LEGAL NOTICE NO. 3

THE PUBLIC FINANCE MANAGEMENT ACT

(No. 18 of 2012)

THE VIHIGA COUNTY ASSEMBLY MEMBERS (CAR LOAN SCHEME FUND) REGULATIONS, 2014

ARRANGEMENT OF REGULATIONS

Regulations

PART I—PRELIMINARY

1—Citation.
2—Interpretation.

PART II—ESTABLISHMENT OF THE FUND

3—Establishment of the Fund.
4—Object and purpose of the Fund.
5—Initial Capital of the Fund.

PART III—THE LOANS MANAGEMENT COMMITTEE

6—Car Loans Management Committee.
7—Operation of the Fund.
8—Conditions for disbursement of funds.
9—Temporary release of log-book.
10—Loan amounts.
11—Interest rate.
12—Repayment Period.
13—Insurance.
14—Loan discharge.
15—Administration of the Fund.
THE PUBLIC FINANCE MANAGEMENT ACT
(No. 18 of 2012)

IN EXERCISE of the powers conferred by section 116 of the Public Finance Management Act, 2012, the Vihiga County Assembly Service Board makes the following Regulations:

THE VIHIGA COUNTY ASSEMBLY MEMBERS (CAR LOAN SCHEME FUND) REGULATIONS, 2014

PART I—PRELIMINARY

1. These Regulations may be cited as the Vihiga County Assembly Members (Car Loan Scheme Fund) Regulations, 2014.

2. (1) In these Regulations, unless the context otherwise requires—
   “Board” means the Vihiga County Assembly Service Board established under section 12 of the County Government Act;
   “Committee” means the Loans Management Committee established under regulation 6.
   “County Assembly” means the Vihiga County Assembly;
   “financial year” means the period of twelve months ending on the 30th June in each year;
   “Fund” means the Vihiga County Assembly Members (Car Loan Scheme Fund) established under regulation 3.
   “hire purchase agreement” means an agreement for the bailment of goods under which the bailee may buy the goods or under which the property in the goods will or may pass to the bailee;
   “member of the Scheme” means a Member of the Vihiga County Assembly; and
   “Officer administering the Fund” means the Clerk of the Vihiga County Assembly.

PART II—ESTABLISHMENT OF THE FUND

3. There is established a Fund under the Vihiga County Assembly Service Board to be known as the Vihiga County Assembly Members (Car Loan Members) Scheme Fund.

4. The object and purpose of the Fund shall be to provide a loan scheme for the purchase of vehicles by members of the Scheme.

5. The initial capital of the Fund shall consist of a sum of eighty million Kenya shillings appropriated by the County Assembly in the Vihiga County Appropriation Act, 2013.
   (2) County Assembly may appropriate additional monies to the Fund.
   (3) The Fund shall be administered as a special account in the County Assembly Fund and shall be operated by the Clerk as officer administering the Fund.
PART III—THE LOANS MANAGEMENT COMMITTEE

6. (1) There is established a committee to be known as the Car Loans Management Committee, which shall consist of—

(a) the vice-chairperson of the Board who shall be the chairperson;

(b) Two members of the Assembly nominated by the County Assembly;

(c) the Majority Whip of the County Assembly;

(d) the Minority Whip of the County Assembly;

(e) Chairman of the Budget and Appropriation Committee.

(2) The Clerk as officer administering the Fund shall be an ex-officio member of the Committee and the secretary to the Committee.

(3) Where a member referred to under paragraph (c), or (d) or (c) of sub-regulation (i) is absent, the member may be represented by his or her deputy in office.

(4) 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.

(5) The quorum for meetings of the Committee shall be the chairperson and any two members.

(6) The Committee shall consider and may approve the loan applications presented by the officer administering the Fund.

7. (1) A member of the Scheme who wishes to apply for a loan from the Fund shall present to the officer administering the Fund, a duly completed application form as the Management Committee may prescribe.

(2) The officer administering the Fund shall satisfy himself or herself 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 loan agreement in such form as the Committee may prescribe.

8. (1) A loan approved under regulation 7 shall be released from the Fund in such manner, taking into account the security of the funds, as may be prescribed by the Committee.

(2) The log-book of a vehicle subject to a loan from the Fund shall be issued jointly between the Vihiga County Assembly Service Board 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.
9. (1) A log-book kept in custody by the officer administering the Fund may be temporarily released to a member of the Scheme upon application in writing to the officer administering the Fund for purposes of renewal by that member of the necessary licences.

(2) A log-book released under paragraph (1) shall be returned to the officer administering the Fund within seven working days from the date of such release.

(3) The officer administering the Fund shall acknowledge receipt of the log-book in writing.

