

SPECIAL ISSUE

Kenya Gazette Supplement No. 7 (Elgeyo Marakwet County Bills No. 4)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

NAIROBI CITY COUNTY BILLS, 2020

NAIROBI, 17th September, 2020

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**THE ELGEYO/MARAKWET COUNTY EDUCATION FUND
(AMENDMENT) BILL, 2020**

A Bill for

**AN ACT of the County Assembly of Elgeyo/Marakwet to amend the
Elgeyo/Marakwet County Education Fund Act, 2017**

ENACTED by the County Assembly of Elgeyo/Marakwet as follows—

Short title

1. This Act may be cited as the Elgeyo/Marakwet County Education Fund (Amendment) Act, 2020.

Amendment of Section 2 of Act No. 1 of 2017

2. Section 2 of the “principal Act” is amended by:

(a) deleting the definition of “Higher education” and substituting with the following;

“Higher education” means any course of education offered by an institution above the standard of the Kenya Certificate of Secondary Education including local or foreign universities or any other learning or training institution duly recognized by the County Government or any other law;

(b) deleting the definition of “Scholarship” and substituting with the following;

“Scholarship” means a grant, gift or donation given to a successful applicant or any other part-scholarship secured through a partnership, memorandum, policy, law or other legal means;

(c) deleting the definition of “Tertiary education” and substituting with the following;

“Tertiary education” means education provided for by vocational training colleges, polytechnics, colleges, training institutions, as well as local and foreign universities duly recognized by the County government or any other law.

Amendment of Section 6 of Act No. 1 of 2017

3. (1) Section 6 of the Principal Act is amended by deleting the sub-section (a) and substituting with the following:

(a) As bursary, scholarships, loans, and grants to institutions of any nature of vocational training centers, middle level colleges, home craft, training and learning institutions as well as local and foreign universities duly recognized by the County Government or any other law.

- (b) As an education loan to secure attendance to an education institution of middle level colleges, training or learning institutions as well as local and foreign universities duly recognized by the County Government or any other law.

Amendment of Section 13(2)(a) of Act No. 1 of 2017

4. Section 13(2)(e) of the Principal Act is amended by deleting one of the letter “o” appearing in the word “too”

Amendment of Section 13 of Act No. 1 of 2017

5. Section 13 (2) of the Principal Act is amended by renaming it as sub-section (3) and inserting a new sub-section (2) to read:

The County Education Fund Committee may allocate a portion of the bursary amount to cater for special cases, as and when it shall arise, and such funds shall be allocated and disbursed in a manner that the committee shall deem fit in the circumstances.

Amendment of Section 20 of Act No. 1 of 2017

7. Section 20 of the Principal Act is amended by inserting a sub-section section (1) immediately after section 20, and introducing a new sub-section (2) (a) and (b) as hereunder;

- (a) In the case of part-scholarships or self-sponsored scholarships in middle level colleges, training or learning institutions as well as local and foreign universities duly recognized by the County Government or any other law, an applicant may be eligible if the ability to pay the remaining amount of monies payable to the learning institution is demonstrated;
- (b) Notwithstanding this subsection, the principles set out in section 19 of the principal Act shall apply.

MEMORANDUM OF OBJECTS AND REASONS

Statement of Objects and Reasons for the Elgeyo/Marakwet County Education Fund (Amendment) Bill, of 2020

The amendment Bill seeks to amend the **Elgeyo/Marakwet County Education Fund Act 2017** with a view of addressing the challenges that has impeded the legislation of the Act.

In particular, the Bill introduces bursary and Higher education loans to both local and foreign universities.

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

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

Statement of how the Bill concerns County Government

The Amendment Bill concerns County government

Statement that the Bill is not a Money Bill within the meaning of Article 114 of the Constitution

This amendment Bill is a money Bill within the meaning of Article 114 of the Constitution.

Dated the 9th September, 2020.

PHILIP KIPRUTO,
Chairperson, Education and Technical Training Committee.

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