

SPECIAL ISSUE

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NATIONAL COUNCIL FOR
LAW REPORTING
LIBRARY

REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

KILIFI COUNTY ACTS, 2013

NAIROBI, 23rd December, 2013

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**THE KILIFI COUNTY WARD SCHOLARSHIP FUND
ADMINISTRATION ACT, 2013**

No. 3 of 2013

Date of Assent: 16th December, 2013

Date of Commencement: See Section 1

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Kilifi County Ward Scholarship Fund Administration

No. 3

**THE KILIFI COUNTY WARD SCHOLARSHIP
FUND ADMINISTRATION ACT, 2013**

**AN ACT of Kilifi County Assembly to provide for
establishment of the Kilifi County Ward
Scholarship Fund and for connected purposes**

ENACTED by the County Assembly of the County of
Kilifi, as follows—

PART I — PRELIMINARY

1. This Act may be cited as the Kilifi County Ward Scholarship Fund Act, 2013 and shall come into operation on such date as the County Executive Member for Finance may appoint.

Short title and
commencement

2. In this Act, except where the context otherwise requires—

Interpretation

“Board” means the County Scholarship Fund Board established by section 5;

“Chairperson” means the Chairperson of the Board appointed under section 5(4);

“Executive Committee Member” means the Executive Committee Member responsible for finance;

“Fund” means the Scholarship Fund established under section 4;

“scholarship” monetary award to impoverished but deserving pupils and students towards helping them meet the cost of education;

“Vocational training” includes a skill other than academic related;

“Ward” means an electoral unit within a constituency delimited in accordance with Article 89 of the Constitution and any other relevant law;

“Ward Scholarship Committee” means the committee established in accordance with section 12;

“Ward Representative” means a County Assembly member representing a particular Ward.

3. The objects of this Act are to—

Objects of the Act

- (a) give further effect to Article 207 (4) (b) of the Constitution and Section 116 of the Public Finance Management Act as regards establishing

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of funds and the administration thereof;

- (b) to cushion households from impacts of poverty, unstable economy and the effects of HIV/AIDS by increasing access, retention and completion rates in primary secondary and tertiary learning institutions;
- (c) to provide for the procedure applicable to and requirements for scholarship allocations.

PART II — ESTABLISHMENT OF THE KILIFI COUNTY WARD SCHOLARSHIP FUND

4. (1) There is established a Fund to be known as the Kilifi County Ward Scholarship Fund (in this Act referred to as the "Fund") which shall be administered by the Board.

Establishment of Fund.

(2) There shall be paid into the Fund —

- (a) An amount of money in every financial year as agreed by the executive member responsible for finance in consultation with the governor and on the approval of the County Assembly
- (b) Any money accruing to the fund as set out in other legislations of the County Assembly
- (c) Any moneys accruing to or received to the benefit of the fund from any other source as set out in other County Legislation.
- (d) There shall be paid out of the Fund payments in respect of any expenses reasonably incurred in respect of any expenses incurred wholly and exclusively in pursuance of the provisions of this Act.

(2) The purpose of the fund shall be to provide funds to be used for granting scholarships to assist needy and deserving students.

Purpose of the Fund

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Establishment of the
Board

5. (1) There is established an executive Board to be known as the Ward Scholarship Fund Board.

(2) The Board shall be a body corporate with perpetual succession and a common seal and shall, in its corporate name, be capable of—

- (a) suing and being sued;
- (b) taking, purchasing or otherwise acquiring, holding, charging or disposing of movable and immovable property;
- (c) borrowing money or making investments; and
- (d) Doing or performing all other acts or things for the proper performance of its functions under this Act which may lawfully be done or performed by a body corporate.

(3) The Board shall be an executive Board of Management which shall consist of—

- (a) The Chief Officer of the Department for the time being responsible for Finance and Economic Planning or his designated alternate, not being below the level of Director.
- (b) The Chief Officer of the Department for the time being responsible for Education, Youth and Social Services or his designated alternate not being below the level of County Director of Education.
- (c) The Clerk of the County Assembly or his designated alternate as appointed by the clerk of the assembly
- (d) The Chief Officer of the Department for the time being in responsible for the Office of the Governor and County Public Service Management or his designated alternate not below the level of Director Public Service Management
- (e) The Fund Administrator as appointed by the Executive Committee member for Finance and

Economic Planning.

