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REPUBLIC OF KENYA

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COUNTY ASSEMBLIES FORUM (CAF)
P.O. Box 73552 - 00200,
NAIROBI, KENYA

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**THE KAJIADO COUNTY BURSARY, GRANTS AND
SCHOLARSHIP FUND BILL, 2015**

COUNTY ASSEMBLIES FORUM (CAF)
P.O. Box 73552 - 00200,
NAIROBI, KENYA

A Bill for

**AN ACT of the County Assembly of Kajiado to provide for
establishment of the Kajiado County Bursary, Grants and
Scholarship Fund for Kajiado County and for connected
purposes.**

PART I—PRELIMINARY

ENACTED by the County Assembly of Kajiado as follows —

Short title

1. This Act may be cited as the Kajiado County Bursary, Grants and Scholarship Act, 2015.

Interpretation

2. In this Act —

“basic education” means the educational programmes offered and imparted to a person in an institution of basic education and includes Adult basic education and education offered in pre-primary educational institutions and centers.

“child” has the meaning assigned to it under Article 260 of the Constitution;

“curriculum” means all the approved subjects taught or programmes offered and includes all the activities provided at any institution of basic education;



“education , Standards and Quality Assurance Council” means the Council established under section 64 of the Basic Education Act, No. 14 of 2013 of which the County Education Board shall with the approval of the relevant county department establish a county office;

“county Executive Committee Member” means the county Minister for the time being responsible for matters related to education;

“institution of basic education and training” means a public or private institution or facility used wholly or partly, regularly or periodically for conducting basic education and training and includes a school, a tuition facility an education centre and academy;

“out-of-school youth” means a person who has attained the age of eighteen years but has not exceeded the thirty five years and who is not engaged in learning in the formal education system;

“parent” means a mother, father or guardian of a child and includes any person who is responsible under the law to maintain a child or is entitled to a child’s custody;

“school” means an institution registered according to this Act that meets the basic prescribed standards;

“fund administrator” means a person appointed by the CECM Finance & Economic planning and to be in charge of financial management of the fund;

“ward” means a civic administration unit represented by a member of the County Assembly (MCA)

Purpose of the Act

3. The purpose of this Act is to provide legal framework for the development of County Government of Kajiado through Education and establishment of County Education Bursary, Grants and Scholarship Fund in order to —

- (i) Increase success to Education
- (ii) Promote and increase enrolment, retention, completion and transition rates in schools
- (iii) Improve education standards and literacy levels
- (iv) Reduce poverty, disparities and inequalities

PART II—THE EDUCATION BURSARY, GRANTS AND SCHOLARSHIP FUND

Establishment of Fund.

4 (1) There is established a fund to be known as the Kajiado County Education Bursary, Grants and Scholarship Fund.

The Fund shall consist of —

- (a) Such monies as may be appropriated by the county assembly;
- (b) Sums received as contributions gifts or grants from any lawful source;
- (c) Monies earned or arising from any investment of the fund; and
- (d) Any money that may be payable or vested in the fund

(2) The funds shall be used for —

(b) Providing education bursary to students enrolled in institutions of learning.

(b) Granting scholarships in accordance with the criteria set under this bill; and

(c) Meeting any expenditure related to administration of the fund as may be approved by the executive member provided that not more than ten percent (10%) of the total monies consisting of the fund shall be utilized for administration of the fund.

(d) The county government may receive such grants to be disbursed through the funds as scholarship for poor students, post-secondary education and exceptional courses the county executive may deem suitable, while giving the grant the beneficiaries to be bonded three years.

(3) The funds shall be disbursed as per regulations set by CECM.

(4) The CECM in charge of Education may consider for support needy cases that arise as a result of specialized , unique and/or exceptional areas of study for full or partial support.

(5) An amount totaling to seventy five per cent of the monies set aside for disbursement under this Act shall be allocated equally to all wards.

