

## THE FORMATION STRUCTURE AND FUNCTIONS OF THE GOVERNMENT OF KENYA

### 24. a) State three duties of returning officers.

- (i) Receives nomination papers from prospective candidates.
- (ii) Distributes ballot papers & boxes to polling stations
- (iii) Supervises voting & counting of votes in the constituencies
- (iv) Tally's results & announces results.
- (v) Appoints presiding officers & clerks
- (vi) In charge of polling station on polling day
- (vii) Distributes payment to election officials in the constituency.

Any 3 x 1 = 3 marks

### b) Explain the factors that are likely to interfere with free & fair elections in Kenya.

- (i) Ethnic loyalties/polarisation/allegiances
- (ii) Party loyalties
- (iii) Harassment of voters by rival groups
- (iv) Incompetent election officials
- (v) Partisan election officials
- (vi) Inaccessibility of some polling stations
- (vii) Communication difficulties between the headquarters & polling station.
- (viii) Illiteracy of some voters.
- (ix) Gender discrimination
- (x) Corruption of candidates & their supporters.
- (xi) Inefficient distribution of election materials.
- (xii) Use of negative propaganda by party leaders/supporters
- (xiii) Insecurity & fear instilled in the candidates
- (xiv) Use & misuse of the mass media.

Any 6 x 2 = 12 marks

### ANS 24 DIST 1

14. one provincial administration officer who is not on government payroll. (1mk)  
village elder. 1x1 = 1mk

17. What is the main role of the Kenya Anti-corruption commission.

- Investigates corruption cases in non-partisan manner and to investigate and prosecute officers involved in corrupt deals 1 point x 1 = 1mk

24.(a) List five categories of prisons in Kenya

- Principal institutions e.g. kamiti
- District I and II prison
- Detention camps
- Youth institutions
- Youth corrective training centers. 5x1 mk = 5mks

(b) Describe the functions of the Kenyan prisons (10mks)

- To confine prisoners convicted by the courts of law
- To keep watch over the behaviors of suspected criminals whose cases are still pending in law- courts
- To implement the decision of the courts regarding the treatment of prisoners e.g. to administer corporal punishment
- Rehabilitate prisoners through counseling in an attempt to correct their behaviors
- offering vocational training
- taking care of prisoners welfare by providing them with necessary medical attention
- they assist in confining suspects who are a threat to community security.

2x5 =

10mks

**ANS 14,17,24 DIST 2**

17. Reasons why reshuffling of the cabinet by the president from time to time is necessary

- Prevent sticking into power by one individual
- Give others a chance
- Enlighten different ministers on what happens in other ministers
- Avoid corruption
- Try expertise of different people (professionals)
- Its within his powers to do so
- Drop non performers

1

x 1 =  
1mk

**ANS 17, DIST 3**

**12.Two electoral regulation governing elections in Kenya**

- The local Government act
- The election offences act
- The Kenyan constitution

National Assembly and presidential Election act

1 x

2 = 2

**14.One function the Kadhis courts in Kenya**

- Settle marriage and divorce cases between Muslims
- Settle inheritance disputes between Muslims

**22.b. Six instances when the rights of a person to own property can be limited in Kenya**

- When satisfying any penalty for breach of civil and criminal law
- In collection of tax, duty, rate or other levies
- When property is seen to be dangerous to the health of a person, animal or plant
- Execution of a court order
- If property is required temporary for examination, investigator, inquiry, trial. Soil. Conservation or agricultural development
- Belongs to a deceased person, a person of unsound mind or a minor for its administration to the benefit of the persons entitled to benefit
- Belong to a person or company adjudged bankrupt

- Its subject to a trust for purposes of giving effect to the trust
- Condition of lease, mortgage or contract

2 x 6 = 12 Marks

**ANS 12,14,21b DIST 4**

13. - Deliver opening speech in parliament  
- Dissolves parliament  
- Assent to bills  
- He is an M.P  
- Nominate the 12 MP's of the National Assembly (any 2 x 1 = 2mks)
14. - Utumishi kwa wote (1 x 1 = 1mk)
21. a) - Introduction of better houses per prison officer  
- Abolition of mistreatment of inmates  
- Introduction of reform programmes for minor offenders  
- Increase of recreation facilities  
- Expansion of alternative training eg. NYS  
- Introduction of new facilities eg. Cloths, vehicles (any 3 x 1= 3mks)
- b) - Sophisticated weapons by criminals  
- Lack of public confidence  
- Formation of community policing groups  
- Drug abuse and selling  
- Inadequate prosecuting knowledge  
- Poor housing and social amenities  
- Low police population ratio/ rise in crime indicents  
- Political interference  
- Corruption (any six 6 x 2 = 12mks)