(4) The Executive Committee Member for Finance shall appoint the Chairperson of the Board from amongst the five persons appointed in paragraph (a)-(e) of subsection (3)

(5) A member of the Board may be removed from office on any one of the following grounds—

- (a) Lack of integrity
- (b) Gross misconduct
- (c) Gross violation of the Constitution
- (d) Physical or mental infirmity

6. (1) To ensure timely and efficient disbursement of Funds to the qualifying beneficiary's schools;

Functions of the Board.

(2) To ensure efficient management of the Fund;

(3) To receive, assess and approve scholarship submissions from the Wards that are consistent with this Act the respective qualifying beneficiary's schools.

(4) To perform such other duties as the Executive Committee member for finance, with the consultation of the Governor and the County Assembly scholarship committee, may deem necessary from time to time for the proper management of the Fund.

7. (1) The Conduct and regulation of the business and affairs of the Board shall be provided in the regulations of this Act.

Conduct of Business and affairs of the Board.

(2) Except as provided in the regulations, the Board may regulate its own procedure.

8. (1) Pursuant to Article 116 (2) of the Public Finance Management Act, the executive committee member for finance shall designate a person responsible for administering the fund

Fund Administrator.

(2) The functions of the fund administrator shall be guided by the provisions of the Public Finance Management Act relating to funds and regulations set out in this Act.

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9. (1) Each and every disbursement from the Fund shall be approved and minuted by the Board.

Disbursement from
the Fund

(2) All disbursements from the fund shall be for specific scholarships to beneficiaries from specific wards in accordance with procedures outlined in this Act.

(3) All disbursements shall be made through cheques written in favour of specific schools and institutions on behalf of qualifying beneficiaries.

(4) Notwithstanding the provisions of subsection(3), payments for examination fees, where such fees are not payable directly through a learning institution, cheques shall be made directly to the account of such recognized examination body with due approval of the Board.

(5) The Board shall set out general requirements for the release of funds, to ensure efficient and effective management of resources.

10. (1) The Executive Committee Member for Finance shall for each financial year allocate funds to each ward.

Allocation of funds

(2) The amount appropriated to the fund every financial year shall be ten per cent of the development budget.

(3) The Fund may receive allocation from provisions arising from other county legislation.

(4) Such additional allocation arising from subsection (2) shall be shared equally among the wards

11. (1) Unspent funds shall not lapse at the end of the financial year and shall be available for allocation in the next financial year to such Ward as had not spent its quota of the Fund.

Funds retained in the
Fund

(2) Notwithstanding subsection (1), unspent funds by a ward may be reallocated to another ward on the concurrence of the Executive Committee Member for finance and the relevant County Assembly Committee.

PART III—ADMINISTRATION OF THE WARD SCHOLARSHIP FUND

12. (1) There shall be established in every ward, a Committee to be known as Ward Scholarship Committee.

Establishment of
Ward Scholarship
Committee

(2) The Ward Scholarship Committee shall consist of—

Membership of the
Committee

- (a) two representatives of religious organizations
- (b) one representative from an educational based institution
- (c) one Village Elder
- (d) a person representing the youth
- (e) a representative of persons living with disability
- (f) the committee may proposed and co-opt another two members.

(3) The Ward Administrator who shall be an ex-officio member.

(4) The committee shall elect the chairperson in its first meeting which shall be presided by the Sub-county administrator or a representative from his office.

13. (1) To receive and vet scholarship applications and recommend deserving cases to the scholarship Board.

Functions of the Ward
Scholarship
Committee

(2) To ensure fair and equitable allocation of scholarships at the ward.

(3) To monitor the academic performance of scholarship recipients.

14. Whenever a vacancy occurs in the Ward Scholarship Fund Committee by reason of resignation, incapacitation or demise of a member then the vacancy shall be filled from the same category of persons where the vacancy has occurred.

Filling of Vacancy in
the Ward Scholarship
Committee

15. A member of the committee may be removed on any one or more of the following grounds—

Grounds for removal
from ward scholarship
committee

- (a) lack of integrity;
- (b) gross misconduct;

- (c) embezzlement of public funds;
- (e) promoting unethical practices;
- (f) causing disharmony within the committee;
- (g) Physical or mental infirmity.

16. A decision to remove a member under subsection (15) shall be made through a resolution of at least five members of the Committee and the member sought to be removed shall be given a fair hearing before the resolution is made.

