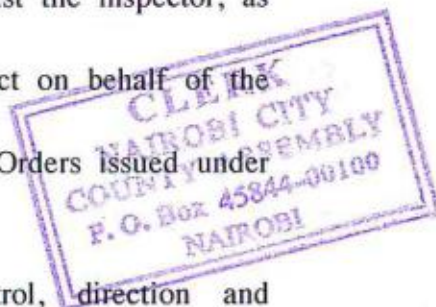
9.(1) The County Assembly shall allocate adequate funds to enable the Inspectorate to perform its functions and the budget for the Inspectorate shall be a separate vote.

Allocations of Funds.

(2) The County Chief Commandant shall ensure that every inspector post, outposts and unit is allocated sufficient funds to finance its activities.

10.(1) The Inspectorate shall establish and maintain an inspector training institution for purposes of training and re-training of its officers.

Training institutions.



(2) Training in the institutions referred to in subsection (1) shall be conducted in accordance to the training curriculum.

(3) The Inspectorate may collaborate with other training institutions to provide training to its officers.

(4) The Board shall develop guidelines on the curriculum, examination and certification of inspectorate trainees.

11. (1) The Board shall ensure that a certificate of appointment is issued to every person who is appointed as an inspectorate officer.

(2) A certificate of appointment shall be signed by the County Chief Commandant for the purpose.

(3) An Inspectorate officer shall produce the certificate of appointment issued under subsection (2) on being requested to do so by any person in relation to whom the officer is exercising or is about to exercise a power conferred by this Act.

(4) A failure to comply with subsection (3) shall invalidate any purported exercise of the power that the officer is seeking to exercise.

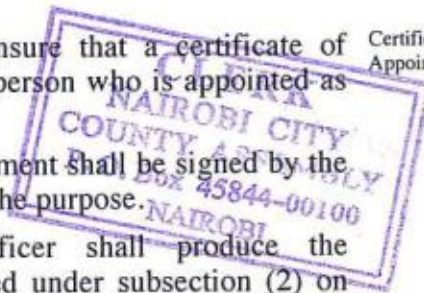
(5) A certificate issued to an Inspectorate officer under this section shall be evidence of the officer's appointment not only for the purposes of legal proceedings but for all other purposes of the law.

12. An inspectorate officer shall upon being enlisted, make and sign before an officer authorized by law to administer oaths or before the County Chief Commandant, in English or Swahili and in such manner as the officer may declare to be most binding on his conscience, the oath or the affirmation set out in the First Schedule.

13. (1) No member of the Inspectorate shall engage in any trade, business or employment, if the trade, business or employment is in conflict of interest with the performance of the inspectorate officer's duties.

(2) For the avoidance of doubt, the laws on anti-corruption, the Public Officers Ethics Act 2003, the Leadership and integrity Act and other relevant laws shall apply to members of the Inspectorate.

Certificate of Appointment.



Oath of office.

Inspectorate officers prohibited from conflict of interest.

No. 4 of 2003.

14. (1) Unless specifically authorized by rules, no inspectorate officer shall be entitled to keep or use for private benefit any article that has been supplied to the officer at the public expense, but shall hold every such article at the order and disposal of the County.

Public property not to be used privately.

(2) An inspectorate officer who keeps or uses an article in contravention of subsection (1) commits a disciplinary offence.

15. (1) An Inspectorate officer who is dismissed from the Inspectorate, or resigns from office, or otherwise leaves the Inspectorate, shall forthwith deliver over to the person authorized by rules or appointed for that purpose every article which has been supplied to him and which he or she has not been expressly authorized to keep or use for his private benefit.

Surrender of public property on resignation, etc.

(2) Any person who—

(a) fails to comply with subsection (1); or

(b) returns such property in a damaged condition, the damage not being attributable to the proper discharge of his duties in the Inspectorate,

commits an offence, and shall be liable on conviction, whether or not any penalty is otherwise imposed, for the cost of replacing such property, or, as the case may require, for the cost of repair, and such cost shall be recoverable by the Government by deduction from any moneys due to such person, and shall be a debt due from such person to the Government.