**ANS 13,14, 21 DIST 5**

15. **Name the body that was created to conduct elections following the disbanding of Electoral commission of Kenya in 2008**

*(1mk)*

- Interim independent electoral commission(IIEC) *1 x*
- 1 = 1mk*

23. a) **Give any three roles of armed forces in Kenya**  
*(3mks)*

- Defend the country in event of an external attack
- Assist the police when they are overwhelmed
- Participate in nation building e.g road, bridge construction
- They entertain the public during National days
- They participate in peace keeping missions abroad under the UN supervision.

- Their presence is a deterrent measure against would be external attackers
- The Kenya Navy ensures that no illegal landings and fishing take place in Kenyan waters.

**3 x 1 = 3mks**

**b) What challenges does the provincial administration face in Kenya (12mks)**

- Imbalance in population, some regions are very densely populated causing land lessness and insecurity whereas others are sparsely populated refunding developments efforts.
- Insecurity e.g land clashes, cattle rustling, increased crime.
- Natural disasters e.g floods, drought, leading to famine.
- Inadequate infrastructure such as roads, electricity, water, health centres etc.
- Inadequate funds to offer services effectively
- Corruption by some officials
- Illiteracy and poverty among the people of Kenya
- Retrogressive customes and traditions e.g child marriages, F.G.M etc
- Tribalism and Ethnic tendencies among officials.
- Antisocial activities e.g drag peddling, changaa brewing etc
- Inadequate facilities for transport and communication e/g Motor vehicle, Telephone, fax .

**6 x**

**2 = 12mks**

**24. a) Identify three steps in the law making process that take place outside parliament**

(  
**3  
m  
k  
s  
)**

- The drafting of a bill
- Presidential assent
- Publishing of the Bill in the Kenya Gazettee

**3 x 1 = 3mks**

**b) Explain how parliament chock the powers of other organs of the government in Kenya (12mks)**

- It is empowered to control revenue collection and government expenditure
- Parliament ensures that government money is spent property
- It reviews the constitution
- It can pass a vote of no confidence in the government of the day

- It checks on the possible abuse of power by executive and thus promote good governance and accountability
- Parliament is the supreme law making organ, in the country, once it make law, they are binding to every body.

6 x 2 = 12mks

**ANS 15, 23,24 DIST 6**

15. Name the organ of the government that administer Justice through court system.( 1 mk)

Judiciary.

21. a) State five problems that faced the early political organizations in Kenya upto 1939 ( 5 mks)

- i) Arrest and deportation of their leaders/ harassment and detention.
- ii) The organization were banned by the colonial government.
- iii) They were ineffective because of ethnicity / rivalry and suspicion within and among political parties / were district based.
- iv) They organizations lacked the support of the masses.
- v) They lacked funds to promote their activities.
- vi) The leaders lacked organizational skills.
- vii) The members were denied the freedom of association and movement.

viii) The organizations were denied access to the media. ( any 5 x 1 = ( 5 mks)

b) Explain the factors that promoted African nationalism in Kenya between 1945 – 1963 ( 10 mks)

- i) The Africans by then had acquired western education that made them air grievances more forcefully/ They were able to know the various developments taking place.
- ii) The experience the solders got after world war II, giving them political determination for independence.
- iii) The granting of independence to Indian and Pakistan in 1947 which aroused great confidence among Africans in Kenya.
- iv) The Atlantic charter ( 911 signed bet Winston Churchill and USA president Franklin Delano Roosevelt / All subjects after war were to enjoy the right is self determination.
- v) Spirit of Pan Africanism.
- vi) The labor party in Britain favoured decolonization. USA/ USSR as supper powers both supported decolonization.
- vii) The World War II drained the treasures of European countries Britain & trace.
- ix) The United Nations (UN) formed after the war advocated the grating of political freedom to all.

