

EXPLANATORY MEMORANDUM

EXPLANATORY MEMORANDUM FOR THE PUBLIC FINANCE MANAGEMENT (GOVERNMENT PRESS FUND) REGULATIONS, 2025

PART I

- Name of instrument:** Public Finance Management (Government Press Fund) Regulations, 2025.
- Name of Parent Act:** The Public Finance Management Act (*No. 18 of 2012*).
- Enacted Pursuant to:** Section 24(4) of the Public Finance Management Act, 2012
- Name of Ministry:** The National Treasury & Economic Planning/Executive Office of the President.
- Gazetted on:** Subject to approval by the Cabinet Secretary, National Treasury & Economic Planning.
- Tabled on:** To be advised by the Clerk National Assembly.

PART II

1. Purpose of the Statutory Instrument

Government Press is the government's primary centralized resource for producing, procuring, authenticating, cataloging, disseminating, and preserving the official information products of the Kenya Government.

The objectives of and reasons for the proposed Legal Notice are mainly to provide funds to support the sustainability of the commercial and noncommercial activities of the Government Press which include; printing publishing, publications and consulting and in particular;

- a) finance the purchase of raw materials for printing and publishing works by the Government Press including;-
 - i. artworks;
 - ii. designs;

- iii. printed stationery and documents;
 - iv. printed and bound publications including the Kenya Gazette, Kenya Gazette Supplements, chapters of the Laws of Kenya and official Government publications;
 - v. security printing;
 - vi. exercise books;
 - vii. security documents; and
 - viii. any other stationery and publications;
- b) finance the maintenance, renewal and replacement of plant, machinery and equipment used for printing and publishing works by the Government Press;
- c) provide resources for the payment of overheads related to printing and publishing works referred to in paragraph (a); and
- d) support any other activities incidental to the sustainability of the Fund.

2. Legislative Context

The National Assembly delegated the duty to establish national public funds to the Cabinet Secretary responsible for finance with the approval of the National Assembly. This is provided for under Section 24 (4) of the Public Finance Management Act, 2012 and Section 207 of the Public Finance Management Regulations, 2015.

The Regulations are therefore developed within the meaning of Section 24 (4) of the Public Finance Management Act 2012 and the procedure for public participation provided under Statutory Instrument Act, 2013.

3. Policy Background (Government Press)

The Government Press Fund was established under the Exchequer and Audit Regulations (Government Press Fund Regulation, 1988) to support the operations of the Government Press. From its inception, the fund was primarily used to procure production materials necessary for printing and publishing government documents. To address operational challenges and enhance service delivery in line with customer expectations, the Government of Kenya introduced the fund in 1988 with an initial seed capital of Kenya Pounds 1,000,000.

The primary objective of the Government Press Fund was to facilitate the publishing, printing, and dissemination of official government information, state security materials, and educational resources, including exercise books for ministries, departments, and the public. The fund served as a revolving financial resource to ensure a steady supply of production materials, particularly paper and other essential consumables. Additionally, it provided financial flexibility in emergencies requiring urgent procurement of printing materials.

The fund was subject to audit by the Office of the Auditor General. However, despite significant changes in both internal and external operational environments, it was never formally reviewed after its establishment in 1988. Furthermore, the fund was designed to enable the Government Press to sustain the provision of free printed standard government forms and books to various ministries, departments, and agencies, ensuring efficient service delivery across the public sector.

4. Guidance

The National Treasury and Economic Planning and Executive Office of the President shall sensitize the National Assembly, Ministries, Departments, Agencies and County Governments on the objectives of the Government Press Fund.

5. Stakeholder Consultations

The Government Press Fund Task force (Task force) responsible for the preparation and development of the Regulations, will hold consultations with key stakeholders and their input taken into account before finalization of these draft Regulations. The Government Press Fund Taskforce is composed of the National Treasury, Executive Office of the President, Government Press and the Attorney General's office.

The key stakeholders are mainly Ministries, Departments, Agencies and County Governments.

In line with the provisions of Section 5 of the Statutory Instruments Act, 2014, the National Treasury together with the Executive Office of the President will undertake public participation before publication of these Regulations.

The mode of public participation includes invitation of key stakeholders via an advertisement which will be posted on the National Treasury website and published in the *My Gov* Newspaper of 18th March, 2025. Written submissions on the Regulations should be sent to psnt@treasury.go.ke and jona.wala@treasury.go.ke.

6. Impact Assessment

An impact assessment has been prepared for this statutory instrument and is appended at **Appendix II**.

7. Review

The National Treasury shall monitor the application of the Regulations. This shall be done through the quarterly and annual reports prepared by the Fund and forwarded to the National Treasury.

8. Contact

The contact person shall be the Cabinet Secretary or Principal Secretary, The National Treasury & Economic Planning.

Made on the....., 2025

HON. FCPA JOHN MBADI NG'ONGO, EGH
CABINET SECRETARY/ NATIONAL TREASURY & ECONOMIC PLANNING