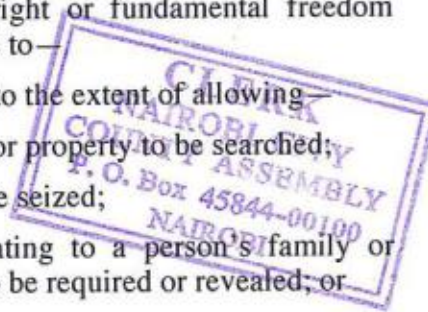
16. (1) Subject to this section, an inspectorate officer shall be entitled to all the rights set out in the Constitution.

Limitation of rights and fundamental freedoms of inspectorate officers.

(2) Subject to Article 24, 25 and 35 of the Constitution, the rights and fundamental freedoms of an officer of the Inspectorate may be limited for the purposes, in the manner and to the extent set out by law.

(3) A limitation of a right or fundamental freedom under subsection (2) shall be reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom and shall be limited only for purposes of ensuring—

- (a) the protection of classified information;
 - (b) the security and safety of officers of the Inspectorate;
 - (c) the independence and integrity of the Inspectorate; and
 - (d) the enjoyment of the rights and fundamental freedoms by any individual does not prejudice the rights and fundamental freedoms of others.
- (4) A limitation of a right or fundamental freedom under this section shall relate to—
- (a) the right to privacy to the extent of allowing—
 - (i) a person, home or property to be searched;
 - (ii) possessions to be seized;
 - (iii) information relating to a person's family or private affairs to be required or revealed; or
 - (iv) the privacy of a person's communications to be investigated;
 - (b) the freedom of expression to the extent of limiting the freedom to impart information for officers of the Inspectorate;
 - (c) the right to access to information to the extent of protecting the Inspectorate from—
 - (i) demands to furnish persons with information; and
 - (ii) publicizing information affecting the county or where applicable, the nation;
 - (d) the freedom of association to the extent of limiting the right of officers of the Inspectorate from joining or participating in the activities of any kind of association other than those authorized under this Act;
 - (e) the right to assemble, demonstrate, picket and petition public authorities to the extent of ensuring discipline in the Inspectorate; and
 - (f) the right to fair labour relations to the extent of prohibiting officers of the Inspectorate from

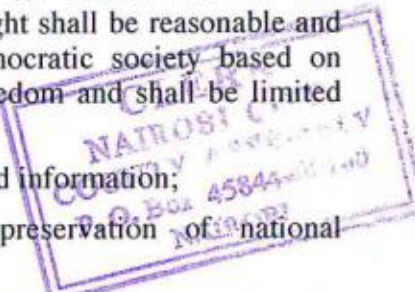


joining and participating in the activities of a trade union and going on strike.

(5) An officer shall not be barred from voting at any election if, under the laws governing the said election, the officer has a right to vote.

17. Subject to Article 24 of the Constitution and any other law enacted pursuant to Article 35 of the Constitution, a limitation of a right shall be reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom and shall be limited only for purposes of ensuring—

Access to information.

- 
- (a) the protection of classified information;
 - (b) the maintenance and preservation of national security;
 - (c) the security and safety of officers in the Inspectorate;
 - (d) the independence and integrity of the Inspectorate; and
 - (e) the enjoyment of the rights and fundamental freedoms by any individual, does not prejudice the rights and fundamental freedoms of others.

PART III—INSPECTIONS

18. (1) The County Chief Commandant may, by a notice in the Gazette designate Inspectorate posts.

Designation of Inspectorate posts.

(2) In designating Inspectorate posts under subsection (1), the County Chief Commandant shall ensure that such Inspectorate posts are equitably distributed amongst the different wards in the County.

(3) The Inspectorate posts under subsection (1) shall be the unit for Inspectorate delivery.

(4) Each Inspectorate post shall —

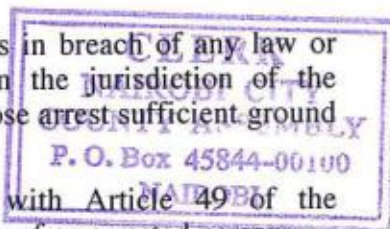
- (a) be the center for the administrative and command functions of the Inspectorates in respect of the area of jurisdiction; and
- (b) provide room for operational creativity to the inspectorate officers under the Inspectorate.

