LEGAL NOTICE NO 1

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

IN EXERCISE of the powers conferred by section 116 (1) of the Public Finance Management (PFM) Act, 2012, the County Executive Member for Finance, Baringo County Government, hereby makes the following Regulations—

THE PUBLIC FINANCE MANAGEMENT (BARINGO COUNTY GOVERNMENT CAR LOAN SCHEME FUND) REGULATIONS 2016

Citation

1 These Regulations may be cited as The Public Finance Management (Baringo County Executive Members Car Loan Scheme Fund) Regulations, 2016

Interpretation

2 In these Regulations, unless the context otherwise provides—

"Applicant" means a member of Baringo County Executive Committee, Public Service Board and County Chief Officer as defined in County Government Act, 2012,

"Board" means the County government Service Board established under section 12 of the County Governments Act, 2012

"Financial year" means the period of twelve months ending on the 30th June in each year,

"Borrower" means a person in receipt of a car loan and or car out of the fund

"Committee" means the Loan Management Committee established under these Regulations,

"Officer administering the Fund" means the Administrator appointed under regulation 7

"Government" means the Baringo County Government

"Member of the County government" means a member appointed in accordance with Article 179 (1) of the Constitution,

"Executive Committee member" means the County Executive Committee member responsible for Finance,
Accounting Standards Board means the Board as provided under section 192 of Public Finance Management Act, 2012

Establishment of the Fund

3 There is hereby established a Fund to be known as The Baringo County Executive Car Loan Scheme Fund

Object and purpose of the Fund

4 The object and purpose of the Fund shall be to provide a loan scheme for the purchase of motor vehicles by members of the County Executive Committee, County Public Service Board and County Chief Officers and other County Public Officer eligible under provisions of the Salaries and Remuneration Commission (SRC/ADM/CIR/1/13/Vol III (128) of 17th December, 2014)

Initial Capital and other resources of the Fund

5 (1) The initial capital of the Fund shall consist of monies appropriated by the County Assembly

(2) Other resources of the Fund shall consist of—

(a) all sums of money received by or falling due to the Fund in respect of loans made there from and the interest on those loans,

(b) any amounts that may from time to time be allocated by Government and appropriated by the County Assembly,

(c) all sums of money borrowed by the Committee with the approval of the County government subject to provisions of section 142 of Public Finance Management Act for the purpose of exercising any of its functions or discharging any of its obligations,

(d) all sums of money earned by or arising from investment made in respect of the Fund,

(e) all other sums of money that may in any manner become payable to or vested in the Fund including gifts, grants, wills and donations

Financial institution

6 The Committee shall appoint a financial institution to administer the Fund on its behalf

The Loans Management Committee

7 (1) There is established a committee to be known as the Loans Management Committee, consisting of the following members who shall elect a chairperson amongst themselves—

(a) the county Executive member for Finance,

(b) county Secretary,

(c) the county Executive member for Transport and Infrastructure
(d) the county Executive committee member for Education and ICT,
(e) chairman, County Public Service Board,
(f) secretary, County Public Service Board,
(g) the Chief Officer for Finance (Ex-officio),
(h) administrator of the fund who shall be the secretary of the committee appointed regulation 8,
(i) The County Executive Legal Officer (ex officio Member) 

(2) The officer administering the Fund designated under Regulation 8 shall be an ex officio member of the Committee and the secretary to the Committee 

(3) The meetings of the Committee shall be convened by the chairperson or in the absence of the chairperson, by a member designated by the chairperson and shall be convened at such times as may be necessary for the discharge of the Committee’s functions

(4) The quorum for a meeting of the Committee shall be chairperson and any other four members

(5) The Committee may organize itself into sub-committees for purposes of effective administration of the Fund

Administration of the Fund

8 (1) The County Executive Committee (CEC) member for finance shall designate a person responsible for administering of the Fund in accordance with section 116 (2) of PFM Act, 2012 with the approval of the County government

(2) The person designated in paragraph (1) shall also be designated as the officer administering the Mortgage Fund

(3) The officer administering the Fund—

(a) shall supervise and control the administration of the Fund,

(b) may recommend to the Committee conditions on the use of any moneys in the Fund and may also impose any reasonable restriction or other requirement concerning such use,

(c) shall cause to be kept proper books of accounts and other books and records in relation to the Fund and for all loans financed from the Fund,

(d) shall prepare, sign and transmit to the Auditor-General in respect of each financial year and within three (3) months after the end thereof, a statement of accounts relating to the Fund, prepared and signed by him specifying the income of the Fund and showing the expenditure incurred from the Fund, in such details as the CEC member may from time to time direct in accordance with Public Finance Management Act

(e) shall cause the safe keeping of log-books for all motor vehicles acquired under the Fund,
(f) shall furnish such additional information as he may deem to be proper and sufficient for the purpose of examination and audit by the Auditor-General

**Operation of the Fund**

9 (1) A person eligible for the loan under these Regulations who wishes to apply for a loan from the Fund shall present to the officer administering the Fund a duly completed purchase proposal in such a form as the Committee may prescribe.

(2) The officer administering the Fund shall satisfy himself of the applicant's financial status and capacity to repay the loan applied for and where so satisfied shall forward the application to the Committee for consideration.

(3) If the Committee approves the application, the applicant shall enter into a purchase agreement in the prescribed form subject to a valuation by the Government Mechanical Department.