10. (1) The loan amount that a member of the Scheme may receive shall be a maximum of Two million Kenya Shillings.

(2) No member of the Scheme shall receive a loan the repayment of which shall result in salary deductions exceeding thirty per cent of the monthly emoluments of the member of the Scheme.

11. (1) A loan granted to a member of the Scheme under these Regulations shall carry an interest rate of three per cent per annum.

(2) The interest charged under sub-regulation (1) shall be utilized to defray the administrative expenses of the Fund.

12. A loan advanced under these Regulations shall be repaid in full over a maximum period of five years irrespective of whether the vehicle purchased is new or used.

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

(2) Every loan granted under these Regulations shall be insured for the benefit of the member of the Scheme and the premium in respect thereof shall be debited to the account of the member of the Fund.

14. (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 certificates 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 the caveat on the vehicle pursuant to regulation 8.

15. (1) The officer administering the Fund—

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

(b) may impose 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 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; and

(e) shall furnish such additional information as he may deem to be proper and sufficient for the purpose of examination and audit by the Controller and Auditor-General.

(2) Every statement of accounts prepared under this regulation shall specify the income of the Fund and show the expenditure incurred from the Fund, in such details as the Commission may from time to time direct in accordance with the Public Finance Management Act;

(3) Every statement of account prepared under this regulation shall include details of the balances 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.

Legal Notice No. 1 of 2014, is revoked.

Dated the 11th June, 2014.

ZILIPAH ANDIVA KAGEHA,
Ag. County Executive Committee Member,
Finance and Planning.

LEGAL NOTICE NO. 4

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

THE VIHIGA COUNTY ASSEMBLY MEMBERS (MORTGAGE SCHEME FUND) REGULATIONS, 2014

ARRANGEMENT OF REGULATIONS

Regulations

PART I—PRELIMINARY

1—Citation.
2—Interpretation.

PART II—ESTABLISHMENT OF THE FUND

3—Establishment of the Fund.
4—Object and purpose of the Fund.
5—Initial capital of the Fund.

PART III—THE LOANS MANAGEMENT COMMITTEE

6—Mortgage Loans Management Committee.
7—Appointment of mortgage institution.
8—Utilization of the fund monies.
9—Disbursement of loans for development.
10—Application for a loan.
11—Leasehold property
12—Maximum loan disbursement
13—Repayment of loan
14—Interest rate on loan
15—Lien
16—Mortgage insurance
17—default in repayment
18—Administration of the Fund.
19—Responsibilities of mortgage institution.
20—Supplementary terms.

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

IN EXERCISE of the powers conferred by section 116 of the Public Finance Management Act, 2012, the Vihiga County Assembly Service Board makes the following Regulations:—

THE PUBLIC FINANCE MANAGEMENT (VIHIGA COUNTY ASSEMBLY MORTGAGE (MEMBERS) SCHEME FUND REGULATIONS, 2014

1. These Regulations may be cited as the Public Finance (Vihiga County Assembly Members (Mortgage Scheme Fund) Regulations, 2014.

2. In these Regulations, unless the context otherwise requires—
   “borrower” means a person in receipt of a loan out of the Fund;
   “Board” means the Vihiga County Assembly Service Board established under section 12 of the County Government Act;
   “Committee” means the Mortgage Loans Management Committee established under regulation 6;
   “County Assembly” means the Vihiga County Assembly;
   “financial year” means the period of twelve months ending on the 30th June in each year;
   “Fund” means the Vihiga County Assembly Members (Mortgage Scheme Fund) established under regulation 3.
   “member of the Scheme” means a member of the Vihiga County Assembly;
   “Vihiga” means the County of Vihiga as specified in the First Schedule to the Constitution;
   “Officer administering the Fund” means the Clerk of the Vihiga County Assembly;
"property" means a residential house purchased or developed through a loan from the Fund and includes the land purchased under loan from the Fund on which such house is to be developed; and

"valuer" means a person registered as a valuer under the Valuers Act.

3. There is established a Fund under the County Assembly Service Board to be known as the Vihiga County Assembly Mortgage Fund. The object and purpose of the Fund shall be to provide a loan scheme for members of the Scheme.

4. The purchase, development, renovation or repair of residential property by members of the Scheme.

5. (1) The initial capital of the Fund shall consist of the sum of Kenya Shillings one hundred and twenty Million appropriated by the County Assembly in the Vihiga County Appropriation Act, 2013.

(2) The County Assembly may appropriate additional monies to the Fund.

(3) The Fund shall be administered as a special Fund in the County Assembly Fund and shall be operated by the officer administering the Fund.

(4) The interest accruing to the Fund shall, where such interest constitutes a surplus after meeting the requirements of regulation 18(1)(b) and be credited to the capital of the Fund.