(5) The County Chief Commandant shall ensure the development of procedures which facilitate uniform keeping of records at all Inspectorate posts.

19. An Inspectorate officer shall obey and execute all lawful orders in respect of the execution of the duties of office which he may from time to time receive from his superiors in the Inspectorate and may—

Duties and Powers
of officers

- (a) at any reasonable time, enter any place in which the officer believes on reasonable grounds that any person or persons is in any way contravening any County Laws;
- (b) arrest any person who is in breach of any law or standards that is within the jurisdiction of the Inspectorate and for whose arrest sufficient ground exists.
- (c) to ensure compliance with Article 49 of the Constitution on the rights of an arrested person



20. (1) An Inspectorate officer on duty may stop any person whom the officer witnesses doing or suspects of doing any act in contravention of County law or being in possession of anything for which a permit, license, or certificate or pass is required under any county law and has no such permit, license or certificate

Stoppage.

(2) A person who fails to produce a licence, permit, certificate or pass within forty-eight hours when called upon to do so, may be arrested without a warrant

(3) An Inspectorate officer who abuses the powers under this section commits an offence.

21. Subject to Article 49 of the Constitution, an Inspectorate officer may without a warrant, arrest a person—

Power to arrest
without a warrant.

- (a) who is accused by another person of breaching any county law within his enforcement jurisdiction in any case in which the inspectorate officer believes upon reasonable ground that such breach has been committed;
- (b) who obstructs an Inspectorate officer while in the execution of duty;

- (c) whom the inspectorate officer suspects upon reasonable grounds of having committed or being about to commit a breach of a county law; or

22. (1) An arrest by an Inspectorate officer, shall be subject to the rules contained in this section with respect to arrest.

Arrests by
Inspector.

(2) In the performance of the functions and exercise of the powers of arrest set out in the Constitution and this Act or any other law, an Inspectorate officer shall carry out an arrest only as provided for in law.

(3) An Inspectorate officer shall accord an arrested person all the rights set out under Articles 49, of the Constitution.

(4) Every arrested person shall as soon as practically possible but in any event not more than one hour after arrest be handed over to the police station in the jurisdiction within which the offence has been committed

(5) An Inspectorate officer who contravenes the provisions of this section shall be guilty of an offence and may be tried for a criminal offence.

23. An Inspectorate officer shall perform the functions and exercise the powers conferred by this Act by use of non-violent means.

Non-violent means

24. (1) Upon reasonable suspicion of the commission of an offence or for the enforcement of the provisions of any county law, an Inspectorate officer may enter a dwelling place when accompanied by a police officer and with the consent of the occupant

Entry of dwelling
place.

(2) The time of such entry shall be between six o'clock in the forenoon and six o'clock in the afternoon of any day of the week.

(3) An Inspectorate officer who exercises the powers conferred under this section shall—

- (a) identify himself or herself beforehand;
- (b) record the action;
- (c) record the items related to the commission of an offence taken; and

- (d) make a report regarding such exercise and make it available for the superior.

25. An Inspectorate officer who carried out an inspection under this Act shall make a preliminary report immediately upon completion of the inspection in a prescribed format, a copy of which shall be retained in the premises.

Inspection report.

26. (1) No person shall obstruct or hinder, or knowingly make a false or misleading statement to an Inspectorate officer who is carrying out duties under this Act.

Obstruction.

(2) A person who contravenes subsection (1) commits an offence.

27. (1) During an inspection under this Act, an Inspectorate officer may, in addition to the avenues provided for in this Act, seize any thing by means of which or in relation to which the officer believes, on reasonable grounds, that this Act has been contravened and a full inventory thereof shall be made at the time of such seizure by the officer.

Seizure during inspections.

(2) Any items seized by any Inspectorate officer under sub section (1) shall as soon as practically possible but in any event not later than one hour be handed over to the police station in the jurisdiction within which the offence has been committed

28. (1) The County Chief Commandant may perform his functions under this Act in cooperation with the National Police Service and may in this respect enter into a memorandum of understanding with the Inspector General of Police.