(4) All decisions of the Committee shall be made through minuted resolutions.

10 (1) A loan approved under regulation 8 shall be released from the Fund in such a manner, taking into account the security of the funds and preferably to the vendor of the motor vehicle.

(2) The log-book of a vehicle subject to a loan from the Fund shall be issued jointly between the Baringo County Government and the member of the Scheme and shall be kept in the custody of the officer administering the Fund until the Loan is repaid in full by the member of the Scheme.

**Renewal of Licences**

11 (1) The officer administering the Fund shall be responsible for renewal of necessary licences.

(2) The cost incurred in paragraph (1) shall be borne by the borrower.

**Loan amounts**

12 (1) The maximum loan amount that a member of the Scheme may receive shall be as provided by Salaries and Remuneration Commission (consideration shall be made on the available funds and requirements of other eligible applicants).

(2) Notwithstanding the provisions of paragraph (1), no member of the Scheme shall receive a loan the repayment of which shall result in salary deductions exceeding two thirds of the monthly emoluments of the member of the Scheme.

(3) For the purposes of these Regulations, the value of the new motor vehicle shall be quoted on the invoice from the supplier where the value of a used motor vehicle shall be as determined by a report of Government Mechanical Department.
Repayment of loan

13 (1) The repayment of the loan granted under these Regulations shall be made through a check-off system from the member's monthly emoluments. Loan check-off forms shall be prescribed by the Committee.

(2) Notwithstanding provision in (1) above, a borrower may settle the amount of the loan through a one-off settlement or making standing order arrangement especially on exit of borrower from employment.

Interest rate

14 (1) The loan granted to a member of the Scheme under these Regulations, shall carry an interest rate of three per cent (3%) per annum on a reducing balance for the duration of the loan.

(2) The interest charged under paragraph (1) shall be utilized to defray the administrative expenses of the Fund and any balance shall accrue as income to the Fund.

Repayment period

15 (1) A loan advanced under these Regulations shall be repaid in full over a maximum period of 5 (five) years. However, Members of the scheme who terms of service are on contractual basis shall repay the loan within their contract period.

(2) Notwithstanding sub-regulation (1) where a State Officer or Public Officer leaves public service employment for whatever reason other than disciplinary grounds, the terms of the loan remains in force and does not change for the life of the loan unless in cases of default in which case it reverts to commercial terms.

Insurance

16 (1) A member of the Scheme shall comprehensively insure any vehicle purchased through the Scheme.

(2) Where a member of the Scheme is unable to raise the funds required for the initial insurance premium, such funds may be advanced from the Fund subject to limit approved by the Committee, but subsequently annual premiums shall be paid by the member of the Scheme.

(3) A member of the Scheme who is unable to pay the subsequent annual premiums referred to in paragraph (2) may apply to the Committee for a loan from the Fund which shall be repaid within a period of one (1) year.

(4) Every loan granted under these Regulations shall be insured through an Insurance service provider competitively sourced by the Committee for the benefit of the member of the Scheme and the premium in respect thereof shall be debited to the account of the member.
Recovery of Loan

17 (1) Where a repayment of loan is not made in accordance with the terms and conditions in these Regulations, the sums of money due and owing to the Fund shall be recoverable by the Committee without prejudice to any other remedy, in civil proceedings in the High Court.

Responsibilities of financial institution

18 (1) The responsibilities of the financial institution appointed under these regulations shall be—

(a) to operate individual accounts for each borrower, which shall provide details of recoveries of loan,

(b) to charge security on vehicles acquired through loans from the Fund to protect the interests of the Fund and act as custodian of such charges,

(c) to disburse funds through cheques, RTGS or any other appropriate means for newly approved loans to vendor(s) of motor vehicle, after the necessary documentation is completed by the Committee,

(d) Upon default, to call in the loan and on behalf of the Committee sell the charged property by public auction or private treaty, in which event the Fund shall meet any shortfall between the loan outstanding and the proceeds of the sale.

Loan discharge

19 (1) Upon full repayment of the loan, a signed loan discharge certificate in such form as may be prescribed by the Committee shall be issued to the member of the Scheme and a copy thereof shall be forwarded to the Registrar of Motor vehicles.

(2) The loan discharge certificate shall release the member of the Scheme from any further financial obligation in respect of the loan and shall act as sufficient authority to remove caveat on the motor vehicle pursuant to regulation 9.

Proper books of accounts

20 (1) The officer administering the Fund shall be responsible for maintenance of proper books of accounts and the preparation of annual financial statements which shall include but not limited to the following—

(a) income and expenditure account

(b) statement of financial position

(c) statement of cash flows

(2) The officer administering the Fund shall ensure that the accounts for the Fund and the annual financial statements relating to those accounts comply with the accounting standards prescribed and published by the Accounting Standards Board from time to time.
(3) The officer administering the Fund shall cause to be prepared quarterly returns to be submitted to County Executive Member and the Committee on or before the tenth day after the end of the quarter

Audit of books of account and financial statements

21 (1) The annual financial statements of the Fund shall be subject to audit by the Auditor-General

Supplementary terms

22 (1) These Regulations shall be supplemented by such terms as may, from time to time, be detailed in the application form supplied by the Committee and in the contract between the financial institution and the Committee

(2) Subject to these Regulations, the Committee shall issue guidelines on—

(a) the criteria for approving and disbursing loans to borrowers and

(b) such other matters as may be necessary for the proper management and administration of the Fund

