

**KENYA TOURIST BOARD ORDER, 1997**

## ARRANGEMENT OF ORDERS

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**KENYA TOURIST BOARD ORDER, 1997**

[L.N. 14/1997, L.N. 141/1999.]

**1. Citation**

This order may be cited as the Kenya Tourist Board order, 1997.

**2. Establishment of the Board**

There is hereby established a state corporation to be known as the Kenya Tourist Board (hereinafter called "the Board") which shall be a body corporate in accordance with section 3 of the Act and which shall perform and exercise the duties, functions and powers specified in the Act and in this order.

**3. Constitution of the Board**

- (1) The Board shall, subject to section 6(4) of the Act, consist of—
- (a) a non-executive chairman appointed by the president;
  - (b) a managing director appointed by the president;
  - (c) the permanent secretary to the Ministry for the time being responsible for the development of tourism;
  - (d) the permanent secretary responsible for provincial Administration and Internal Security, Office of the President;
  - (e) the permanent secretary to the Treasury;
  - (f) the Chairman, Kenya Association of Tour Operators;
  - (g) the Chairman, Kenya Association of Hotel Keepers and Caterers;
  - (h) the chairman, Kenya Association of Travel Agents;
  - (i) the Chairman, Mombasa Coast Tourist Association;
  - (j) the Managing Director, Kenya Tourist Development Corporation;
  - (k) the Director, Kenya Wildlife service;
  - (l) the Managing Director, Kenya Airways;
  - (m) the Chairman, Kenya Tourism Federation;
  - (n) subject to section 6(1)(e) of the Act, not more than three other members appointed by the Minister.

[L.N. 141/1999, s. 2.]

**4. Headquarters**

The headquarters of the Board shall be in Nairobi.

**5. The Managing Director**

(1) There shall be a managing director of the Board who shall be its chief executive and secretary to the Board.

(2) The managing director shall be appointed by the President on such terms and conditions as the President shall determine.

**6. Functions of the Board**

The Board shall, under the general direction of the Minister for the time responsible for the development of tourism—

- (a) promote and market Kenya as a tourist destination locally and internationally;

- (b) establish public relation service to address issues of concern to the tourism industry, and facilitate the resolution of conflicts within the industry;
- (c) monitor the quality and standards of facilities available to tourists and advise both the private sector and relevant Government agencies on how to improve the facilities;
- (d) work in partnership with national regional and international organizations as well as local authorities in the country to improve the tourism environment;
- (e) initiate education and awareness programmes on tourism locally as well as abroad;
- (f) develop and maintain professional personnel to deal with the issues that adversely affect Kenya's image in the tourism industry;

#### **7. Powers of the Board**

The Board shall—

- (a) administer its assets and funds in such manner and for such purposes as will promote the best interests of the Board in accordance with the Act;
- (b) have power to receive gifts, donations, grants or other moneys and equipment and to make legitimate disbursements there from;
- (c) have power to enter into association with other persons, bodies or organizations within or outside Kenya as the Board may consider desirable or appropriate and in furtherance of the purposes for which the Board is established.

#### **8. Fund and banking accounts**

(1) The Board shall establish a "Kenya Tourists Development fund" (hereinafter called "the fund") into which all moneys received by the Board shall be paid and out of which all payments made by the Board shall be made.

(2) The Board shall, in connection with the Fund—

- (a) supervise and control the administration of the Fund;
- (b) open a banking account or banking accounts for the Fund;
- (c) invest any surplus funds in the manner approved by the Minister;
- (d) if it thinks fit, impose conditions as to the use to be made of any expenditure authorized by it or on its behalf and such conditions may impose any reasonable prohibition, restrictions, suspension or requirements concerning such use or expenditure.

#### **9. Protection from personal liability**

No matter or thing done by the chairman or any other member of the Board or any officer, employee or agent of the Board or any officer, employee or agent of the Board shall, if the matter or thing is done *bona fide* for the purpose of executing any provision of this Order render the chairman, member, officer, employee or agent or any person acting by these directions personally liable to any action, claim or demand.

#### **10. Liability of the Board for damages**

The provisions of this Order, shall not relieve the Board of the liability to pay compensation or damages to any person for any injury to him, his property or any of his interests caused by the exercise of any power conferred by this Order or by the failure, whether wholly or partially, for any works.

**11. Delegation by the Board**

The Board may, by resolution, either generally or in any particular case, delegate to a committee of the Board, or to any member, officer, employee or agent of the Board the exercise of any of the powers or the performance of any of the functions or duties the Board is authorized by this order to exercise or perform.

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