Co-operation with National Police service.

(2) The Memorandum of Understanding referred to in subsection (1) shall—

- (a) provide for the manner and extent to which the Inspectorate shall assist the National Police in implementation of national legislation;
- (b) provide for the manner and terms of deployment of national police service officers to the Inspectorate to assist in the performance of the Inspectorate functions;

- (c) provide for such other matters as the Inspector General and the County Chief Commandant may deem appropriate.

PART IV—OFFENCES

29. (1) It shall be unlawful for an Inspectorate officer to subject any person to torture or other cruel, inhuman or degrading treatment.

Prohibition against torture or cruel treatment.

(2) An Inspectorate officer who subjects a person to torture commits a criminal offence and shall be liable on conviction to imprisonment for a minimum term of twenty five years.

(3) An Inspectorate officer who subjects a person to cruel, inhuman or degrading treatment commits a criminal offence and is liable on conviction to imprisonment for a minimum term of fifteen years.

30. (1) A person other than an Inspectorate officer who, without the written authority of the County Chief Commandant—

Impersonation of inspectorate officer or wearing inspector uniform etc.

- (a) puts on or assumes, either in whole or in part, the uniform, name, designation or description of an Inspectorate officer, or a uniform, name or designation, resembling or intended to resemble the uniform, name or designation of an Inspectorate officer; or

- (b) in any way impersonates an Inspectorate officer for any purpose which he would not by law be entitled to do of his own authority,

commits an offence and shall be liable on conviction to a fine not exceeding one million shillings or to a term of imprisonment not exceeding ten years, or to both.

(2) Notwithstanding subsection (1) a person may, with the approval of the County Chief Commandant, use inspector uniform for artistic purposes.

31. Any person who—

Assault in execution of duty.

- (a) assaults, resists or willfully obstructs an Inspectorate officer in the due execution of the inspectorate officer's duties;
- (b) assaults, resists or willfully obstructs any person

acting in aid of the inspectorate officer;

- (c) attacks an animal belonging to the Inspectorate, or
- (d) intentionally or recklessly, destroys inspector property,

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

32. (1) A person who contravenes the provisions of this Act for which no penalty is specified or fails to comply with any order or direction given under this Act, shall be punishable with fine not exceeding five thousand shillings. General penalty

(2) A person who having been convicted of an offence under this Act, if again found guilty and is convicted of an offence under this Act, shall undergo the disciplinary process and may be released from the service.

PART V— PROVISIONS ON DELEGATED POWERS

33. (1) The Member of the County Executive Committee may, upon recommendation by the County Chief Commandant and the prior approval of the County Assembly make rules for the purpose of carrying out the provisions of this Act. Regulations

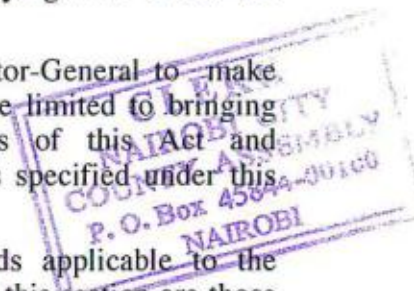
(2) Without prejudice to the generality of subsection (1), the rules made may provide for—

- (a) the prescribing of anything required to be prescribed in this Act;
- (b) prescribing administrative organization of the service;
- (c) the description, wearing and issue of uniform, accoutrements and necessities by the Inspectorate;
- (d) monitoring and evaluating the performance of the functions of the Inspectorate;
- (e) facilitating the involvement of the public in the activities of the Inspectorate;
- (f) establish an Inspectorate Reform Unit for ensuring continuous and sustainable inspectorate reforms;

- (g) generally for the good order and management of the Inspectorate;
- (h) the penalties and disciplinary procedures applicable to Inspectorate officers who commit any of the offences against discipline set out in the Second Schedule.