Power to amend Regulations

23 (1) The County Executive Committee member may, with the approval of the County Assembly, amend the regulations generally for the proper car scheme loans out of the purposes and provisions of these regulations and in particular, may make provisions—

(a) providing for the administration, management and investment of the resources of the Fund,

(b) requiring a member of the Scheme to whom a loan is granted under these Regulations to furnish such information as may from time to time be required by the Committee,

(c) prescribing the basis on which a loan may be obtained,

(d) prescribing the procedure to be followed prior to the obtaining of a car loan and for payment of the amount due on a loan together with any interest thereon,

(e) prescribing anything which may be or is required to be prescribed under this regulation

Made on the 18th January 2016

GEOFFREY BARTENGE,
Executive Committee Member for Treasury and Economic Planning
LEGAL NOTICE NO 2

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

IN EXERCISE of the powers conferred by section 116 of the Public Finance Management Act, 2012, the County Executive Committee Member for Finance with the approval of the County Assembly makes the following Regulation—

THE PUBLIC FINANCE MANAGEMENT (BARINGO HIGHER EDUCATION LOANS FUND) REGULATIONS, 2016

Short title

1 These Regulations may be cited as the Public Finance Management (Baringo Higher Education Loans Fund) Regulations, 2016

Interpretation

2 In these Regulations, unless the context otherwise requires—

“Act” means the Public Finance Management Act 2012,

“Committee” means the Baringo Higher Education Loans Management Committee established under regulation 6 (1),

“Ward” means an electoral unit within a constituency delimited in accordance with Article 89 of the Constitution or the Elections Act, 2011,

“Fund” means the Baringo Higher Education Loans Fund established under regulation 3,

“County Assembly means a County Assembly of Baringo established under Article 176 of the Constitution,

“County Assembly Member” means a member of Baringo County Assembly elected or nominated in accordance with Article 177 (1) of the Constitution,

“County Chief Officer” means a County Chief Officer of Baringo appointed under section 45 of the County Governments Act,

“County Executive Committee Member” means a member of the County Executive Committee of Baringo established in accordance with Article 176 of the Constitution,

“County Government means the County Government of Baringo provided for under Article 176 of the Constitution,

“HELB” means Higher Education Loans Board as provided for in the Higher Education Loans Fund Act Cap 213A,

“Loan” means a sum of money lent to an eligible student under these Regulations,
“Loans Fund” means part of the fund that is appropriated by the County Assembly and administered by HELB,

“Student” means any Kenyan citizen pursuing higher education in an institution recognized in Kenya

“Direct Entry Students” means students who join local colleges and universities immediately after graduating from secondary education,

Establishment of the Fund

3 There is established a Fund for Baringo County Government to be known as the Baringo Higher Education Loans Fund

Purpose and Object of the Fund

4 The Fund is established to provide a legal framework which facilitates allocation of funds, lending, administration and recovery of loans as a financial aid to needy and bright students pursuing higher education

Source of Capital or Income

5 (1) The Fund shall receive its initial capital from budgetary allocation made by the County Government

(2) Other sources of income for the Fund shall include—

(a) grants and donations from other agencies and well wishers,

(b) repayment of loans and interest by beneficiaries,

(c) interest Income from investments or interest accruals from bank savings and

(d) any other source which is legal and meets the objects the Fund

Eligibility for Loan

6 (1) Undergraduate and postgraduate students are eligible to apply for a loan from the Fund

(2) Other eligibility criteria shall include—

(a) the students or his/her parents must have a permanent residence in Baringo and has lived in the County for at least 3 years in 5 years before making application for loan

(b) the student must meet all other criteria set by the Committee and HELB, a scoring criteria shall be established for this purpose,

(c) the Committee shall ensure that equity, regional and gender balance is achieved in application and award of loans,

(d) the Committee may propose specialized courses for priority consideration in lending Students pursuing such courses shall have added advantage in evaluation through assignment of higher weight to this criterion
(3) Loan applicants shall fill a standard application form which shall be prescribed by HELB

**Interest and repayment of loan**

7 (1) The loan advanced under these Regulations attract an interest as follows—

(a) loans to undergraduate students shall carry an interest at rate of 4 per cent, and

(b) loans to postgraduate students shall carry an interest at rate of 12 per cent

(2) Undergraduate students shall repay their loans as soon as they enter gainful formal or informal employment

(3) Loans to postgraduate students shall be repayable immediately with only a grace period of 3 months

(4) The Committee and HELB shall institute measures including civil proceedings where necessary to ensure that loans under this Fund are recovered in full from loanees

(5) Students who have repaid their loan in full shall be issued with a Loan Clearance Certificate in a prescribed format

**Administration of the Fund**

8 (1) The Fund shall be administered jointly by the County Government and HELB through a signed Memorandum of Understanding (MoU)

(2) The County Government's responsibilities shall be performed by the Committee

(3) The responsibilities of the Committee shall include the following—

(a) provide forum for consultation with the County Assembly

(b) set the criteria to be used in application and awarding of education loans,

(c) publicize the Fund and ensure that eligible students are properly aware of the Fund including making the application process simple and accessible,