Administration of the fund

5. (1) (a) The CECM shall establish a county committee of not more than 9 people as follows—

(i) sub- county Administrators;

- (ii) Chief Officer Education (Chairperson);
 - (iii) Officer appointed by the CECM Education;
 - (iv) Fund Administrator – Secretary to the committee;
 - (v) Chairman, County Education Board;
 - (b) The role of the committee shall be to oversee the overall management of the fund at all levels in consultation with the CECM Education.
 - (c) The county executive committee member for finance shall appoint the Fund Administrator.
- (2) The Administrator shall —
- (a) be responsible for the administration of the fund;
 - (b) be the accounting officer of the fund;
 - (c) prepare a budget and such plans for better administration of the fund to be approved by the county executive committee of Education;
 - (d) impose conditions or restrictions on the use of any expenditure arising from the fund in consultation with the CECM Education;
 - (e) cause to be kept proper books of account and other books and records in relation to the fund as well as to all the various activities and undertakings of the fund;
 - (f) prepare, sign and transmit to the Auditor – General in respect of each financial year and within three (3) months after the end thereof, a statement of accounts relating to the fund in accordance with PFM Act, 2012 and in such



details as the county treasury may from time to time direct;

- (g) furnish such additional information as may be required for examination and audit by the auditor- general, or under any law; and
- (h) be responsible for preparing technical and financial reports for submission by the CECM to the County Assembly and other relevant authorities.

(3) The CECM Education shall designate such staff as may be necessary to assist in the management of the fund.

(4) All monies received by the fund shall be maintained in a separate bank account in the name of Kajiado County Education Bursary Fund opened and administered in accordance with the provisions of the Public Finance Management Act, 2012.

(5) Any monies not disbursed by fund at the close of each financial year shall be retained in the fund for purposes for which the fund is established.

Ward Education Bursary

6. (1) There is established in each Ward Education Bursary Committee

- (2) the committee shall consist of the following members—
 - (a) the elected Member of the County Assembly who shall be the patron;
 - (b) a Chairperson who shall be ward administrator of the respective ward;

- (c) the CECM Education to appoint an officer in the county ministry of Education who shall be the secretary to the committee;
- (e) one person representing persons with disability appointed by the CECM Education;
- (f) one person of either gender representing the youth;
- (g) a chief within the ward appointed by the CECM Education in consultation with the office of county commissioner, as Ex-Officio.

Qualification of members of committee

7. A person shall be qualified as a member under sub-section (3) (d)(e) and (f) if a person holds—

- (a) At least a Primary Education Level certificate with at least 5 years' experience in community affairs.
- (b) Meet the requirements of Chapter six of the Kenyan Constitution.
- (c) A resident of the Ward for at least five years.

Tenure

8. (1) A person appointed under section (3) 'd'e' & 'f' shall serve for a term of two years which may be renewed for one further and final term which shall expire upon the constitution of a new committee.

(2) The term of the committee shall expire upon constitution of a new county Government but the members shall remain in office until a new committee is constituted.

Duties of the Bursary Committee

9. The committee shall be responsible for—

(a) Receiving, reviewing and approving applications for education grant, bursary and scholarship, as the case may be under this Act.

(b) Determine the amount of education grant bursary and scholarship, as the case may be, to be awarded to each approved applicant.

(c) Monitor and evaluate the progress and performance of the eligible students supported under this law.

(d) Create awareness among the residents of the ward about the Fund.

(e) Carry out such other roles as are necessary for the implementation of the object and purpose of this act and perform such other functions as may from time to time, be assigned by the Executive Member.

Bursary Award guiding principles

10. (1) In awarding education grant or bursary the committee shall be guided by the following principles—

(a) Fairness in allocating monies;

(b) Equitable distribution of allocation of monies to all parts of the ward;

(c) Inclusively and non-discrimination in ensuring that; all residents are included in the process ;

(d) Public participation;

(e) Accountability and transparency;

(f) Efficiency in funds disbursement.