(3) For the purposes of Article 94 (6) of the Constitution—

- (a) the purpose and objective of the delegation under this section is to enable the Inspector-General to make rules for better carrying into effect the provisions of this Act;
- (b) the authority of the Inspector-General to make rules under this Act will be limited to bringing into effect the provisions of this Act and fulfilment of the objectives specified under this section;
- (c) the principles and standards applicable to the delegated power referred to this section are those found in—
 - (i) the Statutory Instruments Act, 2013;
 - (ii) the Interpretation and General Provisions Act;
 - (iii) the general rules of international law as specified under Article 2(5) of the Constitution; and
 - (iv) any treaty and convention ratified by Kenya under Article 2 (6) of the Constitution.



FIRST SCHEDULE (s. 12)**OATH/AFFIRMATION OF OFFICE**

I, do swear/do solemnly and sincerely affirm that I will be faithful and bear true allegiance to the Constitution and the Governor of Nairobi City County during my without favour or affection, malice or ill will; that I will at all times do my utmost to reserve the peace and to prevent offences against the peace; that while I shall continue to hold the said office, to the best of my skill and knowledge, discharge all the duties thereof faithfully according to law and will not; I will subject myself to the Constitution, all Acts, orders and rules now or in future within the jurisdiction of the Inspectorate and that I will discharge my duties and the duties of the Inspectorate according to law, without fear, favour, affection or ill-will. (SO HELP ME GOD)

OATH/AFFIRMATION OF SECRECY

I, (full names)
DO HEREBY SWEAR BY THE ALMIGHTY GOD/solemnly and sincerely affirm that I will not, without due authority, disclose or make known to any person any information acquired by me by reason of the duties performed by me on behalf or under the direction of the Inspectorate or by reason of any office or employment held by me pursuant to the Nairobi City County Inspectorate Service Act. SO HELP ME GOD.

SECOND SCHEDULE (s. 33 (2)(h))
OFFENCES AGAINST DISCIPLINE

1. It shall be an offence against discipline for any inspectorate officer to—

- (a) unlawfully strike, or use or threaten violence against any inspectorate officer or any other person;
- (b) use any obscene, abusive or insulting language in any form to any inspectorate officer;
- (c) uses threatening or insubordinate or disrespectful language, word, act or demeanor to an Inspectorate officer senior to him in rank;
- (d) cause a disturbance in any inspector premises;
- (e) be drunk while on duty;
- (f) drink intoxicating liquor or psychotropic substances or drugs, or smoke in uniform when actively engaged on duty in a public place ;
- (g) willfully disobey any lawful command or order;
- (h) absent himself without leave;
- (i) be found sleeping while on duty;
- (j) leave his post or place of duty before he/she is regularly relieved, except in fresh pursuit of an offender who it is his/her duty to apprehend;
- (k) while under arrest or in detention, leave or escape from such arrest or detention before he/she is set at liberty by proper authority;
- (l) neglect or refuse to assist in the apprehension of any inspectorate officer charged with any offence, when lawfully ordered so to do;
- (m) resist any lawful arrest;
- (n) without reasonable cause, fail to attend at any parade, instruction class or court or any other duty which he is required to attend;
- (o) sell, pawn, lose by neglect, make away with or willfully or negligently damage, or fail to report

any loss or damage to, any arm, ammunition, accoutrement, uniform or other article of personal issue or any vehicle or other property committed to his charge belonging to the Government or for which the Government is responsible; or

- (p) be in improper possession of any public or private property; or
- (q) commit any act of plunder or wanton destruction of any property;
- (r) be negligent in the performance of his duty;
- (s) appear on duty untidy or dirty in his/her person, arms, clothing or equipment;
- (t) make or sign any false statement in any document or official record;
- (u) without proper authority, disclose or conveys any information concerning any inspection or any inspectorate matter ;
- (v) feign any disease or infirmity;
- (w) without proper authority demands or exacts from any person any carriage, portorage or provisions;
- (x) commit an act which amounts to corruption by under of any law in force in Kenya;
- (y) make any false statements upon joining the Inspectorate; or
- (z) refuse or neglect to make or send any report or return which it is his duty to make or send; or
- (aa) knowingly make any false accusation or complaint or statement against any inspectorate officer or other person, affecting the character of such person, or willfully suppress any material fact.