Any 5 x 2 10 mks

**ANS 15, 21 DIST 7**

16. one way in which parliament plays its terminative role  
-Passing a vote of no confidence in the president and the government
17. One special tribunal  
(1mk)  
-Rent restriction tribunal  
-Business premises tribunal 1X1=1mk
19. One class of prison in Kenya that handle serious crimes (1mk)  
-Principal institutions/ maximum prisons 1x1 =1mk
- 25 a) Functions of armed forces in Kenya  
-Defend the country from external attack/aggression  
-Participate in national building exercises e.g. construction of roads and bridges.  
-Provide emergency services e.g. during floods by evacuating civilians  
-Assist police to maintain law and order when there is a serious crisis  
-Participate in peace- keeping missions in Wartorn countries  
-Kenya air force protects Kenyan airspace against potential enemies  
-Kenya navy defend the country from sea borne invasion, unauthorized fishing and illegal landing and departure  
-Entertaining the public during national holiday. (5x1=5mks)
- b) Explain five challenges undermining the work of the Kenya police  
-Poor / inadequate transport and communication facilities thus unable to respond to emergencies quickly  
-Poor living and working condition like poor remuneration, poor housing which demoralised them  
-Poor relationship between the police and the public giving them negative attitude and denying them vital information from the public  
-Corruption among the police hence affecting justice as arrested criminals are sometimes released  
-Poor methods of investigation due to inadequate training on investigative techniques and lack of access to sophisticated forensic facilities  
-political interface hence some criminals are given “immunity” and some officers compromised their performance  
-The rise of terrorist activities and use of sophisticated equipment in crime.  
(5x2=10mks)
- 26.a) State five duties of the attorney general in public prosecution in Kenya  
-He is a member of advisory committee to the president in pardoning offenders  
-He enters an appearance on behalf of the government in civil suits against it  
-He institute and undertakes criminal proceedings against any offence alleged to have been committed.  
-He takes over and continues any criminal proceedings privately instituted  
-He can discontinue proceedings at any stage before judgment is given

-He gives consent before proceedings can commence in serious crimes like murder

-He gives permission to prosecute on behalf of government

-He is empowered to appoint public prosecutors (5x1=5mks)

**ANS 16, 17,19,25,26a DIST 8**

22a) **State five stages through which a bill passes before it becomes a law in Kenya (5mks)**

- i) **Drafting** done by members of parliament/ private/ then drafted in the Attorney Generals chambers.
- ii) **First reading:** The bill is introduced in parliament no debate or voting takes place.
- iii) **Second Reading :** The bill is read, debated upon in details it can either be accepted or rejected.
- iv) **Committee Stage :** the bill is taken to the committee stage of the whole house or small group of the members elected by the house to scrutinize and analyze the bill and make recommendations and report to the house.
- v) **Report Stage:** The bill is taken to parliament to a certain that the suggestion /recommendations were accurately affected and the house votes on the motion. If accepted it goes to the next stage
- vi) **Third Reading:** The bill is discussed and voted upon.
- vii) **Presidential Assent:** The bill is taken to the presidential for assent after which it becomes law and is then gazetted

**5x1= 5mks**

23a) **Give five roles of the Traffic police in Kenya (5mks)**

- i) To control traffic on roads
- ii) To inspect motor vehicles
- iii) To guide the flow of traffic on roads
- iv) To arrest traffic offenders
- v) To provide emergency assistance incase of a road accident
- vi) To educate the public on roads safety measures.
- vii) To conduct during test/issue provisional during licenses.

**5x1 =5mks**

b) **Explain five functions of the Kenya armed forces (10mks)**

- i) The defend the country from external attack/aggression.
- ii) They assists the police in the maintenance of law and order/internal security.
- iii) They provide emergency services during natural disasters such as uncontrollable fire, earth quake and floods or locusts.
- iv) They assist in Nation – building activities such as road and bridge constructions.

- v) They participate in international peace keeping for the maintenance of security in areas ravaged by war.
- vi) They provide entertainment during National functions e.g. on Madaraka or Jamuhuri Days.