(2) An applicant may be eligible for and education grant or bursary under this Act if the applicant —

- (a) has a parent or guardian who has been a resident in the ward for at least three years or a permanent resident of the ward;
- (b) is a student and attending secondary school or has enrolled in a University or College;
- (c) has not received full financial support towards payment of the required school fees for that year;
- (d) meets the conditions set under section (58) of this act;
- (e) is needy and vulnerable due to family or social settings, has special needs or is deemed to be exceptionally gifted or pursuing courses of strategic interest in the county;
- (f) all the above shall be subject to the adequacy of the Funds available.

Bursary allocation Guidelines

11. (1) Bursary allocation will be done as indicated below—

Once the Funds are available the office of the CECM Education, will publicize such information and the relevant committees will receive and start processing the applicants, within reasonable time the county treasury will implement and avail the Bursary fund to the relevant institutions.

(2) The committee will award a minimum bursary as per the following guidelines:

- (a) Kshs 5,000 for secondary students;
- (b) Kshs 5,000 for those taking certificate courses;
- (c) Kshs 7,000 for those taking Diploma courses;
- (d) Kshs. 10,000 for those taking degree courses.

Verification of Applicants Information

12. The committee shall verify all the information provided by the applicant and may —

- (a) Visit the residence of an applicant.
- (b) Seek further information to support the application; or
- (c) Invite the applicants to appear in person before the committee.
- (d) And any other applicable method of verification.

The Bursary Award Committee

13. (1) The ward committee shall submit the names of the beneficiaries and minutes of the proceedings to the county bursary committee for final approval and preparation of payment for the education grants, bursary and scholarships awarded.

(2) Where the applicant who is not eligible under this Act is awarded and education grant, bursary or scholarship by the county bursary committee may cancel the grant, bursary or scholarship awarded.

(3) The county bursary committee will cause to process payments to respective institutions.

(4) Such transfers will be remitted through the most efficient reliable and fast means to benefiting individuals.

Appeals

14. (1) A person who is aggrieved by the decision of the committee may appeal to the Executive Member.

(2) The Executive Member may uphold the decision of the committee or make further recommendations to the committee within fourteen days after receiving an appeal under sub-section (1)

Publication of Beneficiaries Names

15. The office of the CECM shall publish the names of beneficiaries in —

- (a) The office of the ward Administrator.
- (b) The office of the Member of the County Assembly.
- (c) The office of the CECM-Education.
- (d) Such other places as the Executive member may determine.

Mentorship Programmes

16. The CECM –Education may establish a mentorship and leadership empowerment programs for students supported under this Act.

Annual report

17. (1) The Executive Member shall prepare an annual report which shall be submitted to the County Executive Committee for onward transmission to the County Assembly each year.

(2) The annual report shall provide an analysis of the performance of the Fund.

Regulations

18. (1) The Executive Member shall make regulations for further operationalization of objects of this Act.

(2) Pursuant to Article 94 (6) of the Constitution the authority delegated to the Executive Member in this section shall be exercised only for the purpose and intent specified in this section and in accordance with the principles and standards set out in the interpretation and General Provisions Act and the Statutory Instruments Act 2013.

SCHEDULE 1**Bursary Application Form**

COUNTY GOVERNMENT OF KAJIADO

P.O BOX 11

KAJIADO.

Date.....

TEL: 0202043075

**MINISTRY OF EDUCATION, YOUTH, SPORTS, CULTURE AND
SOCIAL SERVICES****Form "A"****UNIVERSITY/COLLEGE/SECONDARY SCHOOL BURSARY
APPLICATION FORM**

YEAR

CONSTITUENCY

DISTRICT.....

DIVISION

LOCATION.....

SUB LOCATION

WARD.....

VILLAGE/ESTATE.....