(d) maintain proper records and books of account,

(e) monitoring compliance with these Regulations,

(f) prepare quarterly and annual reports and statements for the Fund, and

(g) any other responsibility necessary in effective operation of the Fund

(4) The Higher Education Loans Board shall provide technical assistance and other support as may be necessary and spelt out in the MoU These responsibilities shall include—
(a) acting as a financial administrator of the Fund,

(b) assisting the Committee in development of sound loaning criteria and procedures,

(c) maintaining independent records and system for the Fund,

(d) providing a recovery plan including timely recovery of loans using the available mechanism

(e) providing any other technical advice and assistance to the Committee to cause successful operation of the Fund

(5) The County Executive Committee member for Finance shall designate an officer of the County Government to administer the Fund

(6) The Officer designated in Regulation 5 above shall be the accounting officer for the Fund and Secretary to the Committee

**Establishment and membership of Committee**

9 (1) There is established a committee to be known as Baringo Higher Education Loans Management Committee with the following composition appointed by the Governor—

(a) county Executive Committee member for Education,

(b) county Chief Officer for Education

(c) county Chief Officer responsible for Youth,

(d) county Director for Education

(e) all Sub-county Administrators

(f) one Senior official from HELB who shall be an *ex officio* member

(2) The members of the Committee shall serve for a term of three years and are eligible for re-appointment for another one term

**Proper books of account**

10 (1) The officer administering the Fund shall be responsible for maintenance of proper books of accounts and the preparation of annual financial statements which shall include but not limited to the following—

(a) income and expenditure account,

(b) statement of financial position,

(c) statement of cash flows

(2) The officer administering the Fund shall ensure that the accounts for the Fund and the annual financial statements relating to those accounts comply with the accounting standards prescribed and published by the Accounting Standards Board from time to time
(3) The officer administering the Fund shall cause to be prepared quarterly returns to be submitted to County Executive Member for Finance and the Committee on or before the tenth day after the end of the quarter

Audit of Accounts

11 The annual financial statements of the Fund shall be subject to audit by the Auditor-General

Supplementary terms

12 (1) These Regulations shall be supplemented by such terms as may, from time to time, be detailed in the Loan Application Form supplied by the Committee and in the Memorandum of Understanding between the County Government and HELB

(2) Subject to these Regulations, the Committee shall issue guidelines on—

(a) the criteria for approving and disbursing loans to students, and

(b) such other matters as may be necessary for the proper management and administration of the Fund

Power to amend Regulations

13 (1) The County Executive Committee member for Finance may, with the approval of the County Assembly, amend the regulations generally for the proper management of the Fund out of the purposes and provisions of these regulations and in particular, may make provisions—

(a) providing for the administration, management and investment of the resources of the Fund,

(b) requiring a student to whom a loan is granted under these Regulations to furnish such information as may from time to time be required by the Committee,

(c) prescribing the basis on which a loan may be obtained

(d) prescribing the procedure to be followed prior to the obtaining of an education and for payment of the amount due on a loan together with any interest thereon, and

(e) prescribing anything which may be or is required to be prescribed under this regulation

Made on the 18th January, 2016

GEOFFREY BARTENGE,

Executive Committee Member, Treasury and Economic Planning
LEGAL NOTICE NO 3

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

IN EXERCISE of the powers conferred by section 116 of the Public Finance Management Act, 2012, the County Executive Committee Member for Finance, Baringo County Government, hereby makes the following Regulations—

THE PUBLIC FINANCE MANAGEMENT (BARINGO COUNTY EDUCATION BUSARY AND SCHOLARSHIP FUND) REGULATIONS, 2016

Citation

1 These Regulations may be cited as the Public Finance Management (Baringo County Bursary and Scholarship Fund) Regulations, 2016

Interpretation

2 In these Regulations, unless the context otherwise requires—

"Board" means the County Bursary and Scholarship Fund Board established under regulation 7 (1),

"Chairperson" means the Chairperson of the Board,

"Ward" means an electoral unit within a constituency delimited in accordance with Article 89 of the Constitution or the Elections Act, 2011

"Committee" means the Ward Bursary and Scholarship Fund Committee established under 13 (1),

"County Assembly" means a County Assembly of Baringo established under Article 176 of the Constitution,

"County Assembly Member" means a member of Baringo County Assembly elected or nominated in accordance with Article 177 (1) of the Constitution,

"County Chief Officer" means a County Chief Officer of Baringo appointed under section 45 of the County Governments Act,

"County Executive Member" means a member of the County Executive Committee of Baringo established in accordance with Article 176 of the Constitution,

"County Government" means the County Government of Baringo provided for under Article 176 of the Constitution,

"Scholarship" means a payment of a sum of money from the Fund to maintain a merited student in education,

"Bursary" means payment of a sum of money from Fund to maintain needy students and trainees in education,
"needy student" means a student who is unable to sustain payments for studies and a resident from Baringo County admitted and pursuing education in an institution recognized in Kenya

Establishment of the Fund

3 There is established a Fund to be known as Baringo County Bursary and Scholarship Fund

Objectives and purpose of the Fund

4 (1) The overall objective of the Fund is to provide financial assistance to needy but bright students and vocational trainees from Baringo County

(2) Without prejudice to the generality of sub-regulation (1) the objectives of the Fund and these regulations include—

(a) Make provision for the granting of bursaries and scholarships

(b) the enhancement of equitable access to skills and opportunities for the youth of Baringo County,

(c) assisting students and trainees from needy and disadvantaged backgrounds to obtain Education,

(d) helping students to continue in education and training where financial barriers are evident,