5

*x2=*  
*10*  
*mk*  
*s*

**ANS 22a, 23 DIST 9**

15. Identify two non-military functions of the Kenya Armed Force  
(2mks)

- a) Participating in development projects e.g. building roads, bridges e.t.c
- b) Entertaining the public and foreign guests during public holidays
- c) Providing emergency relief services during disaster e.g. floods, accidents or locust invasion

Any 2x1 = 2marks

16. Give one function of the Judicial Service Commission.  
(1mk)

- a) To appoint the registrar and deputy registrar of the High court
- b) Advise the president when appointing the count of appeal and high count judges
- c) It is involved in the remuneration and disciplining member of the lower judiciary.
- d) Appoints the senior resident magistrate and other senior officers to the judicial department

Any 1x1 = 1mark

23. a) Give five reasons why parliamentary elections are held regularly in Kenya

(5mks)

- a. In order to give the citizens the chance to choose leaders whom they have confidence in
- b. To enable sitting MPs to be responsive to the development needs of the electorate
- c. It is a constitutional requirement / it is stipulated in the constitution
- d. In order to give citizens the opportunity to exercise their constitutional rights of participating in the democratic process



- e. To inject new blood into parliament and government
- f. They help to generate new ideas by offering alternative ways of running the government through different political parties manifesto

Any 5x1

= marks

b) Explain five factors that may interfere with free and fair elections in Kenya.

(10mks)

- a. Inadequate civil education where voters are not sensitive on their right to vote
- b. Illiteracy – some Kenyans are illiterate and cannot be able to mark ballot papers
- c. Ethnic tendencies and allegiance leads to bias of voters
- d. Party loyalties also lead to voting on party lines and not on merit.
- e. Harassment of voters by rival groups / intimidation of voters / election violence
- f. Incompetent election officials
- g. Inaccessibility of polling stations
- h. Communication problem between the headquarters and the polling station
- i. Corruption of candidates and their supporters
- j. Use of negative propaganda by party leaders and supporters
- k. Gender insensitivity
- l. Use and misuse of mass media
- m. External interference e.g. support of a party by a foreign country or organization

Any 5x2

= 10marks

24. a) What is the composition of the cabinet in Kenya?

(3mks)

- a. The president
- b. The vice president
- c. The prime minister
- d. Ministers
- e. The Head of civil service

Any 3x1

= 3marks

b) Explain six functions of the civil service in Kenya

(12mks)

- a. It implements those programmes / policies that the government of the day wants to accomplish
- b. They interpret government policies to the people

- c. They act as a link between the people and the government
- d. Senior civil servants advise the ministers on the matters of policy and also prepare answers for the questions asked in parliament
- e. They offer continuity in the government since they are more permanent
- f. They maintain law and order e.g. provincial administration
- g. They collect government revenue and also account for government expenditure
- h. They keep and maintain government records which are vital to government operations

Any 6x2

= 12marks.

### ANS 15, 16, 23, 24 DIST 10

- 11.i) Provincial Commissioners (P.C)
  - ii) District Commissioners (D.C)
- (Note: ½ mk for use of initials)

(1x1=1mk)

- 12.i) Criminal cases
- ii) Civil cases.

(2x1=2mks)

- 14.– Public Accounts Committee (P.A.C)
  - Public investments committee (P.I.C)
  - Committee of supply
- (Note: No mark for use of initials.)

(1x1=1mk)

15.– Attempted coup of 1<sup>st</sup> August, 1982 by junior officers of Kenya Air force. (1x1=1mk)

- 23.a) – Presides over parliamentary proceedings
- Maintains discipline of M.Ps in the house.
- Maintains order during debates and ensures enforcement of House rules – Protects the authority of the house .
- Gives M.Ps chance to make contributions in House debates – Adjourns sittings in case of lack of quorum.
- Declares parliamentary seats vacant and issues writs for general elections. – swears in new mps .
- Receives letters of resignation from m.ps .
- Determines the business to be conducted in the House.
- Maintains attendance register of M.ps.
- Ensures general administration and welfare of the House – Chairs the speakers' committee, committee of powers and privileges and the standing orders committee.
- He is parliament's representative to the commonwealth.

- He is parliaments representative to the commonwealth speakers conference.