PART A:

STUDENT'S PERSONAL DETAILS

1. FULL NAME:

LAST	FIRST	MIDDLE
------	-------	--------

2. Sex : Male () Female ()

Special Need

Education

Admin No:

Class:

3. Date of Birth.....

4. Name of School.....Year.....

5. School of contact.....

E-mail

A/c No.....

A/C Name.....

Bank.....

Branch.....

6. School / Institution Location

County

Subcounty

Ward

For those students joining Form 1: (Please attach joining instructions, for continuing students, attach report form)

(a) School admitted:

National

County:

District:

Private:

For students either joining Form 1 or continuing in Form 2, 3, or 4

Total Fees: Kshs:

Outstanding Balance: Kshs:

PART B:

FAMILY INFORMATION

1. Tick appropriately

Both parents deceased:

☐

One Parent deceased:

☐

Both parents alive:

☐

Single parent:

☐

Any disability

☐

Father/Guardian's Name

Occupation/Profession.....

Mother's/ /Guardian's Name.....

Occupation/profession

2. How many brothers and sisters do you have?

3. How many children does the guardian have?

4. How many are working/ in business/ farming

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5. How many are in Secondary School?

6. How many are in Post-secondary institutions?

7. If both parents are not alive, who has been paying for your education?

(Tick for continuing students)

Guardian:

Sponsor/well-wishers:

Any other(specify)

PART C:

**FOR OFFICIAL USE ONLY BY COUNTY GOVERNMENT
BURSARY COMMITTEE**

Approved for bursary:

Reasons:.....
.....

Not approved for bursary:

Reasons:.....
.....

Bursary awarded Kshs:

Chairman's name.....

Signature**Date**

Secretary's name..... **Date**

Official stamp.....

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P. O. Box 73552 - 00200,
NAIROBI, KENYA

SCHEDULE 2:**FORMAT OF WARD LIST OF BENEFICIARIES****COUNTY GOVERNMENT OF KAJIADO**

**MINISTRY OF EDUCATION, YOUTH, SPORTS, CULTURE AND
SOCIAL SERVICES**

WARD LIST OF BURSARY BENEFICIARIES

Sub-County

Name of the Ward

Term

Year

S/NO	STUDENTS NAME	SCHOOL/INSTITUTION	LOCATION OF THE SCHOOL /INSTITUTION			AMOUNT	REMARKS
			COUNTY	SUB-COUNTY	WARD		
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
13.							
14.							
15.							

SIGNATURE

OFFICIAL STAMP DATE

MEMORANDUM OF OBJECTS AND REASONS

Firstly, this Bill aims at establishing an education bursary fund to support poor students in secondary schools or special primary or secondary schools.

Secondly, this Bill aims at increasing literacy levels by increasing enrolment, retention and education in the county, aims at increasing literacy levels by increasing transition rates. It seeks to improve access to education in the county.

Part I of the Bill provides for preliminary provisions.

Part II of the Bill establishes the County Education Bursary Fund.

The fund consists of monies appropriated by the County – Assembly or, grants or contributions from lawful sources. The fund will be used for providing education bursary to poor students enrolled in secondary or special primary and secondary school.

It also establishes the Ward Education Bursary Committees, which are responsible for creating awareness among the ward and residents of the ward, receiving and approving applications for bursary or scholarship, determining the amount of bursary to be allocated and monitoring and evaluating the progress and performance of students.

This part also provides for the principles and procedures of award of bursaries. It provides for persons who are eligible for award of bursaries, the conditions for allocating bursary, procedures for applying for bursary and publication and awareness creation on the beneficiaries of the Fund. In addition, the part provides for timelines for application and award of bursary, the establishment of an annual forum for all students and parents



sponsored through bursary and scholarships under the Act in order to review and evaluate the program – it also provides for preparation of an annual report , which, will be transmitted, to the County Assembly for consideration.

JOHN MATINDA,
Chairman, Sectoral Committee on Education.