(e) providing mentorship program for beneficiaries of the fund, and

(f) ensuring that students are retained in school after enrolment thus equalizing educational opportunities through bursary and scholarship subsidies among children from poor households

Capital and other Resources of the Fund

5 Resources of the Fund shall consist of—

(a) any other monies allocated by the county Government and approved by the County Assembly from time to time,

(b) all other sums of money that may, in any manner, become payable to or vested in the Fund including grants and donations

Financial Institution

6 The County Executive Committee (CEC) member for Finance shall appoint a financial institution to administer the Fund

Management and Administration of the Fund

7 (1) The fund shall be managed by a Board to be referred to as the Baringo County Bursary and Scholarship Board

(2) The Board shall consist of the following ten members—

(a) the Executive Committee Member for Education who shall be the chairperson,
(b) the County Chief Officer in charge of finance who shall be the financial advisor,

c) the County Chief Officer for Education,

d) four persons appointed by the Governor to represent members of the public,

e) the County Director of Education,

(f) the KESSHA Chairman, and

(g) director, Vocational Youth Training

(3) The County Executive Committee (CEC) member for Finance shall designate a person responsible for administering the Fund in accordance with section 116 (2) of the Act.

(4) The administrator designated in (3) above shall be the Secretary of the Board.

(5) For effective administration of the Fund, the Board may organize itself into committees.

Functions of the Board

8 The Board shall be responsible for the general Management of the Fund and as such shall—

(a) ensure timely and efficient disbursement of funds to the identified needy students,

(b) ensure the compilation of proper records, returns and reports from the wards,

(c) receive and address complaints and disputes and take any appropriate action in consultation with the ward bursary committee,

(d) approve the funding of needy students in accordance with the relevant policy and send funds to the respective institutions' accounts of the approved beneficiaries,

(e) oversee the policy framework and matters that may arise in relation to the Fund,

(f) make reports, other than the statutory report, to appraise the County Assembly on various matters relating to the Fund and seek various approvals as required by the Act.

(g) The Board may perform such other duties as may be necessary from time to time for the proper management of the Fund.

Tenure of the Board

9 (1) The appointed members of the Board shall hold office for a period of five years or until new Members of the Board are appointed on such terms and conditions as may be specified in the instrument of appointment.
Vacation of Office

(2) A member of the Board may—

(a) resign from office,

(b) be removed from office by the Governor on recommendation of the board if the member—

(i) has been absent from three consecutive meetings of the Board without its permission,

(ii) is convicted of a criminal offence that amounts to a felony under the laws of Kenya,

(iii) is incapacitated by prolonged physical or mental illness for a period exceeding six months, or

(iv) is otherwise unable or unfit to discharge his functions

Conduct of Business by the Board

10 (1) The Board shall meet at least four times in each year, but the Chairperson shall upon requisition in writing by at least two thirds of the members, convene a special meeting of the committee

(2) Unless at least three members of the Board otherwise agree, at least seven days' written notice of every meeting of the Board shall be given to every member of the Board

(3) The quorum for the conduct of the business of the Board shall be five members

(4) The Chairperson shall preside at every meeting of the Board and the chairperson may appoint a member to preside in the absence of the chairperson and the person so appointed shall have all the powers of the Chairperson with respect to that meeting and the business transacted thereat

(5) Unless a unanimous decision is reached, a decision on any matter before the Board shall be by a simple majority of the votes of the members present and voting and in case of an equality of votes, the Chairperson or the person presiding shall have a casting vote

Proper books of accounts

11 (1) The administrator of the Fund shall be responsible for maintenance of proper books of accounts and the preparation of annual financial statements which shall include but not limited to the following—

(a) income and expenditure account,

(b) statement of financial position,

(c) statement of cash flows

(2) The administrator of the Fund shall ensure that the accounts for the Fund and the annual financial statements relating to those accounts comply with
the accounting standards prescribed and published by the Accounting Standards Board from time to time

(3) The administrator of the Fund shall cause to be prepared quarterly returns to be submitted to County Executive Member responsible for finance the county Assembly and the Board on or before the tenth day after the end of each quarter

(4) The returns referred to in sub-regulation (3) shall include but not limited to—

(a) a summary of the beneficiaries received from the wards in the preceding disbursement and indicating the approval status of the disbursements,

(b) any restriction imposed on any ward bursary committee in accordance with these regulations

Audit of books of account/Statement

12 The annual financial statements of the Fund shall be subject to audit by the Auditor-General

Ward Bursary and Scholarship Committees

13 (1) There shall be established a Ward Bursary Committee in every electoral Ward consisting of—

(a) the ward Administrator who shall be the Secretary,

(b) two women appointed by County Executive Member for Education

(c) two men appointed by the County Executive Committee Member for Education,

(d) one person with disability nominated by persons with disabilities in the ward,

(e) one youth appointed by the County Executive Committee Member for Education,

(f) one person nominated from among the active religious groups in the Ward, and

(g) one Chief in the Ward

(2) The Committee shall elect a chairperson and vice-chairperson from among themselves and the chairperson and the vice chairperson shall not be of the same gender

(3) The quorum of the Committee shall be five members

(4) The term of office of the members of the ward education Committee shall be two years but shall be renewable and shall come to an end upon the appointment of a new ward bursary Committee in a manner provided for in these regulations
(5) The ward administrator shall be the custodian of all records of the Committee