(5x1=5mks)

- b) i) Parliaments is the only organ that makes, amends and repeats laws.  
ii) Can pass a vote of no confidence in the president and the government.  
iii) Can limit the powers of the executive by amending the constitution.  
iv) Ministers are accountable to parliament for the activities of their ministries.  
v) Bills prepared by the cabinet have to be legislated by parliament.  
vi) Parliament approves government revenue and expenditure.

(5x2=10mks)

**ANS 11,12,14,15,23 DIST 11**

14. – Leads debates in Parliament.  
- Swearing in of Members of Parliament.  
- Declares a Parliamentary seat vacant and incase of death of a Member of Parliament.  
- Protects authority of the house.  
- Determines business to be conducted in the house and house rules to be followed.  
- Gives MPs chance to contribute to a motion.  
- Parliamentary representative to Commonwealth Speakers' Conference.  
- Maintain register of MPs.  
- Chairs speakers' committee and committee of privileges and standing orders committee.  
- General administration of the National Assembly.

(Any 2x1=2mks)

20. a)

- Regular police
- Criminal investigations department.
- Police air wing.
- Anti stock theft police
- General Service Unit.

(5x1=5mks)

- b) – Number of crimes has increased.  
- Increase in sophisticated cases such as terrorism.  
- Lack of public confidence in their work.  
- Inadequate prosecuting knowledge.  
- Poor housing and social amenities.  
- Low overall police to population ratio.  
- Police lack adequate facilities in their work e.g. communication gadgets.  
- Inadequate and outdated facilities.  
- Political interference of the police force.  
- Corruption among the force.

(5x2=10mks)

**ANS 14, 20 DIST 12**

**12. Identify one person on judicial service commission of Kenya?**

- i) Chief justice ii) Attorney General 1x1=1mks

**15. Chief justice in Kenya**

**2x1=(2mrks)**

- i) Swear in the president and the cabinet ministers  
ii) Heads the Kenya judiciary and give direction on how the judiciary is to determine justice in.  
iii) The arbitration of disputes  
iv) Plays an advisory role in the removal of a president on grounds of in capacity.  
v) Is the chair person of judicial service commission?

**20.(a) The functions of returning officer in general elections**

- i) Distributes election materials to the various constituencies  
ii) Appoints presiding officer and other election officials  
iii) Ensures the security during elections  
iv) Identifies polling stations  
v) Pays election officials in the area  
vi) Receives nomination papers from contentants  
vii) Issues certificates to the contentant  
viii) Announces the results of the election in the area

Any 3x1=3mks

**(b) Six functions of the Kenya parliament**

- i) Provide a link between the government and the people through MPs  
ii) Makes and amends the law  
iii) Approves government revenue and expenditure  
iv) Checks on the powers of the executive by passing a vote of no confidence.  
v) Creates statutory bodies e.g. parastatols  
vi) Parliament protects the interest of the people by debating on national issues affecting the people

-Parliament acts as training ground for national leaders

**22.(a) Give five functions of permanent secretaries in the civil service**

- i) He/ she supervises the work of the civil servants  
ii) He /she supervises the implementation of government policies  
iii) He/ she interprets the government policies in the ministry.  
iv) He/ she is the chief technical advisor in the ministry.  
v) He/ she is the chief accounting officer in the ministry.

Any 5x1=5mk

**ANS 12,15,20,22a dist 13**

16. Apart from the constitution, name any other **two** sources of Kenyan laws.

(2mks)

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- ❖ *African customs/customary laws*
- ❖ *Religion*
- ❖ *British common law*
- ❖ *Acts of parliament*
- ❖ *Judicial precedents*

*2 x 1 = 2 marks*

17. Give **two** functions of the sergeant at arms.

(2mks)

- ❖ *Maintain discipline within and around parliament building*
- ❖ *Custodian of the mace*
- ❖ *Enforces all orders made by the speaker*
- ❖ *Responsible for the maintenance of parliament building.*

*2 x 1 = 2 marks*

22.(a) Identify **five** factors that undermine free and fair elections in Kenya.

(5mks)

- ❖ *Inadequate civic education, voters are not sensitized on the right to vote for good leaders.*
- ❖ *Illiteracy among citizens, some Kenyans are illiterate making it hard to mark ballot papers properly.*
- ❖ *Violence, chaos hinders voting, voters have no access to voting halls.*
- ❖ *Rigging*
- ❖ *bribes*

*5 x 1 = 5mks*

(b) Explain **five** roles of the Electoral Commission of Kenya.