6. (1) There is established a committee to be known as the Mortgage Loans Management Committee, which shall consist of—

(a) the vice-chairperson of the Board who shall be the chairperson;

(b) Chairman of the Budget and Appropriation Committee

(c) two Members of the Assembly nominated by the County Assembly;

(d) the Majority Whip of the County Assembly; and

(e) the Minority Whip of the County Assembly;

(d) in the event of the absence of the above office holders, they may be represented by their Deputies.

(e) the Clerk of the County Assembly.

(2) The Clerk as the officer administering the Fund shall be an ex officio member of the Committee and the secretary to the Committee.

(3) The Committee shall administer the Fund and shall—

(a) process applications for loans in accordance with the existing terms and conditions of borrowing;

(b) liaise with the housing company (if any) to set up a revolving fund for the disbursement of the loans; and

(c) supervise the day-to-day running of the Fund.
(4) The meetings of the Committee shall be convened by the chairman or in the absence of the chairman, 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.

(5) The quorum for a meeting of the Committee shall be the chairman and any three members.

7. Notwithstanding regulation 6 (3), the Board may, if it considers it appropriate to do so, appoint a mortgage institution to administer the Fund on its behalf.

8. (1) A loan obtained under these Regulations shall be utilized for the purchase, development, renovation or repair of residential property for the occupation of the applicant and his or her immediate family:

   (a) to a member of the Scheme who is in possession of a title deed in his/her name or to a spouse to the holder of the title deed provided a genuine marriage certificate is attached; or
   (b) a single installment to cover both purchase of the land and subsequent development of the property provided that the relevant sale agreement and bills of quantities are in place.

   (3) Purchase of land under sub-regulation (i) paragraph (b) shall not exceed forty per cent of the maximum loan amount for which the member of the Scheme is eligible.

9. (1) A member of the Scheme who wishes to apply for a loan from the Fund shall make an application in such manner as the Loans Management Committee may prescribe.

   (2) An application for a loan under these Regulations shall be accompanied by the following documents where appropriate—

   (a) copies of the designs of the proposed residential property duly approved by the local authority within whose area it is to be situated;
   (b) bills of quantities in respect of the proposed development, renovation or repair;
   (c) an official search of the title to the property intended to be purchased;
   (d) a certified copy of the sale agreement relating to the property.

   (3) The applicant shall bear the cost of stamp duty and other legal fees.

   (4) Where a borrower fails to comply with the requirements of sub-regulation (3) within the stipulated time, the officer administering the Fund shall, upon giving the borrower fourteen days’ notice, deduct the amount due from the salary of that borrower in such instalments as
may be appropriate and remit the deductions to meet the costs as may be due.

(5) All legal transactions in respect of the property being purchased shall be conducted by an advocate appointed by the borrower.

10. Where the property intended to be purchased through a loan from the Fund is leasehold property, the loan shall be granted where the expiry date of the lease is at least forty-five years beyond the final loan repayment date.

11. (1) The maximum loan to be granted to a member of the Scheme under these Regulations shall be a sum equivalent to the member's net emoluments at the time of application multiplied by the number of months remaining for the life of that County Assembly but the loan granted to a member of the Scheme shall not exceed the sum of three (3) million shillings.

(2) A member of the Scheme shall be required to give prior authority in writing for pension dues and or gratuity to be utilized to clear any outstanding debt in case the member loses their seat before fully repaying the loan.

(3) A loan granted to a borrower under these Regulations shall be funded at the rate of—

(a) ninety per centum of the value of the property, where such property is situated in Vihiga; and

(b) eighty per centum of such value where the property is situated in any other area, and the borrower shall be required to deposit the balance thereof with the Fund.

(4) Subject to this regulation, a member of the Scheme shall be eligible for the maximum amount of loan specified under sub-regulation (1) in each term of the member to be accessed by the member in a maximum of two disbursements in that term.

12. A loan granted under these Regulations shall be fully repaid at the end of the term of that Assembly.

13. (1) The interest chargeable on a loan shall be three per centum per annum on a monthly reducing balance and this rate may be reviewed from time to time as advised by the Salaries and Remuneration Commission.

(2) A mortgage institution appointed under regulation 7 to administer the Fund may charge an interest of not more than one per centum above the interest chargeable under sub-regulation (1) of this regulation, shall be used to defray the administrative expenses of the Fund.

(3) The interest charged under sub-regulations (1) and (2) of this regulation shall be met by the borrower ie. 3%.