(6) Whenever a vacancy occurs in the Committee by reason of resignation, incapacitation or demise of a member, the vacancy shall be filled from the same category of persons where the vacancy has occurred

(7) The ward bursary and scholarship Committee shall meet at least two times in a year and not more than six times in every financial year including public forum meetings

(8) A member of the committee may be removed from office on any one or more of the following grounds—

(a) lack of integrity,
(b) gross misconduct,
(c) embezzlement of public funds,
(d) bringing the image of the Committee into disrepute through unbecoming personal public conduct,
(e) promoting unethical practices,
(f) causing disharmony within the Committee,
(g) physical or mental infirmity,
(h) corruption,
(i) tribalism, nepotism and cronyism

Eligibility for Bursary and Scholarship

14 (1) Beneficiaries for the grant of bursary shall be students in a secondary school, special school, or trainee in Early Childhood College or Trainee in Vocational Training or Technical or enrolled in a university or college

(2) An applicant may be eligible for a bursary or scholarship under this regulation if the applicant—

(a) has a parent or guardian who has been a resident in the ward for at least three years,

Eligibility of a Student

(b) is a student, and attending a secondary school, special school, or trainee in Early Childhood College or Trainee in Vocational Training or Technical or enrolled in a university or college,

(c) has not received full financial towards payment of the required school fees for that year, and

(d) meets the conditions set out under section 15(3) of this regulation
Conditions for Bursary or Scholarship

(3) An education bursary or scholarship under this regulation shall only be granted to a person who is—

(a) an orphan,
(b) vulnerable due to family or social setting,
(c) person with disability, or has special needs, or
(d) poor, and whose parents or guardians have no means of providing financial towards the person's education

(4) Where a student is granted bursary on the basis of false or incorrect information or misrepresentation, the student shall—

(a) refund the money awarded to the county government, and
(b) not be eligible for any other bursary award by the county government

Scholarship Program

15 (1) The Executive Member for Education may establish a scholarship program for person eligible under this regulation

Eligibility

(2) Beneficiaries under scholarship program shall be trainees in Vocational Training Centres or Technical Institutions within Baringo County

(3) The scholarship may meet the annual tuition and/or the remaining period of study by the applicant

(4) An award of scholarship shall be discretionary and subject to availability of funds

(5) An applicant for scholarship shall present a duly filled form to the Ward Bursary committee with relevant attachments including letter of admission to the Training institution

Criteria for Admission in Scholarship Program

(6) In addition to the criteria for qualification for bursary under section 14 and 16 of this regulation, the Committee shall consider—

(a) possibility of the circumstances of the applicant changing to the extent that the applicant will be ineligible for grant of bursary,
(b) the access to other bursary grants provided by public or private sector, and
(c) the availability of money under the Fund for the purposes of granting scholarship scheme

(7) The Ward Committee shall review the application and may—

(a) reject the application, or
(b) recommend to the Board that the applicant be admitted to the scholarship program

(8) The Board shall upon receiving the recommendation under sub Regulation (6) review the application and where satisfied that the applicant meets the requirements, admit the person to the scholarship program

**Discontinuation from Scholarship Program**

(9) The Board shall discontinue a person from the scholarship program where—

(a) admission to the program was obtained through fraud, false information or misrepresentation,

(b) the applicant completes the studies for which the scholarship was awarded,

(c) the applicant ceases to be a student for reasons other than medical grounds or as specified under paragraph (a), and

(d) the applicant applies or is granted for bursary or scholarship support from any other source after the applicant has been admitted to the scholarship under this regulation

**Vetting of Applicants**

16 (1) All beneficiaries shall be vetted through a transparent, democratic, equitable and fair process that is Community-based in order to ensure that prospective benefits of the fund are available to a widespread cross-section of needy students in Baringo County

**Application**

(2) Every student wishing to be considered for bursary or scholarship shall make an application to the respective ward bursary committee by filling a prescribed application Form specified under First Schedule

**Verification of Information**

(3) An application under this Regulation shall be accompanied by the following documentation—

(a) any documentation that in the opinion of the Ward Committee proves that the applicant resides in the Ward,

(b) a letter of admission to secondary school in the case of a new applicant joining form 1,

(c) a declaration from the head teacher of the school that an applicant is attending in the case of continuing students, and or a copy a certified student ID,

(d) such other documentation as the Executive Member may require,

(e) an application under this Regulation shall be submitted to the Ward Bursary committee
(4) The identification, vetting and award of bursary and scholarships to the needy students in each Ward is the responsibility of the Committee to be exercised in accordance with the provisions of these regulations

(5) The ward bursary committee may accept or reject any application for a bursary or scholarship

(6) The Committee shall verify all the information provided by the applicant and may—

(a) visit the residence of an applicant,

(b) seek further information to support the application including current student ID, or

(c) invite the applicant to appear in person before the Committee

(7) The list for each ward shall be numbered by the ward education bursary fund committee and the serial numbers of all beneficiaries in a ward shall bear the name of the sub county, the ward, the village the name of the beneficiary and the parents/guardians in order to ensure equity in disbursement

(8) The Ward administrator shall a database for all the applicants

(9) If the Ward bursary committee accepts the application it shall recommend to the Board to grant bursary or scholarship for the eligible students

Budget for the Funds

17 (1) The County Executive Committee member for education shall for each financial year budget funds for bursary and scholarship which allocation shall be approved by the County Assembly