(10mks)

- ❖ *Divides constituencies, marks the boundaries and names the constituencies.*
- ❖ *Review electoral areas, i.e. boundaries, numbers and names.*
- ❖ *Register voters, maintains and revises the register of voters.*
- ❖ *Prepares and distributes nomination papers, ballot papers, boxes*
- ❖ *Supervises the casting and counting of votes.*
- ❖ *Appoints and pays the staff at the voting.*
- ❖ *Responsible for general direction, supervision of administrative conduct of presidential, national and local government elections.*
- ❖ *Promote voter education all over Kenya.*
- ❖ *Promote free and fair elections.*
- ❖ *Receives money deposited by aspiring parliamentary candidates.*
- ❖ *Conduct language proficiency tests for candidates.*
- ❖ *Announces the dates of elections or by elections provides security throughout the election exercises.*
- ❖ *Announces election results.*

*5 x 2 = 10mks*

23.(a) Identify **three** basic aims of prison sentence.  
(3mks)

- ❖ *Rehabilitating people*
- ❖ *Punishing offenders.*
- ❖ *Deterring those who might be thinking of committing offences.*
- ❖ *Removing temporary those who threaten societal peace.*
- ❖ *Justice/revenge/retribution.*

***3 x 1 = 3mks***

(b) What measures have been taken by the government to improve the conditions of prisons in Kenya?  
(12mks)

- ❖ *Provision of better food, improved medical services, sufficient clothing and beddings.*
- ❖ *Petty offenders are subjected to extra-mural penal employment to ease congestion in prisons.*
- ❖ *Efficient transport as new vehicles, have been purchased to transport prisoners to court.*
- ❖ *Release of death-row inmates who have been in jail for over ten years awaiting execution.*
- ❖ *Direct involvement of the government in prison affairs e.g. visiting prisons and listening to their needs.*
- ❖ *Introduction of recreations facilities in prisons e.g. radio and television.*
- ❖ *Improving the living conditions of prison warders e.g. building better houses and increasing their salaries.*
- ❖ *The department is training personnel to rehabilitate drug and alcohol addicts.*
- ❖ *Streamlining of hearing of cases with a view to keeping prisoners in remand for a short period.*
- ❖ *Release of prisoners who were serving short sentences aimed at reducing congestion.*

***6 x 2 = 12mks***

## **ANS 16,17,22,23 DIST 14**

12.Stages of electoral process in Kenya. (2 mks)

- Dissolution of the parliament.
- Voter registration.

2 x1 = 2 mks

13.Main function of the prison department.

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- Rehabilitation of the wrong doers. (1 mk)

21.(a) What are the functions of cabinet in Kenya? (5mks)

- Formulate national and foreign policies to guide the country.
- Advises the president on issues of national development.
- To supervise the implementation of government policies by respective ministry.
- To initiate/approve government bills for discussions by the parliament.
- To initiate development projects by ministries in different parts of the country.
- Discuss important national and international issues.
- Prepare budgetary estimates for the respective ministries
- Collectively defend government policies.

(b) Explain the challenges facing the persons department in Kenya. (10 mks)

- Overcrowding due to increased number of prisoners there are poor living and sanitation in prisons.
- Diseases outbreak due to congestion e.g. cholera.
- Prisoners are mistreated by prison warders.
- Beaten and killed by prison warders.
- Food shortage inadequate medical facilities.
- Inadequate budgetary allocation for operations and maintenance.
- Prison warders are poorly paid and live in dilapidated houses.
- - Corruption, nepotism, bribery cover-ups are common in prisons some criminals bribed them way out of prisons & files for prisoners disappears.
- Drug-abuse and immoralities – drugs are finding their way in prison.
- Inadequate rehabilitation facilities and personnel in prisons to counsel criminals and drug addicts.

**ANS 12,13,21 DIST 15**

14. Returning officer. 1x1 = 1mk

15. Armed forces. 1x1 = 1mk

23. (a) Why are elections carried out in Kenya.