Decision for removal
to be made through a
resolution

17. A vacancy arising as a result of the removal of a member under subsection (15) shall be filled in the manner set out in subsection (14) and minutes of the meeting shall indicate the fact of the removal or appointment of a member.

Removal or
appointment of a
member to be
minuted

18. (1) The list of scholarship requests shall be submitted by the chairperson of the Ward Scholarship Fund Board after approval by the Ward Scholarship Committee.

Submissions of ward
scholarship requests

(2) The Board shall receive and compile the list of successful scholarship applications submitted and submit it to the County Assembly Select Committee for approval

19. The scholarships for each ward shall be publicized by the Board and published to ensure transparency and public accountability in the exercise.

Scholarships to be
publicized, published
and reported

20. The Board shall, on a quarterly basis, submit a report to the County Assembly Select Committee detailing—

Report of scholarships

- (a) a summary of the scholarship funds received and indicating the approval status of the scholarships;
- (b) a summary of the status of disbursements of funds to the wards for that preceding quarter; and
- (c) a summary of the status of disbursements from the Treasury to the County Account.

PART IV — SCHOLARSHIP APPLICATIONS

21. (1) Every student who wishes to be considered for the grant of scholarship fund shall make an application to the committee in the prescribed form.

Application for the
Grant of Scholarship
Fund

(2) All application forms shall be collected from the office of the Ward representative and shall be submitted back after having been duly filled.

(3) All duly completed forms will be eligible for evaluation.

(4) The committee after evaluation may accept or reject any application for scholarship assistance.

(5) If the committee accepts the application, it shall recommend to the Board to grant scholarship to the eligible student.

(6) All unsuccessful applicants shall be notified through a notice published at the relevant ward representative office.

22. Any applicant aggrieved by the decision of the committee may appeal to the Ward Scholarship Fund Board within 30 days of the Committee's decision.

Appeal

23. (1) The committee shall ensure that strict criterion is adhered to in determining whether an applicant qualifies for scholarship support and shall ensure that applicants are—

Criteria for allocation
of Scholarships

(a) Kenyan nationals and bona fide residents of Kilifi County; and

(b) have demonstrated financial need.

(2) Priority shall be given to needy and deserving students in order of—

(a) total orphans;

(b) partial orphans;

(c) single parents and people living with disabilities;
and

(d) those from poor households.

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(3) the committee in consultation with the County Executive Member may come up with other criterion not specified in this Act.

24. The list of successful applicants shall be submitted to the chairperson of the Ward scholarship fund board after approval by the Ward Scholarship Committee.

25. All disbursements shall be made through cheques written in favour of specific schools and institutions on behalf of qualifying beneficiaries.

disbursements

26. The Scholarship Fund Board shall ensure that a public record of all scholarships granted in a ward is maintained at the Ward Scholarship Committee offices to ensure transparency and public accountability in the exercise.

PART V — COUNTY ASSEMBLY COMMITTEE ON WARD SCHOLARSHIP FUND

27. (1) The County Assembly shall, in accordance with its Standing Orders, establish a select committee consisting of a chairperson and not more than ten other members of the County Assembly.

Establishment of the
County Assembly
Select Committee

(2) In determining the membership of the County Assembly Select Committee, the County Assembly shall ensure proportionate representation of the County Political Parties.

(3) The procedures and rules for the operations of the County Assembly Committees shall be governed by the Standing Orders of the County Assembly.

Procedures and Rules

(4) The functions of the County Assembly Select Committee shall be—

Functions of the
County Assembly
Select Committee

- (a) to consider and recommend to the County Assembly any matter requiring action by the County Assembly pursuant to the provisions of this Act;
- (b) to oversee the implementation of this Act;
- (c) to oversee the policy framework and legislative matters that may arise in relation to the Fund.

PART VI — MISCELLANEOUS

28. The County Executive Committee Member may make regulations for the better carrying out of the provisions of this Act.

Regulations

29. Any person who misappropriates any funds or assets from the Fund, or assists or causes any person to misappropriate or apply the funds otherwise than in the manner provided in this Act, shall be guilty of an offence and shall, upon conviction, be liable to imprisonment for a term not exceeding 5 years or to a fine not exceeding Kenya shillings one million or to both.

Offences and
Penalties

30. The provisions of this Act are in addition to and not in derogation of the Constituencies Development Fund Act, 2003.

