

SPECIAL ISSUE

Busia County Gazette Supplement No. 11 (Bills No. 7)



REPUBLIC OF KENYA

***BUSIA COUNTY GAZETTE
SUPPLEMENT***

BILLS, 2015

NAIROBI, 28th August, 2015

CONTENT

Bill for Introduction into the County Assembly of Busia—

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The Busia County Agricultural Development Fund (Amendment) Bill, 20151

THE BUSIA COUNTY AGRICULTURAL DEVELOPMENT FUND (AMENDMENT) BILL, 2015

A Bill for

**AN ACT of the County Assembly of Busia to amend the
Busia County Agricultural Development Fund Act,
2014 (herein “the Principal Act”)**

ENACTED by the County Assembly of Busia, as follows—

1. This Act may be cited as the Busia County Agricultural Development Fund (Amendment) Act, 2015 and shall come into force on the date of its publication in the *Kenya gazette*

Short Title and
Commencement

2. The Principal Act is amended by inserting a new section 6A immediately after section 6 as follows;

Insertion of a
new section 6A
in No. 3 of
2014.

Office of the
Director 6A. (1) There is established an office in the County Agriculture Development Fund Board to be known as the Office of the Director.

(2) The Chief Executive Officer appointed under section 13 of the Principal Act shall be the head of the Office.

(3) Subject to the provisions of Section 116(9) of the Public Finance Management Act, the Director shall be the administrator of the Fund.

3. The Principal Act is amended at section 7 by deleting the words ‘**County Public Service Board**’ and replacing therefor with the words ‘**Salaries and Remuneration Commission**.’

Amendment of
section 7 of the
Principal Act.

4. The Principal Act is amended by inserting a new section 7A immediately after section 7 as follows;

Insertion of a
new section 7A
in No. 3 of
2014.

Staff of
the Board. 7A. The Board of Trustees shall employ on such terms and conditions as it considers fit such persons as may from time to time be necessary for discharging its functions and, in consultation with the Salaries and Remuneration Commission and approval of the Member of the Executive Committee, pay such remuneration, allowances and other benefits to such employees as may be reasonable in the circumstances.

5. The Principal Act is amended at section 10 by—

(a) adding the words ‘**and**’ at the end of paragraph (2) (a);

Amendment of
section 10 of
the Principal
Act.

(b) deleting the entire paragraph (2) (b); and

(c) renumbering paragraph (2) (c) of the Principal Act as (2).

6. The Principal Act is amended at section 13 (3) by deleting the word '**Authority**' and replacing therefor with the word '**Board**'

Amendment of
section 13 of
the Principal
Act.

7. The Principal Act is amended at section 24 by deleting the words '**County Public Service Board**' and replacing therefor with the words '**Salaries and Remuneration Commission.**'

Amendment of
section 24 of
the Principal
Act.

MEMORANDUM OF REASONS AND OBJECTS

Statement of the Objects and Reasons for the Bill

The Bill seeks to amend the Principal Act to create an Office of the Director who shall be the administrator of the Fund created by the Principal Act.

This is in implementation of the directive by the County Controller of Budget who advised that for every Public Fund established, there must be a known administrator duly appointed by the statute creating the Fund.

To this end the Bill seeks also to introduce into the Principal Act a new provision to reinforce the management and administration of the Fund in the form of staff and other support personnel.

Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms

This Bill does not delegate legislative powers nor does it limit fundamental rights and freedoms.

Statement that the Bill is a money Bill, within the meaning of section 21 of the County Governments Act, 2012;

This Bill is not a money Bill within the meaning of section 21 of the County Governments Act, 2012.

Statement on whether the Bill Concerns County Governments

This Bill concerns the County Government.

Statement on the financial implication upon enactment of the Bill

The enactment of the Bill will warrant expenditure of public money in the sense that new offices will be established and such office holders will be entitled to salaries and allowances which monies will be drawn from public resources.



CHARLES WAKHUNGU,
Chairman, Agriculture and Animal Resources Committee.