

SPECIAL ISSUE

Uasin Gishu County Gazette Supplement No. 2 (Acts No. 2)



REPUBLIC OF KENYA

***UASIN GISHU COUNTY GAZETTE
SUPPLEMENT***

ACTS, 2014

NAIROBI, 6th June, 2014

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

**UASIN GISHU COUNTY BURSARY AND SKILL
DEVELOPMENT SUPPORT FUND DISBURSMENT ACT, 2014**

No. 2 of 2014

Date of Assent: 1st April, 2014

Date of Commencement: By Notice

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THE UASIN GISHU COUNTY BURSARY AND FUND ACT, 2014

AN ACT of the County Assembly of Uasin Gishu to make provisions for procedures and guidelines for the efficient disbursement of fees, bursaries, skill development support fund and such other related matters.

ENACTED by the County Assembly of Uasin Gishu as follow—

PART I—PRELIMINARY

1. This Act may be cited as the Uasin Gishu County Bursary and Disbursement Act, 2014 and shall come into operation on such date as the executive committee member may, by notice in the gazette, appoint.

Short title and commencement.

2. The purpose of the bill is to establish procedures and guidelines for efficient allocation and disbursement of fees, bursaries and other related scholarships by County Government of Uasin Gishu.

Purpose of the bill

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

Definition

“Chief Officer” for a public entity, means the person appointed or in an acting capacity when discharging the functions of accounting officer for an administrative unit or department of the County.

“Executive Committee Member” means the person in charge of Education, Culture, Youth Affairs and Social Welfare in the County.

“Fund” means, money set aside by the County Government to support skill development and Education”

“Public entity” means County Government or department under the County Government.

“Regulations” mean guidelines under this Act.

“County Education Fund Committee” means a body at the County headquarters charged with the mandate of overseeing fund management.

“Ward Education Fund appraisal committee” means a body at the ward created to coordinate allocation, of fees

support.

4. This Act will apply in respect to—

Application of the bill

- (a) disbursement of county government bursary and fees support.
- (b) management of all sponsorship channeled through the county government.

5. If there is a conflict between this law and any other law of the County Assembly of Uasin Gishu as relates to matters of school fees support, bursary and skill development centres and grants, this law shall prevail

Conflict with other laws.

6. (1) If there is a conflict between this law, the regulations or any directions of the County Education Fund Committee and a condition imposed by the donor of funds, the terms in the memorandum of understanding agreed together between the county government and the donor of funds shall prevail in respect to fees support that uses those funds.

Conflict with donated funds

(2) This section does not apply if the fees support funding is from a public entity.

PART II—INSTITUTIONS INVOLVED IN FUND ALLOCATION

A. COUNTY EDUCATION FUND COMMITTEE

7. (a) There is established a County Education Fund Committee, which shall have powers necessary to perform its functions; the County Education Fund Committee shall be an oversight body;

Establishment of the county education fund committee

- (b) The County Education Fund Committee shall be an institution of exemplary administrative and technical competence;
- (c) Every member of the County Education Fund Committee shall respect the non-partisan nature of the Committee;
- (d) The Committee shall uphold and maintain the highest ethical standard in the discharge of its functions; and
- (e) Maintain honesty, accountability and integrity in

the delivery of services, having regard to the principles of political neutrality, professionalism, economy, efficiency, equality, fairness, courtesy and discipline.

8. (1) The County Education Fund Committee shall consist of the following—

Composition of the
county education fund
committee

- (a) Three members appointed by the Governor;
 - (i) CEC Member for Education, Culture, Youth Affairs and Social Services;
 - (ii) Chief officer of Education, Culture, Youth Affairs and Social Services;
 - (iii) Chief Officer of Finance

FUNCTIONS OF THE COUNTY EDUCATION FUND COMMITTEE

9. The Committee shall—

Functions of the
Committee

- (a) equitably share the funds among the 30 wards existing in the county;
- (b) review allocations to ensure support offered is adequate and sufficient;
- (c) approve disbursement of fee support to awarded students;
- (d) monitor allocations of support to ensure needy and deserving students benefit;
- (e) conduct periodic county skills surveys to identify critical skills for the purpose of refocusing support and encouraging students to pursue necessary disciplines;
- (f) maintain an updated database of all applicants and beneficiaries of the fund; and
- (g) periodically produce and share disbursement reports with the governor and the county assembly.

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Fund Disbursement*

10. (a) The chairperson shall convene a meeting of the committee

Procedures and
conduct of business of
the committee

- (b) except as agreed under the minimum operation procedures and requirements, the committee may regulate its own operations.
- (c) the quorum of the committee shall be three members
- (d) the committee may invite any member of the public to attend any of its meetings as long as such person shall not have voting rights
- (e) the committee shall have at most four meetings in every financial year; however special sittings of the secretariat may be convened as long as such meetings do not exceed three in a fiscal year
- (f) the meetings shall be convened and chaired by the executive committee member in charge of education, or in the absence of the CEC, the county Education Fund Committee shall be chaired by a member of the committee appointed by the committee in that sitting
- (g) the chief officer in charge of education, culture, youth affairs and social welfare shall be the secretary to the committee
- (h) a member of the committee, other than an ex officio member, may be removed from office by the appointing authority upon the recommendation of the County Education Fund committee, if such member—
 - (i) has been absent for three consecutive meetings of the board without permission of the chairperson; and
 - (ii) is in the opinion of the committee, otherwise unable or unfit to discharge the functions of his office.

