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SPECIAL ISSUE

Kwale County Gazette Supplement No. 24 (Acts No. 3)



REPUBLIC OF KENYA

**KWALE COUNTY GAZETTE
SUPPLEMENT**

ACTS, 2015

NAIROBI, 30th December, 2015

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**THE KWALE COUNTY BURSARY FUND
(AMENDMENT) ACT, 2015**

No. 3 of 2015

Date of Assent: 23rd December, 2015

Date of Commencement: 30th December, 2015

**AN ACT of the County Assembly of Kwale to amend the
Bursary Fund Act, 2014**

ENACTED by the County Assembly of Kwale, as follows—

1. This Act may be cited as the Kwale County Bursary Fund (Amendment) Act, 2015

Short title

2. The Kwale County Bursary Fund Act, 2014, hereinafter referred to as the “Principal Act” is amended in Section 4—

Amendment of the Kwale County Bursary Fund act. 2014,

By amending the definition of fund manager to read; “Fund Manager means—a person appointed in accordance with Section 4 of this Act.”

3. (a) The Principal Act is amended in section 8 (2) (a) by replacing the words “County executive member” with the words “Chief Officer”

(b) The Principal Act is amended in section 8 (2), (b) by deleting the words “who shall be the Secretary to the Committee.”

(c) Section 8 (2), (c) of the Principal Act is deleted.

4. The Principle Act is amended in section 9-

By deleting the words from the “from the department of finance and economic planning” and replacing with the words “in accordance with Section 116 of the Public Finance Management Act”

5. The Principal Act is amended in Section 12 (8) by deleting the words “Finance and Economic Planning” and replacing with the words “Education and Human Resource Development.”

6. The Principal Act is amended by—

- (a) deleting Section 14 (1) (a) and replacing with a new Section 14 (1) (a) to read that, “the Ward Administrator from that Ward who shall be the Secretary to the Committee.”
- (b) Amending Section 14 (1) (b) to read five representatives elected by residents from the Village Units within the Ward.
- (c) deleting subsection 14 (1) (c)
- (d) amending Section 14 (1) (d) to read “three members to be elected from the Village Units within the Ward to represent the marginalised groups, Youth and People with disabilities. The Constitutional provisions on affirmative action shall be observed.”
- (e) deleting section 14 (2) and replacing it with a new subsection 2 to read “the Chairperson shall be elected from amongst the elected representatives to the Ward Bursary Committee.”

7. The Principal Act is amended in section 15 by deleting the words “nomination and” and “patron and the”, to read “during election of the members of the Ward Bursary Committees, the residents shall consider persons with high levels of transparency and integrity.”

8. The Principal Act is amended in section 16 (3) by replacing the words “by secret ballot” with the words “free and fair” to read “the election of the representatives of the Village Units shall be free and fair.”

9. The Principal Act is amended by deleting section 20 and inserting a new section 20 to read “it is an offence for any person to alter the minutes of the ward bursary committee. A person found guilty of this offence shall be liable to a term not exceeding 3 years imprisonment or a fine of not exceeding 500,000 Kenya shillings, or both”

10. The Principal Act is amended in section 21 (e) by deleting the words “two year renewable term but shall not serve for more than three terms.” And replacing it with “a

five year term.”

11. The Principal Act is amended in section 24 (a) to read “high performing needy students” instead of “needy and high performing students.”

12. The Principal Act is amended in Section 28 (b) by deleting the word “patron’s” and replacing with “Member of County Assembly’s.”

13. The Principal Act is amended in Part VI of miscellaneous provisions by inserting a new section 33 to read that “The County Executive Committee Member responsible for Education shall propose Regulations to the County Assembly from time to time for the better carrying out of this Act.”

14. The Principal Act is amended in Part VI of miscellaneous provisions by inserting a new Section 34 to read “With an exception of the secretary to the Ward Bursary Committee, the existing Committee members shall continue serving in the Committee until the period to December 2017 or when the next General elections shall take place, whichever comes first.