Supplemental
Provisions

SCHEDULE PROVISIONS AS TO THE CONDUCT OF BUSINESS AND AFFAIRS OF THE BOARD

Tenure of office

1. The Chairperson or a member of the Board other than *ex officio* members, if any, shall, subject to the provisions of this Schedule, hold office for a period of three years, on such terms and conditions as may be specified in the instrument of appointment, but shall be eligible for appointment for not more than two consecutive terms.

2. Vacation of office

(1) A member other than an *ex officio* member may—

- (a) at any time resign from office by notice in writing to the Executive Committee Member responsible for Finance;
- (b) be removed from office by the Executive Committee Member responsible for Finance on recommendation of the Board if the member—
 - (i) has been absent from three consecutive meetings of the Board without its permission;
 - (ii) is convicted of a criminal offence that amounts to a felony under the laws of Kenya;
 - (iii) is incapacitated by prolonged physical or mental illness for a period exceeding six months; or
 - (iv) is otherwise unable or unfit to discharge his functions.

(2) The Chairperson shall not be removed from office unless such removal is in accordance with subparagraph (1). **3. Meetings**

(1) The Board shall meet not less than six and not more than eighteen times in every financial year and not more than two months shall elapse between the date of one meeting and the date of the next meeting.

(2) Notwithstanding subparagraph (1), the Chairperson may, and upon requisition in writing by at least three members shall, convene a special meeting of the Board at any time for the transaction of the business of the Board.

(3) Unless three quarters of the total members of the Board otherwise agree, at least fourteen days' written notice of every meeting of the Board shall be given to every member of the Board.

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(4) The quorum for the conduct of business of the Board shall be four members.

(5) The Chairperson shall when present, preside at every meeting of the Board but the members present shall elect one member to preside whenever the Chairperson is absent, and the person so elected shall have all the powers of the Chairperson with respect to that meeting and the business transacted thereat.

(6) Unless a unanimous decision is reached, a decision on any matter before the Board shall be by a majority of the votes of the members present and voting, and in case of an equality of votes, the Chairperson or the person presiding shall have a casting vote.

(7) Subject to subparagraph (4), no proceedings of the Board shall be invalid by reason only of a vacancy among the members thereof.

(8) Subject to the provisions of this Schedule, the Board may determine its own procedure and the procedure for any committee of the Board and for the attendance of other persons at its meetings and may make standing orders in respect thereof.

4. Committees of the Board

(1) The Board may establish such committees as it may deem appropriate to perform such functions and responsibilities as it may determine.

(2) The Board shall appoint the Chairperson of a committee established under subparagraph (1) from amongst its members.

(3) The Board may where it deems appropriate, invite any person to attend the deliberations of any of its committees.

(4) All decisions by the committees appointed under subsection (1) shall be ratified by the Board.

5. Disclosure of Interest

(1) A member who has an interest in any contract, or other matter present at a meeting shall at the meeting and as soon as reasonably practicable after the commencement, disclose the fact thereof and shall not take part in the consideration or discussion of, or vote on, any questions with respect to the contract or other matter, or be counted in the quorum of the meeting during consideration of the matter.

(2) A disclosure of interest made under subparagraph (1) shall be recorded in the minutes of the meeting at which it is made.

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(3) A member of the Board who contravenes subparagraph (1) shall cease to be a member of the Board upon direction of the Executive Committee member for Finance.

6. Contracts and Instruments

Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not require to be under seal may by entered into or executed on behalf of the Board by any person generally or specially authorized by the Board for that purpose.

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REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

KILIFI COUNTY ACTS, 2017

NAIROBI, 28th April, 2017

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**THE KILIFI COUNTY VOCATIONAL TRAINING
AND EDUCATION ACT, 2017**

No. 18 of 2017

Date of Assent: 21st April, 2017

Date of Commencement: See Section 1

ARRANGEMENT OF SECTIONS

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Kilifi County Vocational Training and Education

No. 18

**THE KILIFI COUNTY VOCATIONAL TRAINING
AND EDUCATION ACT, 2017**

**AN ACT of the County Assembly of Kilifi to provide for
the establishment, governance and regulation of
vocational training centres; to provide for their
registration and management and for connected
purposes**

ENACTED by the County Assembly of Kilifi as follows—

PART I—PRELIMINARY

1. This Act may be cited as the Kilifi County Vocational Training and Education Act, 2017 and shall come into force on such date as the Executive Committee Member may, by notice in the Gazette, appoint, which date shall not be later than ninety days from the date of its publication.

