LEGAL NOTICE NO. 1

THE PUBLIC FINANCE MANAGEMENT ACT
(No. 18 of 2012)

IN EXERCISE of the powers conferred by section 116 of the Public Finance Management Act, the Machakos County Executive Committee Member for Finance and Revenue Collection makes the following Regulations:

THE MACHAKOS COUNTY ASSEMBLY (CAR LOAN SCHEME FUND, AMENDMENT) REGULATIONS, 2016

Citation

1. These Regulations may be cited as the Machakos County Assembly (Car Loan Scheme Fund) (Amendment) Regulations, 2016.

Interpretation

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

L.N. No.2 of 2014

"Principal Regulation" means the Machakos County Assembly Car Loan Scheme Fund) Regulations, 2014.

Amendment of Regulation 2

3. Regulation 2 of the Principal Regulation is amended by inserting the following new definition—

"Staff Advisory Committee" means the committee chaired by the Clerk and made up of heads of departments and which advises the Board on staff matters.”

Amendment of Regulation 5

4. Regulation 5 of the Principal Regulation is amended by inserting the following new sub regulation immediately after sub regulation (3)—

"(4) In administering the Fund under sub-regulation (3) the officer administering the Fund shall—

(a) ensure that there are two separate votes for Members of the County Assembly and officers of the Assembly;

(b) maintain two separate accounts for members of the County Assembly and officers of the Assembly;

(c) when disbursing funds from the accounts, ensure that the maximum vote for the respective votes is not surpassed.”
Amendment of Regulation 6

5. Regulation 6 (4) of the Principal Regulation is amended by deleting the word “chairman” and substituting therefor the word, “Chairperson”.

Amendment of Regulation 7

6. Regulation 7 is amended as follows—

(a) in sub regulation (3) paragraph (d) by deleting the words “Controller and Auditor-General” and substituting therefor the words, “Controller of Budget and Auditor-General”;

(b) by inserting the following new sub regulation immediately after sub regulation (5)—

“(6) Decisions of the Committee shall be by way of majority of the members present.”

Amendment of Regulation 8

7. Regulation 8 is amended by inserting the following new sub regulation immediately after sub regulation (3)—

“(4) Where the applicant is a member of staff, the Officer Administering the Fund shall first present the application to the Staff Advisory Committee for approval before tabling it at the Committee.”

Amendment of Regulation 11

8. Regulation 11 of the Principal Regulation is amended as follows—

(a) sub-regulation (1) by inserting the following phrase immediately before the expression “The maximum loan”—

“Where the borrower is a Member of the County Assembly”.

(b) By inserting the following new sub-regulation immediately after sub-regulation (1)—

“(2) Where the borrower is a member of staff the maximum loan entitlement shall be as set out by the Salaries and Remuneration Commission in Circular number SRC/ADM/CIR/1/13 VOLIII (128) and per the first schedule hereto or other guidelines issued under national law.”

Insertion of new Regulation

9. The Principal Regulation is amended by inserting the following new Regulation immediately after Regulation 16—

Appointment of an advocate

17. The Committee shall appoint an advocate to act on its behalf in respect of transactions relating to the property under these Regulations.”
Machakos County Subsidiary Legislation, 2016

SCHEDULE

10. The Principal Regulation is amended by inserting the following schedule after Regulation 17—

SCHEDULE I
MAXIMUM LOAN ENTITLEMENT

<table>
<thead>
<tr>
<th>Designation/job scale</th>
<th>Equivalent in the Assembly</th>
<th>Car loan (KSh)</th>
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<td>12</td>
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ELIZABETH NZYOKA,
Executive Committee Member, Finance and Revenue Collection.