- In order to give citizens the opportunity to exercise their constitutional rights of participating in the democratic process.
- To give citizens a chance to choose leaders whom they have confidence in
- To enable people to give mandate the party of their choice to rule
- To inject new blood into parliament and government.

- To enable sitting MPs to be responsive to the development needs of the electorate and to be conscious and alert
- It's a constitutional requirement that general elections be held every five years.
- To choose a good government/party or replace one that is not working to the expectations of the people.
- To enable citizens participate in the government process. 1x5  
= 5mks

(b) Functions of civil service

- They explain and interpret government policies to the people
- They participate in the preparation of development plans and the budget
- They implement government policies and programmes by mobilizing citizens to initiate and participate in development projects.
- The civil service ensures continuity in the government by keeping and maintaining government records necessary for continuity of the government operations.
- They collect government revenue and at the same time account for government expenditure.
- Civil servants e.g the PC, DC and the DOs maintain law and order throughout the country. They chair security meetings in their respective areas of operation.
- They advise the ministers on matters of policy. They also prepare answers to parliamentary questions that are asked in parliaments
- Civil servants offer direct services to the nation as doctors, lawyers, engineers, accountants e.t.c
- Through the provincial administration, civil servants links the local people with the central government. 1x10 = 10mks

24. (a) Functions of the attorney general

- He is the head of the AGs chamber. A government department that directs the office of registrar.
- He is the chief legal advisor to the government
- He is a member of cabinet hence answers questions in parliament on behalf of other ministers
- He is an ex -official member of parliament and answers questions on behalf of members of parliament
- He is a member of the judicial service commission hence advises the president in the appointment of high court and court of appeal judges.
- He is a member of the advisory committee on prerogative mercy.
- He handles matters concerning the judiciary in parliament.
- He is the protector of public interest
- He is the chief public prosecutor e.g he has power to institute and undertake criminal proceedings against any offence committed by a person e.t.c 1x5 = 5mks



**ANS 14,15,23,24a DIST 16**

16. - Mp's represent interests of their people  
- Parliament make laws to govern the people  
- Mp's act as watchdogs over the governments spending  
- It creates statutory bodies to provide services to the people  
- It reviews the constitution  
- It discusses matters of national & international importance e.g. citizenship  
(2 x 1=2mks)

- a) - Lack of public confidence  
- Political pressure  
- Lack of financial independence  
- Partial and unqualified staff  
- Ignorance and illiteracy of the voters  
- Insecurity of the staff personnel's and potential voters (Internally Displaced People)

(5 x 2=10mks)

- b) - Advice and assist the president  
- Discuss matters of national and international importance  
- Design and explain government policies  
- Discuss and prepare the budget  
- Participate in legislation  
- Supervise ministries  
- Perform duties delegated by the president.

(5 x 2=10mks)

24. a) - In- charge of a district  
- Represent president in the district  
- Implement government policies and programmes  
- Coordinate development activities in the district  
- Maintain law and order  
- Flood & famine operations  
- Link people with the government  
- Chair district liquor Licensing Board  
- Administer district revenue  
- Coordinate government departments and N.G.O's in the district
- b) - Poor terms/salaries  
- Corruptin  
- Political interference  
- Job insecurity  
- Inadequate funds for policies implementations  
- Long government procedures (Bureacracy)  
- Nepotism and incompetence  
- Tribalism.

(5 x 2=10mks)

**ANS 16,23,24 DIST 17**

- 13
- i) Arranges for ceremonies in and around the parliament
  - ii) Maintains discipline in and around the parliament
  - iii) is he custodian of the mace
  - iv) maintains parliaments building and grounds
- (2x1=2mks)

15.i) Central Bank of Kenya (CBK)

- ii) Kenya Commercial Bank (KCB)
  - iii) National Bank of Kenya (NBK)
- (2x1=2mks)

21 a) i) If he ceases to by an M.P

- ii) If he is dismissed by the president
- iii) If he resigns
- iv) If he dies
- v) If parliament passed a vote of no confidence in him
- vi) If he is declared bankrupt by a court of law.

