

SPECIAL ISSUE

Kenya Gazette Supplement No. 9 (Elgeyo/Marakwet County Acts No. 4)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

ELGEYO/MARAKWET COUNTY ACTS, 2020

NAIROBI, 23rd December, 2020

CONTENT

Act—

PAGE

The Elgeyo/Marakwet County Education Fund (Amendment) Act, 2020 1

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

No. 4 of 2020

Date of Assent: 14th December, 2020

Date of Commencement: 23rd December, 2020

**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) introducing a new definition to be inserted in its proper alphabetical order;

“Foreign universities” to mean public universities or universities recognized by the commission for University Education established under The Universities Act, No. 42 of 2012.

(b) deleting the definition of “Higher education” and substituting therefor with the following definition—

“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;

(c) 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;

(d) 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.

No. 4 *Elgeyo/Marakwet County Education Fund (Amendment)* 2020

Amendment of Section 3 of Act No. 1 of 2017

3. Section 3 of the Principal Act is amended by deleting the words “the County Government or any other” in clause 3(a) and (b).

Amendment of Section 4 of Act No. 1 of 2017

4. Section 4 of the Principal Act is amended by deleting the clause 13(2) (a) to read “13(2)(e)” appearing at the sub-heading.

Introducing a new Section 4A

5. The Principal Act is amended by introducing a new section after section 4.

County Assembly Approvals

4A. Any agreement, memorandum and or any kind of contract between the County Government and a local or foreign learning institution under this Act shall not be valid unless it is approved by the County Assembly.

Amendment of Section 5 of Act No. 1 of 2017

6. Section 5 of the Principal Act is amended by inserting the word “Fund” between the words “bursary amount”, as well as inserting the words “within local institutions” after the word “cases” .

Amendment of Section 6 of Act No. 1 of 2017

7. 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 7 of Act No. 1 of 2017

8. Section 7 of the Principal Act is amended by deleting section 7(a) and (b).

Amendment of Section 13 of Act No. 1 of 2017

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

(2) 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

10. 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.

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