Short title

2. In this Act—

Interpretation

"Board" means a Board of Management appointed by the Executive Committee member under Section 4(1) to oversee the affairs of a Vocational Training Centre;

"Director" means the County Director heading the Directorate of Youth Training;

"Directorate" means the Directorate of Education and Training.

"Executive Committee Member" means the County Executive Committee Member responsible for Education, Youth Affairs and Sports;

"Principal" means a person who coordinates and oversees implementation of education guidelines in a Vocational Training Centre and performs delegated teacher management functions;

"vocational training centre" means a youth vocational training centre established by the county executive committee member;

"Principal" means the Principal appointed under section 13.

"Vocational Training Centre" means an institution established by the community as per the Technical and Vocational Education Training Act, 2013.

3. The object of this Act is to promote the—

Object of the Act

- (a) establishment and progressive development of vocational training centres in the county;
- (b) acquisition of occupational trade skills by all persons through training;
- (c) exchange of knowledge and skill and, in so doing, improve the economy of the county; and
- (d) carrying out of research and development that serves the county.

**PART II—ESTABLISHMENT AND MANAGEMENT
OF VOCATIONAL TRAINING CENTRES**

4. (1) The Executive Committee Member may, by order in the Gazette, establish one or more vocational training centres.

Establishment of a
vocational training
centre

(2) Despite subsection (1), a person who meets the requirements set out in this Act and any other applicable law may establish one or more vocational training centres.

5. Every vocational training centre established under this Act shall have powers necessary for the execution of its functions under this Act and any other written law.

Powers of a
vocational training
centre

6. (1) Every vocational training centre shall—

Functions of a
vocational training
centre

- (a) provide full-time or part-time technical or vocational courses;
- (b) provide such facilities for its Trainees as it considers desirable;
- (c) fix, demand and receive fees and other charges as may be appropriate;
- (d) offer technical entrepreneurship and life skills training as it considers appropriate;
- (e) make provision for the general welfare, recreational and social needs of its staff and Trainees; and
- (f) undertake any activity necessary for the fulfilment of any of the functions of the vocational training centre.

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7. (1) The Executive Committee Member shall, by order in the Gazette, appoint a Board of Management of not less than five and not more than nine members for each vocational training centre that he or she establishes.

Board of
Management

- (a) The Board shall be a body corporate with a common seal and capable of suing and being sued; and acquiring assets and incurring liabilities.
- (b) No person shall be appointed to the Board under sub-section 1 above unless, the person holds a minimum qualification of a Kenya Certificate of Secondary Education, and be a person of integrity and committed to serve the community on voluntary basis.
- (c) A third of the nominees should be from either gender.

(2) The Principal appointed under section 13 shall be the secretary of the board.

(3) The members of the board shall elect a chairperson and vice-chairperson amongst themselves.

8. (1) The Board shall have all powers necessary for the proper performance of the functions of the vocational training centre under this Act.

Powers of a Board of
Management

(2) Without prejudice to the generality of subsection (1), the Board shall have power to—

- (a) secure the assets of the vocational training centre in such manner as best promotes the purpose for which the vocational training centre is established;
- (b) associate with any other institution so as to further the purpose for which the vocational training centre is established;
- (c) receive grants, gifts, donations or endowments and make legitimate disbursements from them;
- (d) delegate any of its powers to any of its committees or employees; and
- (e) undertake any activity necessary for the fulfilment of any of the functions of the Board.

9. (1) The Board shall—

Functions of a Board
of Management

- (a) formulate policies relating to the vocational training centre;
- (b) ensure efficient management of the vocational training centre;
- (c) oversee prudent utilization of the funds allocated to the vocational training centre;
- (d) ensure that the vocational training centre observes high standards of corporate and business ethics; and
- (e) perform any other functions assigned to it under this Act.

(2) The members appointed to the Board by the Executive Committee member under section 7(1) shall, hold office for a period of three calendar years from the date of appointment, provided that a person shall be eligible for re-appointment for one further term.

Term of office

(3)(1) The Executive Committee member may remove a person appointed to the Board on the ground that the member has—

Removal of a board
member

- (i) grossly violated the constitution;
- (ii) demonstrated incompetency in the exercise of his or her duties as a member of the Board.
- (iii) abused his or her office.
- (iv) been affected by physical illness in such a manner leading to inability to perform his or her role as a member of the Board; and
- (v) committed a crime in relation to his or her work as a member of the board.
- (vi) Has not attended three consecutive sittings without an apology.