(3x1=3mks)

- b)
- i) Lack of autonomy e.g. controlled by central government
  - ii) Financial problems e.g. weak financial resource base
  - iii) Manpower problems e.g. lack of qualified staff / personnel
  - iv) Population pressure which strains the city council leading to deterioration of services
  - v) Powers of parliament which interferes with the running of the city council
  - vi) Poor planning
  - vii) Poor equipments e.g. outdated fire engines
  - viii) Poor working relationship between councilors and chief officers
  - ix) Over employment of workers
  - x) Misappropriation of workers
  - xi) Street families
  - xii) Inefficient system of tax collection

xiii) Tax evasion

(12x1=12mks)

**ANS 13,15,21 DIST 18**

**13 Under what two circumstances can general elections be held in Kenya**

- i) After the end of the five years term.
- ii) In case the parliament passes a vote of no confidence in the government.
- iii) If the president dissolves the parliament and orders fresh elections before five years elapse.

(2 x 1 = 2mrks)

**14 Which government department is charged with the law and maintenance of law and order.**

- Police

1mark

**15 Who swear in the Speaker of the national assembly in Kenya**

- Clerk of the national assembly.

22 Interference by the executive arm of government e.g use of provincial administration.

**a) Identify circumstances that would lead to a by-election in Kenya**

**(5mrks)**

- i) When an elected member dies.
- ii) When an elected member ceases to be a Kenyan citizen.
- iii) When the member is jailed for more that 12 months or received a death penalty before acourt of law.
- iv) When a member resigns from sponsoring party or parliament or council.
- v) When the members fails to attend 8 consecutive parliamentary sessions without a valid reason.
- vi) When one is declared bankrupt by a court of law.

(5 x 1 = 5mrks)

**b) Discuss five factors that undermine free and fair elections in Kenya**

- i) Rigging – on many occasions aspiring candidates or their agents have complained
- (5 x 2 = 10marks)

**23. a) State three constitutional provisions that can make a president to lose office in Kenya.**

- i) Incase of a vote of no confidence by parliament.
- ii) In case of registration of the incumbent presidents.
- iii) If the president defects' from the party that nominated him to the parliament.

- iv) In case the high court nullifies the president's elections after a successful petition.
- v) In case of incapacity of the president caused by insanity, ill – health etc as may be declared by a court of law.
- vi) In case of bankruptcy of the president as may be declared by a court of law.

(3pts x 1 = 3mrks)

**b) Describe chronologically any six stages of law making in Kenya (12mrks)**

- i) Drafting of the bill in the Attorney generals Chambers.
  - ii) First reading – The bill is tabled in the parliament by the AG. Ministers or MP. Members acquire themselves with the bill.
  - iii) Second reading:- it is discussed by members in details and amendments suggested . a vote is taken.
  - iv) Committee stage a committee of the house discusses the bill in the detail, makes amendments and incorporates the suggestions made during second reading.
  - v) Third reading:- further discussion take place – amendments are made if necessary. A vote is taken before the ext stage.
  - vi) Presidential asses – President signs it and it becomes an act of parliament.
  - vii) Gazettement by the AG.
- Candidate should bring out the chronology

(6 x 2 = 12mrks)

**ANS 13,14,15,22,23 DIST 19**

**13. Give two judicial functions of the President of Kenya (2mks)**

- Can pardon offenders sentenced by a court of law
- Appoint chief justice
- Appoint judges
- Appoint Attorney General
- Constitute tribunals to investigate judges
- form commissions of inquiry

**15 Give one role of political parties in Government and National Building (1mk)**

- Participating in the democratic process through elections
- Forming the government
- Implementing their pledges/manifestos towards national building.
- Opposition parties keeps government on toes
- Ground for nurturing political leaders
- Mobilizing people through civic education

**21 (a) Name three fundamental principles of Natural Justice (3mks)**

- (i) Right to a fair hearing
- (ii) A person or body hearing the case to act in good faith without bias

- (iii) Right to be heard (an accused person be given an opportunity to be heard)
- (iv) Right to legal representation
- (v) Presence of witnesses for cross examination
- (vi) Arbitrator(Judge) should give reasons for his/her decision and penalty within 24 hrs after the hearing

1 x 3 = 3

**(b) Explain the law making process in Kenya (12 mks)**

(i) Drafting of the proposed law by the Attorney General

(ii) Introducing the bill in parliament by the Minister in charge

1<sup>st</sup> reading – relevant Minister tables the bill in Parliament

**ANS 13,15,21 DIST 20**