

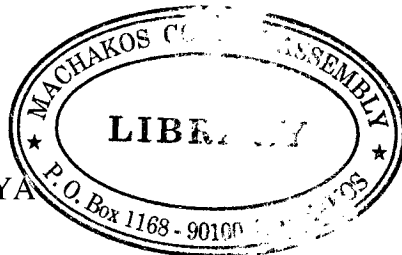
SPECIAL ISSUE

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

Machakos County Gazette Supplement No. 13 Bills No. 10



REPUBLIC OF KENYA



MACHAKOS COUNTY GAZETTE SUPPLEMENT

BILLS, 2015

NAIROBI, 24th, August, 2015

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**THE MACHAKOS COUNTY WARD DEVELOPMENT FUND
(AMENDMENT) BILL, 2015**

A Bill for

**AN ACT of the County Assembly of Machakos to amend the
Machakos County Ward Development Fund Act 2014**

ENACTED by the County Assembly of Machakos as follows—

Short title

1. This Act may be cited as the Machakos County Ward Development Fund (Amendment) Act, 2015.

Interpretation

2. In this Act, unless the context otherwise requires—

“Principal Act” means Machakos County Ward Development Fund Act, 2014.

Amendment of section 2

3. Section 2 of the Principal Act is amended by deleting the definition of the word “Clerk”.

Amendment of section 5

4. Section 5 of the Principal Act is amended by deleting paragraph (d) of subsection (2).

Amendment of section 33

5. Section 33 of the Principal Act is amended by deleting the words “which shall be constituted by the elected member of the County Assembly within the first thirty days of a new assembly” appearing immediately after the expression “every Ward”.

Amendment of section 34

6. Section 34 of the Principal Act is amended as follows—

(a) in subsection (1) (a) by deleting the words “nominated by the members of the Ward Development Fund Committee” appearing immediately after the word “chairperson”;

(b) in subsection (1) (f) by deleting the expression “the Ward Administrator” and substituting therefor the expression “the County Administration Officer responsible for the Ward”;

(c) by deleting paragraph (2) (a) and substituting therefore the following new paragraph—

“2. (a) within 45 days of coming into effect of this Act, the officer administering the Fund shall convene open public meetings in each Ward.”

(d) by deleting all the words appearing in paragraph 2 (c) immediately after the expression “paragraph (a)” and substituting therefore the words “and (b), the officer administering the Fund shall forward the names of the members of the Ward Development Fund Committee so elected, to the County Executive Committee Member for gazettelement.”;

(e) by deleting paragraph(2) (d);

(f) in subsection (4) by deleting the words “within the first sixty days of a new County Assembly or a by-election” appearing immediately after the word “convened.”;

(g) by deleting subsection (5) and substituting therefore the following new subsection—

“(5) Each Chairperson of a Ward Development Fund Committee shall, in consultation with the local leaders and County Government Officers responsible for the Ward, convene annual public meetings to deliberate on development matters in the Ward.”

(h) by deleting subsection (7) and substituting therefor the following new subsection—

“(7) The term of office of members of the Ward Development Fund Committee shall be three years renewable once.”

(i) by deleting subsection (8) and substituting therefor the following new subsection—

“(8) The officer of the Fund for each Ward shall; on behalf of the officer administering the Fund; be the custodian of all records and equipment for the Ward

MEMORANDUM OF OBJECTS AND REASONS

The principal object of this Bill is to amend the Machakos County Ward Development Fund Act No. 2 of 2014 in order to provide for separation of powers between the County Executive and the County Assembly thus ensuring its compliance with the Constitution.

It seeks to amend the provisions of the Principal Act which appear to give executive functions to the County Assembly. Its dissociates the implementation of the Principal Act from Members of County Assembly. In effect, it buttresses the powers of the County Executive to implement the Principal Act while enhancing the oversight role of the County Assembly.

The enactment of this Bill will not occasion additional expenditure of public funds.

Dated the 4th August, 2015

SAMMY NDUVA

Chairperson Trade, Planning and Industrialization Committee.

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