(4) A person appointed to the board shall cease to be a member if he or she—

- (i) dies;
- (ii) has been convicted of an offence under national or county law and imprisoned for more than six months;
- (iii) has been declared mentally unsound; and

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(5) Upon a person ceasing to be a member of the Board under sub-section 2 above, the Executive Committee member shall, appoint another person as a replacement to the board.

10. (1) The Executive Committee Member shall, in consultation with the County Education Board established under the Basic Education Act—

Requirement to consult with the County Education Board

- (a) plan, develop and coordinate training and research in the vocational training centres in the county; and
- (b) provide guidelines on the courses of study, their curriculum and minimum standards of the vocational training centres.

PART III—REGISTRATION OF VOCATIONAL TRAINING CENTRES

11. (1) A person shall not operate a vocational training centre unless it is registered under this Act.

Registration of vocational training centres

(2) A person who operates a vocational training centre which is not registered under this Act commits an offence.

12. (1) An application for registration of a vocational training centre shall be in the form prescribed by Technical and Vocational Education and Training Authority.

Application for registration of a vocational training centre

(2) An application for registration of a vocational training centre shall be submitted to the Director general Technical and vocational Education and Training Authority.

(3) The institution shall forward the application to the Director Vocational training in the County for record purposes.

PART IV—ADMINISTRATION OF VOCATIONAL TRAINING CENTERS

13. (1) There shall be a Principal for each vocational training centre who shall be the Chief Executive Officer.

Principal of a vocational training centre

(2) The Principal of a vocational training centre that receives public funds shall be appointed by the County Public Service Board.

(3) The Principal of a vocational training centre that is not publicly funded shall be appointed by the Board on

such terms and conditions as may be specified in the instrument of appointment.

(4) Despite subsections (2) and (3), the appointment of every Principal shall be through a competitive recruitment process.

(5) A person is qualified for appointment as a Principal if the person—

- (a) is a citizen of Kenya;
- (b) holds a degree in technical field or education and any technical skill;
- (c) possess principal skills;
- (d) has at least five years experience in any technical field; and
- (e) meets the requirements of leadership and integrity set out in chapter six of the Constitution.

(6) The Principal is the accounting officer of the vocational training centre and, subject to the direction of the Board, is responsible for the—

- (a) implementation of the decisions of the Board;
- (b) day to day management of the affairs of the vocational training centre;
- (c) organization and management of the staff; and
- (d) any other function that may be assigned by the Board.

(7) The Principal may be removed from office on the recommendation of the Board.

(8) Before the Principal is removed under subsection (7), the Principal shall be given—

- (a) not less than fourteen (14) days' notice of the allegations made against them; and
- (b) an opportunity to be heard either in person or by a legal representative.

(9) There shall be a deputy Principal for each vocational training centre who shall be appointed by the board of management after the Principal has been appointed.

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14. (1) The vocational training centre teaching and non-teaching staff shall have such academic, technical and other staff, as may be determined by the County Public Service Board for the teaching staff and the Board for the other staff.

Staff

(2) In addition to the staff referred to in subsection (1), the County Public Service Board may, upon request by the vocational training centre, second to the vocational training centre such number of staff as may be necessary for the performance of the functions of the vocational training centre.

(3) Staff seconded to the vocational training centre shall, during the period of secondment, be deemed to be staff of the vocational training centre and shall be subject only to the direction of the vocational training centre.

(4) This section only applies to Public Vocational Training Centres.

15. A vocational training centre shall have an academic board consisting of the Principal, Deputy Principal, heads of academic divisions, heads of academic departments and any other person specified by the Board.

Academic Board

16. (1) The Academic Board shall determine the—

Functions of the
Academic Board

- (a) criteria for the admission of Trainees;
- (b) procedure to assess and examine Trainees;
- (c) appointment and dismissal of internal and external examiners;
- (d) procedure for expelling Trainees on academic grounds;
- (e) development of the academic activities of the vocational training centre;
- (f) establishment of links with different industries and businesses to ensure the entrepreneurial development of Trainees;

(2) The Academic Board shall also—

- (a) advise the Board on academic policy and other matters of academic importance to the vocational training centre; and

- (b) consider the resources required to support the academic activities of the vocational training centre.
- (c) hear petitions from trainees.

17. (1) The Academic Board may establish committees for the better carrying out of its functions.

