

SPECIAL ISSUE

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

Nyandarua County Gazette Supplement No. 7 (Acts No. 2)



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REPUBLIC OF KENYA

NYANDARUA COUNTY GAZETTE SUPPLEMENT

ACTS, 2015

NAIROBI, 26th June, 2015

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COUNTY ASSEMBLIES FORUM (CAF)
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**THE NYANDARUA COUNTY TRADE FUND (AMENDMENT)
ACT, 2015**



No. 2 of 2015

Date of Assent: 26th June, 2015

Date of Commencement: 26th June, 2015

Short Title

1. This Act shall be cited as the Nyandarua County Trade Fund (Amendment) Act, 2015 and shall come into operation on the date of publication.

Amendment of Section 5 of No. 6 of 2014

2. The principal Act is amended at Section 3 (d) by deleting the words “enhance access to employment” and in place inserting the words “enhance enterprise skills development”.

2A. The principal Act is amended at Section 5 by deleting the words “one officer as envisaged under Section 7(1)” at Sub-section 5 (d) and in place inserting the words “the officer in charge of trade in the County”

3. The principal Act is amended at Section 5 (2)(c) by deleting the words “ the umbrella traders body” immediately after the words “ nominated by” and in place inserting the words “ registered traders body”.

4. The principal Act is amended by inserting a new clause 5 (3) and inserting the words “(3) The Board shall be a body corporate with perpetual succession and a common seal and shall, in its corporate name, be capable of—

- (a) taking, purchasing or otherwise acquiring, holding, charging or disposing of movable and immovable property;
- (b) borrowing money or making investments;
- (c) entering into contracts; 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.

Amendment of Section 6A of No. 6 of 2014

5. Section 6A of the principal Act is amended by deleting the words “6 (1) The Chief Officer who is the accounting officer of the Department for the time being responsible for the matters relating to Trade and Enterprise Development shall be” and in place the inserting words “6A (1) an officer” before the words “designated” as the administrator of the

Fund in accordance with section 116 of the Public Finance Management Act.

- (2) The Administrator of the Fund shall—
- (a) open and operate a bank account at a bank to be approved by the County Treasury;
 - (b) supervise and control the administration of the Fund;
 - (c) consult with the Executive Committee Member and the Board on matters relating to the administration of the Fund;
 - (d) cause to be kept proper books of accounts and other books and records in relation to the Fund, of all activities and undertakings financed from the Fund;
 - (e) prepare, sign and transmit to the Auditor-General, in respect of each financial year and within three months after the end thereof, a statement of accounts relating to the Fund and submit a copy to the County Treasury and the statements shall be prepared in such a manner as the Public Sector Accounting Standards Board shall prescribe;
 - (f) furnish additional information which is proper and sufficient for the purpose of examination and audit by the Auditor-General in accordance with the provisions of the Public Audit Act;
 - (g) prepare a quarterly report on the receipts into and issues out of the Fund and submit it to the Executive Committee Member for gazettment by the 21st of every fourth month in the form as prescribed;
 - (h) ensure the Fund is audited in accordance with the Public Audit Act Cap 412A and Section 155 of the Public Finance Management Act, No. 18 of 2012;
 - (i) prepare a statement of account where every statement of account shall include details of the balance between the assets and liabilities of the Fund, and shall indicate the financial status of the Fund as at the end of the financial year concerned;
 - (j) be the Secretary to the Board who shall be responsible to the Board in ensuring that the other staff members satisfactorily carry out duties and perform functions assigned to them by the Board; and
 - (k) shall take minutes during the meeting and keep records of the Board.

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The Nyandarua County Trade Fund (Amendment)

(3) The Secretary of the Board shall have no right to vote at the meetings of the Board.

Amendment of Section 7 of No. 6 of 2014

6. The principal Act is amended by wholly deleting section 7.

Amendment of Section 7 (A) of No. 6 of 2014

7. The principal Act is amended by deleting serialization of section 7A and in place inserting section 7.

8. The principal Act is amended by inserting a new sub-section 7(3) "The Members of the Board provided in Section 5 (2) shall be competitively recruited by the County Public Service Board taking into consideration the values and principles of public service as enshrined under Article 232 of the Constitution "and the initial Sub-section 7 (3) be re-serialized as 7 (4)".

Amendment of Section 9 of No. 6 of 2014

9. Section 9 of the principal Act is amended by wholly deleting the section and in place inserting the words "The remuneration of the Board members shall be subject to the recommendation by the Salaries and Remuneration Commission."

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