

**SPECIAL ISSUE**

*Kilifi County Gazette Supplement No. 1 (Bills No. 1)*



REPUBLIC OF KENYA

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**KILIFI COUNTY GAZETTE  
SUPPLEMENT**

**BILLS, 2015**

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**NAIROBI, 16th February, 2015**

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**THE KILIFI COUNTY WARD SCHOLARSHIP  
FUND ADMINISTRATION (AMENDMENT) BILL,  
2015**

**A Bill for,**

**AN ACT of the County Assembly of Kilifi to  
amend the Kilifi County Ward Scholarship Fund  
Administration Act, 2013**

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

1. This Act shall be cited as the Kilifi County Ward Scholarship Fund Administration (Amendment) Act, 2015 and shall come into operation upon publication.

Short title and  
commencement

2. Section 2 of the Kilifi County Ward Scholarship Fund Administration Act, 2013, in this Act referred to as “the principal Act” is amended by inserting the following new definition after the definition of “Scholarship”

Amendment of  
section 2 of No. 1  
of 2013

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

3. The principal Act is amended by inserting the following new section immediately after section 4—

4A. The purpose of the fund shall be to provide funds to be used for granting scholarships to assist needy and deserving students.

4. Section 5 of the principal Act is amended—

Amendment of  
section 5 of No. 1  
of 2013

- (a) in subsection (3) by deleting the word “Ministry” and replacing it with the word “Department” wherever it occurs;
- (b) in subsection (3) by deleting the words “Head of Accounting” appearing in paragraph (a) and substituting therefore the word “Director”;
- (c) in subsection (3) by deleting the words “Youth and Social Services” appearing in paragraph (b) and substituting therefor the words “Youth affairs and sports”;
- (d) by adding the following new subsection immediately after paragraph (d)-(2a) The Executive Committee Member for Finance shall appoint the Chairperson of the Board from amongst the five persons appointed in paragraphs

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(a-e) of subsection (3).

**5. Section 10 of the Principal Act is amended—**

Amendment of  
section 10 of No.  
1 of 2013

(a) by deleting the words “with the concurrence of the Governor and the relevant County Assembly committee” appearing in subsection (1);

(b) by inserting a new subsection immediately after subsection (1) as follows—

(1a) The amount appropriated to the fund every financial year shall be 10 per cent of the development budget.

**6. Section 12 of the principal Act is amended—**

Amendment of  
section 12 of No.  
1 of 2013

(a) By deleting subsection one and replacing it with the following new subsection-

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

(b) In subsection (2) by deleting paragraph (a);

(c) In subsection (2) by inserting the words “proposed by the ward representative with the approval of the committee” immediately after the word “members” appearing in paragraph (g);

(d) By deleting subsection (3) and replacing it with the following new subsection-

(3) the committee shall be patronized by the Ward Representative of the specific ward;

(e) By deleting subsection (4) and replacing it with the following new subsection-

(4) The committee shall elect the chairperson in its first meeting which shall be presided by the ward Administrator or a representative from his office;

(f) By deleting subsections (5) and (6).

**7. Section 13 of the principal Act is amended by inserting the following new subsection immediately after subsection (2)-**

Amendment of  
section 13 of No.  
1 of 2013

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

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2015

8. The principal Act is amended by inserting the following new part immediately after section 22-

Insertion of new  
part III A into No.  
1 of 2013

**PART III A—SCHOLARSHIP APPLICATIONS**

22 A. (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.

Applications

(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 B. Any applicant aggrieved by the decision of the committee may appeal to the patron within thirty days of the committee's decision.

22 C. (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.

(3) the committee in consultation with the

County Executive Member may come up with other criterion not specified in this Act.

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

22 E. The list of scholarship 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

22 F. A student shall cease to benefit from the scholarship if-

- (a) the student's performance deteriorates;
- (b) at completion of the course; and
- (c) the student is discontinued from school on matters of indiscipline.

9. The principal Act is amended by inserting the following new part-

Insertion of new part V into No. 1 of 2013

#### **PART V-MISCELLANEOUS**

26. The County Executive Committee member for education may make regulations for the better carrying out of the provisions of this Act.

Regulations

27 (1) The County Executive Committee member for Education shall set up a sub-committee within the department of education which shall be vested with the responsibility of awarding full scholarships to applicants with high academic credentials in consultation with the scholarship and Vocational Training Committee of County Assembly.

Scholarships by the department of education

(2) There shall in each financial year be set aside not more than 20 million shillings to the fund for disbursement as per subsection (1) above through the department of education and 7.2 million shillings for administrative purposes.

(3) The allocation in sub-section (2) above shall not form part of the budget in clause 12(1)

10. The First Schedule to the principal Act is amended by deleting the word "Minister" appearing in paragraph (5) sub- paragraph (3) and substituting therefor the words "Executive Committee member for Finance.

## **MEMORANDUM OF OBJECTS AND REASONS**

### **Statement of object and reasons for the Bill**

The objective of this Bill is to give further effect to Article 207 (4) (b) of the constitution and Article 116 of the Public Finance Management Act as regards established of funds and the administration thereof and more specifically in recognizance of the rights to basic education as enshrined under the constitution.

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

The Bill seeks 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 and further to provide for the procedure applicable to and requirements for scholarship allocations in Kilifi County.

**Part I** of the Bill provides for preliminary matters including citations and words used in this Bill.

**Part II** of the bill establishes the Fund.

**Part III** of the bill establishes the Ward Scholarship Committee to manage the Fund.

**Part III A** of the Bill makes a provision for scholarship applications.

**Part IV** of the Bill makes provisions for the County Assembly Select Committee on Ward scholarship fund.

**Part V** of the Bill provides miscellaneous provisions.

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

Dated the 16th February, 2015.

GERTRUDE MBEYU MWANYANJE,  
*MCA and Chairperson,  
Committee on Education.*