

SPECIAL ISSUE

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LEGAL NOTICE NO. 157

THE PRIVILEGES AND IMMUNITIES ACT

(Cap. 179)

IN EXERCISE of the powers conferred by section 11 of the Privileges and Immunities Act, the Cabinet Secretary for Foreign and Diaspora Affairs makes the following Order—

THE PRIVILEGES AND IMMUNITIES (BILL AND MELINDA GATES FOUNDATION) ORDER, 2024

1. This Order may be cited as the Privileges and Immunities (Bill and Melinda Gates Foundation) Order, 2024.

2. The Bill and Melinda Gates Foundation, in this Order referred to as “the Foundation”, being a charitable trust established to fight poverty, disease and inequality in over one hundred and forty countries globally, and with which the Government of Kenya has entered into an agreement for cooperation, is hereby declared to be an organisation to which section 11 of the Act shall apply.

3. The Foundation shall have the legal capacity of a body corporate to—

- (a) enter into contracts;
- (b) institute and defend legal proceedings; and
- (c) acquire, hold or dispose of movable and immovable property in accordance with the laws of the Republic of Kenya.

4. The Foundation shall have the privileges and immunities specified in paragraphs 3 and 4 of Part I of the Fourth Schedule to the Act.

5. The director, officials and staff of the Foundation shall, while residing in Kenya and performing duties in the service of the Foundation, have the privileges and immunities specified in paragraphs 1, 2, 3, 4, 5, 6 and 7 of Part III of the Fourth Schedule to the Act.

6. Paragraph 5 shall not apply to a citizen of Kenya or to any person who is ordinarily resident in Kenya except solely for the purpose of being an employee of, and working exclusively for the Foundation.

Made on the 19th September, 2024.

MUSALIA MUDAVADI,
Cabinet Secretary for Foreign and Diaspora Affairs.