**WARD EDUCATION FUND APPRAISAL
COMMITTEE**

11. (1) (a) There is established a ward Education Fund Appraisal committee

Establishment and
composition of ward
appraisal committee

- (b) there shall be thirty (30) ward Education Fund Appraisal Committees with respect to the thirty (30) wards as presently constituted

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(c) the Ward Education Fund appraisal committee shall consist of the following.

(2) (a) The member of county assembly for that ward shall be the patron

(b) nine members of the public resident in that particular ward selected by area member of County Assembly in liaison with the area residents and duly appointed by the CEC Education. These nine members shall consist of—

(i) ward Administrator;

(ii) youth Representative;

(iii) women Representative;

(iv) person with Disability Representative;

(v) an Educationist conversant and experienced in Educational matters within the County;

(vi) NGO/KESSHA Representative;

(vii) ward office assistant; and

(viii) two Religious representative.

(c) the Chief(s) to be Ex officio members of the Committee.

12. The Ward Education Fund Appraisal Committee shall perform the following functions—

Functions of the committee

(a) invite applications for fees support;

(b) receive applications;

(c) scrutinize and verify all applications;

(d) confirm students to be supported with proposed amounts identified through public participation preferably at village level;

(e) maintain an updated database of all raw applicants; and

(f) forward to the county secretary minutes and records of nominated fees support beneficiaries.

13. Other than the Ward Administrator and ward assistant, the remaining will be competitively and

Election of representatives to the committee

transparently be elected.

14. The role of the Patron shall be as follows —

Role of patron

- (a) call the first meeting of the members to order;
- (b) provide leadership to the committee;
- (c) provide liaison between the committee and other institutions within and outside the ward that supports students; and
- (d) receive and verify bursary cheques before distribution.

15. (1) The chairperson and the vice chairperson, shall be elected from among members during the first sitting of the committee

Role of committee chairperson

(2) The following shall be the roles of the chairperson —

- (a) act as the spokesperson of the committee;
- (b) schedule and call committee meetings;
- (c) chair committee meetings
- (d) ensure committee agenda is exhaustively addressed; and
- (e) ensure all members of the committee participate fully in all committee meetings and that consensus is reached in all decisions.

16. The secretary to the committee shall be elected from members during the first meeting and shall perform the following functions —

Role of Committee secretary

- (a) receive and document fees support applications;
- (b) keep records of the committee deliberations;
- (c) take minutes during committee meetings and circulate the same to the members;
- (d) rendering expert, non-partisan and impartial advice to the members of the committee on committee procedure and practice; and
- (e) carrying out such other duties as may be required of him/her by the committee and exercising

powers as may be conferred on him/her by law.

17. The ward education fund appraisal committee— Committee procedures

- (a) shall have at least four meetings in every financial year;
- (b) special committee sittings may be convened but only by request of at least a third of total membership of the committee whenever an urgent fee request occurs; such special sittings shall not exceed three in a financial year;
- (c) a fourteen day notice shall be issued before any meeting of the committee is convened;
- (d) the quorum of the meeting shall be at least five members;
- (e) a decision of the committee shall be by a simple majority constituting a quorum who is present; in the case of a stalemate in the voting, the person chairing shall have the deciding vote;
- (f) the Ward Education Fund Appraisal Committee shall serve for a five year term;
- (g) members of the committee shall be entitled to a sitting allowance and not wages or a salary; and
- (h) the allowances of the committee members shall be determined in accordance with existing rates of officers serving in voluntary public service as advised by SRC.

PART III—FUND ELIGIBILITY CRITERIA

18. For one to be eligible for support, he or she shall— Minimum eligibility criteria

- (a) be a resident of the ward for which fee support is being sought and is pursuing secondary and Post Secondary Education in a recognized institutions;
- (b) be admitted or continuing student in the institution;
- (c) be either a total or partial orphan with no

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financially stable guardian;

- (d) be of good academic standing and moral character;
- (e) all the bursary beneficiaries must submit their progress report before applying for the next; and
- (f) bursary allocation.

19. (a) All eligible students shall be required to collect application forms from their ward offices free of charge.

Mode of application
for the funds

- (b) Duly completed application forms accompanied with all required attachments, signed and sealed forms shall be returned, received, dated at the ward.

20. (a) At the end of the application period, the ward appraisal committee shall meet to open and record all applications.