LEGAL NOTICE NO. 2

THE PUBLIC FINANCE MANAGEMENT ACT
(No. 18 of 2012)

IN EXERCISE of the powers conferred by section 116 of the Public Finance Management Act, the Machakos County Executive Committee Member for Finance and Revenue Collection makes the following Regulations:—

THE MACHAKOS COUNTY ASSEMBLY (HOUSING SCHEME FUND) (AMENDMENT) REGULATIONS, 2016

Citation

1. These Regulations may be cited as the Machakos County (Housing Scheme Fund) (Amendment) Regulations, 2016.

Interpretation

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

L.N. No. 3. of 2014

"Principal Regulation" means the Machakos County (Housing Scheme Fund) Regulations, 2014.
Amendment of regulation 2

3. Regulation 2 of the Principal Regulation is amended by inserting the following new definition—

“Staff Advisory Committee” means the committee chaired by the Clerk and made up of heads of departments and which advises the Board on staff matters.

Amendment of regulation 5

4. Regulation 5 of the Principal Regulation is amended by inserting the following new sub regulations immediately after sub regulation (3)—

“(4) In administering the Fund under sub-regulation (3), the Officer Administering the Fund shall ensure that the vote for members of the scheme who are members of the Assembly is separate from the vote for members of the scheme who are officers of the Assembly.

(5) The Officer Administering the Fund may only disburse the funds up to the maximum of the respective votes.”

Amendment of regulation 8

5. Regulation 8 of the Principal Regulation is amended by inserting the following new sub regulation immediately after sub regulation (4)—

“(5) Where the applicant is a member of staff, the Officer Administering the Fund shall first present the application to the Staff Advisory Committee for approval before tabling it at the Committee.”

Amendment of Regulation 10

6. Sub regulation (1) of Regulation 10 is amended by inserting the following new paragraph immediately after paragraph (d)—

“(e) any other document that the Committee may require for purposes of determining the application.”

Amendment of Regulation 12

6. Sub-regulation (1) of Regulation 12 of the Principal Regulation is amended as follows—

(a) by inserting the following phrase immediately before the expression “The maximum loan”—

“Where the borrower is a Member of the County Assembly”,

(b) by inserting the following new sub-regulation immediately after sub-regulation (1)—

“2. Where the borrower is a member of staff, the maximum loan entitlement shall be as set out by the Salaries and Remuneration Commission in Circular number SRC/ADM/CIR/1/13 VOLII (128) and per the first schedule hereto or other guidelines issued under national law.”
Amendment of Regulation 13

7. Paragraph (b) of Regulation 13 is amended by deleting the word “fifteen” appearing immediately before the word “years” and substituting therefor the word, “twenty”.

Amendment of Regulation 14

8. Regulation 14 of the Principal Regulation is amended by deleting sub-regulation (3).”

Amendment of Regulation 15

9. Regulation 15 of the Principal Regulation is amended by deleting sub-regulation (4) and substituting therefor the following new sub-regulation—

“(4) The Committee may, subject to the maximum loan amounts determined under national or county Assembly Regulations, advance to a borrower, additional funds to top up an existing loan.”

Amendment of Regulation 16

10. Sub-regulation (1) of Regulation 16 is amended by deleting the word “Board” appearing immediately after the words “approved by the” and substituting therefor the word “Insurance Regulatory Authority.”

Amendment of Regulation 18

11. Regulation 18 of the Principal Regulation is amended by inserting the following new sub regulation immediately after sub regulation (2)—

“(3) In administering the Fund under sub-regulation (2) the officer administering the Fund shall—

(a) ensure that there are two separate votes for Members of the County Assembly and officers of the Assembly;

(b) maintain two separate accounts for members of the County Assembly and officers of the Assembly;

(c) when disbursing funds from the accounts, ensure that the maximum vote for the respective votes is not surpassed.

12. The Principal Regulation is amended by inserting the following new Regulation immediately after Regulation 20—

“Appointment of an advocate

21. The Committee shall appoint an advocate to act on its behalf in respect of transactions relating to the property under these Regulations.”

Schedule

13. The Principal Regulation is amended by inserting the following schedule after Regulation 21—
# SCHEDULE

## MAXIMUM MORTGAGE ENTITLEMENT

<table>
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<tr>
<th>Designation/job scale</th>
<th>Equivalent in the Assembly</th>
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<td>4,000,000</td>
</tr>
</tbody>
</table>

ELIZABETH NZYOKA,

*Executive Committee Member, Finance and Revenue Collection.*