Committees of
Academic Board

(2) Every committee shall, before establishment, be approved by the Board.

(3) The Academic Board may co-opt persons to committees established under subsection (1) for a particular reason and such persons shall hold office for such period as the Board may determine.

(4) The persons co-opted under subsection (2) shall not be more than two.

PART V—FINANCIAL PROVISIONS

18. The funds and assets of the vocational training centre consist of—

Funds of the
vocational training
centre

- (a) such monies or assets as may accrue to or vest in the vocational training centre in the course of the exercise of its powers or the performance of its functions under this Act;
- (b) such monies as may be payable to the vocational training centre pursuant to this Act or any other law;
- (c) such monies as may be appropriated by the County Assembly for the purposes of the vocational training centre; and
- (d) all monies from any other source provided, donated or lent to the vocational training centre.

19. The financial year of the vocational training centre shall be the period of twelve months ending on the thirtieth June in each year.

Financial year

20. (1) At least three months before the commencement of each financial year, the Board shall cause to be prepared estimates of the revenue and expenditure of the vocational training centre for that financial year.

Annual estimates

- (2) The annual estimates shall make provision for all

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the estimated expenditure of the vocational training centre for the financial year concerned and, in particular, shall provide for the—

- (a) payment of the salaries, allowances and other charges in respect of the Board members, staff or agents of the vocational training centre;
- (b) payment of pensions, gratuities and other charges and in respect of benefits which are payable out of the funds of the vocational training centre;
- (c) funding of the registration, monitoring and evaluation of activities of the vocational training centre;
- (d) the maintenance of the buildings and grounds of the vocational training centre;
- (e) funding of training, research and development of activities of the vocational training centre;
- (f) reserve funds to meet future or contingent liabilities in relation to retirement benefits, insurance or replacement of buildings or equipment; and
- (g) any other expenditure necessary or required for the purposes of this Act.

(3) The annual estimates shall be approved by the Board before the commencement of the financial year to which they relate and forwarded to the Executive Committee Member for tabling before the relevant County Assembly Committee.

21. (1) The vocational training centre shall cause to be kept proper books and records of account of the income, expenditure, assets and liabilities.

Accounts and audit

(2) Within a period of three months after the end of each financial year, the Board shall submit to the Auditor-General the accounts of the vocational training centre in respect of that year together with—

- (a) a statement of the income and expenditure of the vocational training centre during that year; and
- (b) a statement of the assets and liabilities of the vocational training centre on the last day of that financial year.

(3) The annual accounts of the vocational training centre shall be prepared, audited and reported upon in accordance with the provisions of Articles 226 and 229 of the Constitution and the law relating to public audit.

22. (1) The Board shall, at the end of each financial year cause an annual report to be prepared.

Annual report

(2) Without limiting what may be included in the annual report, the annual report shall include—

- (a) the audited financial report of the vocational training centre;
- (b) description of the Activities of the vocational training centre;
- (c) such other statistical information as the vocational training centre may consider appropriate relating to the vocational training centre's functions;
- (d) the impAct of the exercise of any of its mandate or function;
- (e) any impediments to the achievements of the objects and functions of the vocational training centre;
- (f) such other information as the Executive Committee Member may direct; and any other information relating to its functions that the Board considers necessary.

(3) The Board shall submit the annual report to the County executive committee member three months after the end of the year to which it relates to the relevant department.

(4) The annual report shall be published and publicized in a manner that the vocational training centre may determine.

PART VI—MISCELLANEOUS PROVISIONS

23. A vocational training centre may collaborate with any other vocational training centre or any other training institution to promote its development.

Collaboration

24. The Kilifi County Directorate shall, in consultation with the County Education Board, inspect and monitor the standards of the vocational training centres in the county.

Inspection of
vocational training
centres

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Regulations

25. (1) The Executive Committee Member may, in consultation with the Chairperson of the County Education Board, make regulations generally for the better carrying out into effect of any provisions of this Act.

(2) Without prejudice to the generality of subsection (1), such regulations may provide for the—

- (a) implementation of this Act;
- (b) general management of the vocational training centre; and
- (c) such other matters as the vocational training centre considers necessary.

General Penalty

26. A person who contravenes any provision of this Act for which no other penalty is prescribed, commits an offence and is liable, on conviction, to a fine not exceeding Kenya Shillings five hundred thousand or to a term of imprisonment not exceeding two years or to both.