(2) Once funds are allocated for a particular beneficiary, they shall remain allocated for that beneficiary and may only be re-allocated to another beneficiary during the financial year with the approval of the Board and if for any reason money allocated to particular beneficiary is cancelled or discontinued during the financial year, funds allocated for such a person shall be returned to the Fund for the Committee to identify a beneficiary

(3) A portion of the Fund, equivalent to 5% referred to as the ‘Emergency Reserve’ shall remain unallocated and shall be available for emergencies that may occur within the County. The Board shall determine the allocation of the emergency reserve in accordance with the policy

(4) “Emergency” shall be construed to mean an urgent, unforeseen bursary or scholarship need for which it is in the opinion of the Board that it cannot be delayed until the next disbursement without harming the interest of the beneficiary

Procedure for Administration of the Fund

(5) The Board shall set aside a sum of 3% of the total allocation to cater for the administration expenses of the fund
(6) (a) Awarded educational funds shall be disbursed by a cheque issued in the name of the institution and list of beneficiaries,

(b) the institution shall be required to acknowledge in writing for formal receipts to be issued to the beneficiaries and to the Bursary Board for accounting purposes

(c) the Executive Member for Education shall maintain a database for all the beneficiaries

Appeal

18 (1) A person who is aggrieved by the decision of the Committee may appeal to the Executive Member for Education

(2) The Executive Member may uphold the decision of the Committee, or make further recommendations to the Committee within fourteen days after receiving an appeal under subsection (1)

Publication of Beneficiaries

19 (1) The Executive Member for Education shall publish the list of beneficiaries in—

(a) the office of the Ward Administrator,

(b) the office of the Member of County Assembly,

(c) the office of the national government officer responsible for coordination of national government functions in the ward, and

(d) such other place as the Executive Member may determine

(2) The Ward Administrator shall ensure that list of beneficiaries is accessible to the public

Public Forum

(3) The Committee shall convene a public forum for all the applicants awarded bursary or scholarship and educational stakeholders in the Ward in order to inform and provide a platform for reviewing, evaluating education bursary or scholarship scheme in this regulation

Mentorship

(4) The Executive Member may establish a mentorship program supported in this regulation

Bank Account

20 (1) A bank account of the Fund shall be opened and maintained at a commercial bank authorized by the CEC member in charge of Finance

(2) The signatories to the accounts maintained in accordance with subsection (1) above shall be the Chief Officer, Chief Officer Finance and a representative of County Treasury
(3) The signing instructions shall be such that the signature of the Chief Officer shall be mandatory on all payments cheques and/or instruments intended for actual release of money from the Fund, plus any other signatory

Disclosure of interest

21 (1) A member who has an interest in any matter present at a meeting, shall as soon as reasonably practicable after the commencement, disclose the fact thereof and shall not take part in the consideration or discussion of, or vote on, any questions with respect to the matter, or be counted in the quorum of the meeting during consideration of the matter

(2) A disclosure of interest made under paragraph (1) shall be recorded in the minutes of the meeting at which it is made

Power to Amend Regulations

22 The County Executive Committee member for Finance may, with the approval of the County Assembly, amend the regulations generally for the proper carrying out of the purposes and provisions of these regulations and in particular, may make provisions—

Made on the 18th January, 2016

GEOFFREY BARTENGE,
Executive Committee Member for Finance
FIRST SCHEDULE Reg 17 (2)

ATTACH COPY OF STUDENT ID HERE

BARINGO EDUCATIONAL FUND APPLICATION FORM

SECTION A STUDENTS PERSONAL INFORMATION

FULL NAME OF APPLICANT
(As they appear in institutional admission register)

GENDER MALE [ ]
FEMALE [ ]

Date of Birth ___________________ Birth Certificate No ___________________

Reg/Adm No ___________________

ID No (where applicable) ___________________ Village ___________________
Sub location ___________________ Location ___________________

Ward ___________________ Sub county ___________________

STATUS Normal / Physically Challenged (Tick where applicable)
State category [P H] [M H], [V I], [H I], [any other] (Tick where applicable)

<table>
<thead>
<tr>
<th>Type of Fund</th>
<th>Tick as appropriate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bursary</td>
<td></td>
</tr>
<tr>
<td>Scholarship</td>
<td></td>
</tr>
<tr>
<td>HELB loan</td>
<td></td>
</tr>
</tbody>
</table>

SECTION B INSTITUTIONAL INFORMATION

For those joining Form One

Name of Primary School Attended ___________________
Year from _______ to _______

(a) School admitted (Please attach Joining Instructions)

National [ ] County [ ] District [ ]

(b) Former Primary School Head teacher

(i) Student/Pupil conduct

Excellent [ ] V Good [ ] Good [ ] Fair [ ] poor [ ]
(ii) KCPE Marks attained

(iii) Name of School attended

I declare that to the best of my knowledge the above information is true/or the applicant to attach a copy of certified school leaving certificate

<table>
<thead>
<tr>
<th>Name</th>
<th>Signature</th>
<th>Date and School Stamp</th>
<th>Mobile No</th>
</tr>
</thead>
</table>

Name of the School/training Institution/College

<table>
<thead>
<tr>
<th>Postal Address</th>
<th>Tel/Mobile No</th>
</tr>
</thead>
</table>