Selection process

- (b) the ward education fund appraisal committee shall hold its meetings in public with members of the public present.
- (c) selected applicants for fee support shall be publicly displayed in the ward, schools, public notice boards, churches or such other places that are accessible and which are frequented by the public.
- (d) successful applicants will be notified through county gazette notice as well as written communication and any other convenient means.
- (e) fees for successful applicants will be paid into their school or college accounts through a cheque or direct funds transfer.

21. (1) the following shall be the mode of splitting funds

Applicable allocations
per category of
Students

- (a) 30% of the fund shall go towards supporting students pursuing post secondary education in tertiary and other institutions of higher learning.
- (b) 70% of the fund shall be for secondary school

students.

(2) in awarding fees support, the minimum allocation per student shall be at least KSh. 5,000.

22. (1) while ensuring the principal of equity and fairness is observed at all times, the committee will also be required to give priority to special category of students or applicants

Special category of
students/ applicants

(2) Special category applicants will include the following—

- (a) total orphans with no financially capable guardians
- (b) needy Persons with disability
- (c) members of marginalized and disadvantaged minority groups within the Ward

(3) Necessary support and assistance will be accorded to this category

(4) Any student /applicant being supported by other donors/funds shall not be considered to avoid duplication. Incase of double funding to any applicant a return of the allocated bursary shall be done, In the event of non-refund the applicant shall not benefit anymore.

23. In case of any dispute arising from the ward in relation to the disbursement process, the County Education Fund Committee shall have the final word.

Dispute resolution

PART IV—MISCELLANEOUS

24. (1) Serialized Application form. The following shall be the adopted application form which prospecting students and applicants will require to fill and submit to the Ward Office.

(2) The form will from time to time be reviewed to capture important information that will aid both the County Education Fund Committee and the Ward Education Fund Appraisal Committee to make informed decisions during fund disbursement.

25. The County Executive Member in charge of Education—

(1) may make regulations not inconsistent with this Act, in respect to any matter that is necessary or could not be prescribed under this Act, or for the carrying out, or giving effect to this Act

(2) Regulations under sub-section (1) shall not take effect unless approved by a resolution passed by the County Assembly

(3) Regulations passed under sub-section (2) shall take effect on the day after the date the County Assembly has approved them or, if a later date is specified in the regulations, on that date.

SCHEDULES

Schedule 1

Application form to be submitted to the ward office duly signed in the prescribed format.

This form will from time to time be received as the County Education Fund Committee may deem fit and as be necessary to capture new information.

UASIN GISHU COUNTY
(MINISTRY OF EDUCATION, CULTURE, YOUTH AND
SOCIAL SERVICES)

SERIAL NO.....

BURSARY APPLICATION FORM

A. INSTRUCTIONS TO APPLICANTS

- 1. This form must be filled by students in Public Secondary Schools, Colleges and Universities Only.
- 2. This form, dully filled and signed by the relevant authorities must be returned to office of the Member of County Assembly (MCA) on or before for onward forwarding to the office of County Executive Committee member for Education.

B. PERSONAL DETAILS

Full Names of Student
Name and address of Learning Institution.....
Form/Year.....
Home Address:
Name of Parent/Guardian:
Area of Residence – Sub county/Constituency.....
Ward.....
Location:
Sub- location:
Village/Estate.....

C. PARENTS'/GUARDIANS' OCCUPATION

His/Her present employment:
Monthly salary KSh.
Average value of farm produce/livestock sold per year:
KSh.....
In private business, type of business
Average annual Income:

Names and Classes of any other children/siblings in school

NAME	L. INSTITUTION	FORM/YEAR
1.		
2.		
3.		
4.		

How much Bursary did you receive last year? KSh.

Which Authority/Organization/Ministry paid your Bursary?
.....

D. TO BE FILLED BY THE PRIEST/CHIEF

I..... recommend/Do not recommend the student for the award.

Signature:

Date:

Stamp:

E. TO BE FILLED BY THE PRINCIPAL/REGISTRAR/DEAN

I confirm that the applicant is a student in this school/College/University and is needy.

I recommend/do not recommend the student for the award

Principal/Registrar/Dean

Signature

Date:

Stamp:

F. TO BE FILLED BY THE WARD EDUCATION FUND CHAIRPERSON

I confirm that the applicant is a resident of the said ward and is needy.

I recommend/Do not recommend the student for the award.

Signature:

Date:

G. TO BE FILLED BY MEMBER OF THE COUNTY ASSEMBLY

I Confirm that the applicants is a resident of my ward and is needy.

I recommend the student for the award.

Signature:

Date: Stamp;.....

H. VERDICT

a) Awarded KSh.

b) Declined

FOR OFFICIAL USE ONLY

The Ministry of Education, Culture, Youth Affairs and Social Services
(County Education Fund Committee) Recommendations

RECOMMENDED/NOT RECOMMENDED.....

REASONS.....

.....

.....

Signature:

Date:

Amount Awarded (KSh.)

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