Physical Address

FOR CONTINUING STUDENTS

Name of School/College

<table>
<thead>
<tr>
<th>Postal Address</th>
<th>Telephone</th>
</tr>
</thead>
</table>

Level of Training (Tick where applicable)

<table>
<thead>
<tr>
<th>Certificate</th>
<th>Diploma</th>
<th>Degree</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Course</th>
<th>Adm/Reg No</th>
<th>Duration of the Course</th>
<th>Year of Admission</th>
</tr>
</thead>
</table>

SECTION C FAMILY INFORMATION

Parent/Guardian Name

<table>
<thead>
<tr>
<th>Occupation</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
</table>

What is your Parental status? (Tick as Appropriate)

- Both Parents Alive
- Single Parent
- Orphan
- Partial orphan
- Any disability

NB For orphaned/disabled attach documentary evidence (death certificate, letter of registered disabled persons, letter from the chief, religious leaders etc)

Who pays your School/Institutional/College fees?

Annual fees payable Kshs
Amount paid Kshs

Outstanding Balance Kshs

(Attach Relevant documentary evidence from the School/Institute/College)

How many brothers and sisters do you have?

Sisters [ ] Brothers [ ] Total [ ]

How many attend School

Have you ever benefited from any other Bursary fund?

Yes [ ] No [ ]

If Yes state the amount and the donor
Kshs [ ]

INFORMATION ABOUT FAMILY FINANCIAL STATUS

Gross Income in the last 12 months in KSHS

<table>
<thead>
<tr>
<th>INCOME</th>
<th>FATHER</th>
<th>MOTHER</th>
<th>GUARDIAN/SPONSOR</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross Income</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Applicants siblings in Educational Institutions

<table>
<thead>
<tr>
<th>Siblings Name/ Guardian s Children</th>
<th>Name Of Institution</th>
<th>Year Of Study/ Class</th>
<th>Total Fees</th>
<th>Fees Paid</th>
<th>Outstanding Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

COMMENT FROM CHIEF/ASSISTANT CHIEF

Comment on the status of the family/Parents

I certify that the information given above is correct

Name __________________________ Signature __________________________ Date __________________________

Official Stamp
COMMENTS FROM RELIGIOUS LEADERS
Comment on the family/parents/guardians status

I certify that the information given above is correct
Name __________________________ Signature __________________________
Date __________________________
Position in the Church/Mosque __________________________
Official Stamp

(Pastor Reverend or Kadhi)

SECTION D DECLARATION
STUDENT DECLARATION
I declare to the best of my knowledge the information given here is true
Student s signature __________________________ Date __________________________

PARENT/GUARDIAN S DECLARATION
I declare that I have read this form/this form has been read to me and I hereby confirm
that information given herein is true to the best of my knowledge
Parent s/Guardian s Name __________________________ Signature __________________________
Date __________________________

INSTITUTIONAL VERIFICATION
Year ___________ Position in class/Course __________________________
Out of __________________________
Term 1 ___________ Term 2 ___________ Term 3 ___________
(Attach transcripts and academic report forms)
Student s Discipline
Excellent [ ] Very Good [ ] Good [ ] Fair [ ] Near Average [ ]
Head of Institution brief comments on student s level of need, discipline and capabilities
I declare that the above named student in this institution deserves assistance/not deserve
assistance
Manager s/Principal s Name __________________________
Signature __________________________ Date __________________________

Official Stamp
PART E FOR OFFICIAL USE ONLY BY WARD BURSARY COMMITTEE

Score [ ]

Approved for Bursary [ ]

Not approved for Bursary [ ]

Reason

Bursary awarded Kshs --- --- ---

Chairman Name __________________________ Signature

Date __________________________

Official Stamp --- --- --- --- --- --- --- ---

Secretary Name __________________________ Signature

Date __________________________

Official Stamp --- --- --- --- --- --- --- ---

SECOND SCHEDULE Reg 17 (4)

WARD BURSARY SUBMISSION FORM

Constituency name Ward Name Financial year

Chairman WBC Committee

Signature

Date

<table>
<thead>
<tr>
<th>SR/NO</th>
<th>Name of beneficiary</th>
<th>Amount allocated</th>
<th>School/Institution</th>
<th>Category of institution</th>
<th>Name of parent/Guardian</th>
<th>Village</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total for the financial year

<table>
<thead>
<tr>
<th>SR/NO</th>
<th>Name of beneficiary</th>
<th>Amount allocated</th>
<th>School/Institution</th>
<th>Category of institution</th>
<th>Name of parent/Guardian</th>
<th>Village</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


### THIRD SCHEDULE

**SCORING DESCRIPTION FORM**

<table>
<thead>
<tr>
<th>Sub county</th>
<th>Ward Name</th>
<th>Financial year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chairman</td>
<td>WBC Committee</td>
<td>Signature</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date</th>
<th>Serial</th>
<th>Name of beneficiary</th>
<th>Total orphan and poor</th>
<th>Physically challenged and poor</th>
<th>Single parent and poor/Partial orphan</th>
<th>Both parents poor</th>
<th>Academic Performance</th>
<th>Total Scores</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>a) Very Good [5]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>b) Good [4]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>c) Average [3]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>d) Below Poor [1]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>e) Average [2]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>f) Poor [1]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>35</strong></td>
<td><strong>25</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>20</strong></td>
<td><strong>15</strong></td>
<td><strong>5</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

**TOTAL**