14. (1) The Board shall have a charge registered on the property financed through a loan granted under these Regulations and shall be entitled to have its name entered in all documents of title for such property.
(2) The borrower shall—

(a) not mortgage, charge, surrender the lease or sell or agree to sell or part with possession of the charged property or any part thereof without the prior written consent of the Board;

(b) meet and pay all rates, rents, insurances and any other outgoings in respect of the property and send the proof of such payments to the Board; and

(c) provide a transfer deed duly signed by the borrower and a letter authorizing the Board to sell the property in case of default in payment after exhausting all other options that the borrower may have to service the mortgage.

(4) No borrower shall be eligible for more than one loan at a time or more than a total of two loans from the Fund.

(5) All legal documentation and disbursement of funds shall be supervised by the officer administering the Fund.

15. (1) A borrower shall take out and maintain a mortgage protection policy and a fire policy with an insurance firm approved by the Board, the cost of which shall be paid out of the Fund and debited in such borrower’s account.

(2) The originals of all documents relating to property financed by a loan from the Fund shall be kept in safe custody by the officer administering the Fund.

16. The Board may call in a loan and in default sell the charged property by public auction or private treaty where the borrower is in breach of the terms under the loan agreement or the covenant contained in the charge of the mortgage instrument.

17. (1) The officer administering the Fund shall—

(a) supervise and control the administration of the Fund;

(b) utilize the interest accruing thereto to defray operating expenses, and may impose any reasonable restriction or other requirements concerning such use;

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

(d) 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 Board may from time to time direct in accordance with the Public Finance Management Act;

(e) furnish such additional information as may be required for the purpose of examination and audit by the Auditor-General; and

(f) designate and appoint such staff as may be necessary to assist him in the administration of the Fund and may
require such staff to carry out such inspections as may be
necessary to verify any information submitted under these
Regulations.

(2) Every statement of account prepared under this regulation
shall include details of the balances 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.

18. The responsibilities of the mortgage institution, if any,
appointed under these Regulations shall be—

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

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

(c) to disburse cheques for newly approved loans to the
borrower's account after the necessary documentation is
completed by the Committee;

(d) to pay all outgoings and issue demand notices where
necessary to members of the scheme through the officer
administering the Fund;

(e) upon repayment of the loan, interest and other expenses
which may be outstanding, to discharge the charge and
release the security documents to the borrower; and

(f) upon default, to call in the loan and on behalf of the Board
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 sale after exhausting all
avenues to recover the loan.

19. (1) These Regulations shall be supplemented by such terms
as may, from time to time, be detailed in the application form supplied
by the Board and in the contract between the mortgage institution and
the Board.

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

(a) the purchase and development of land and residential
properties under these Regulations;

(b) the utilization of surplus Funds for the purchase and
development of land and residential property under these
Regulations; and

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

Legal Notice No. 2 of 2014, is revoked.
Dated the 11th June, 2014.

ZILIPAH ANDIVA KAGEHA,
Vihiga County Executive Committee Member,
Finance and Planning.
LEGAL NOTICE NO. 5
THE VIHIGA COUNTY ASSEMBLY SERVICE ACT 2013
(No. 3 of 2013)
THE VIHIGA COUNTY WARD OFFICES REGULATIONS, 2014
PART I—PRELIMINARY
1—Citation.
2—Interpretation.

PART II—OFFICE RENTAL/CONSTRUCTION
3—Initiating opening of an office.
4—Custody of lease agreement.
5—Restriction on where to open an office.
6—The signage.
7—Maximum office space and rental value.
8—Signing the lease agreement.
9—Ensuring security.
10—Reporting complaints on misuse of office.
11—Construction of a ward office.

PART III—FINANCIAL PROVISIONS
12—Procurement procedures
13—Source of finance.
14—Prudence in procurement and expenditure.
15—Reimbursement.
16—Accounting for funds.
17—Opening a bank account.
18—Signatories of cheques.
19—Bank statements

PART IV—STAFFING OF WARD OFFICES
20—Ward office staff.
21—Recruitment of staff.
22—Terms of service.
23—Custody of contract document.
25—Leave entitlement.
26—Severance procedures.
27—Qualification.
28—Duties or responsibilities of ward staff.

PART V—HANDING OVER OFFICES

29—Transit period between sitting members
30—Period of vacating office.
31—Removing personal effects from the office.
32—Assistance during transition.
33—Accounting for Board property.
34—Handing over report.
35—Finalizing handing over.

THE VIHIGA COUNTY ASSEMBLY SERVICE ACT 2013
(No. 3 of 2013)

IN EXERCISE of the powers conferred by section 28 of the Vihiga County Assembly Service Act 2013, the Vihiga County Assembly Service Board makes the following Regulations:—

THE VIHIGA COUNTY ASSEMBLY SERVICE (WARD OFFICES) REGULATIONS

PART I—GENERAL PROVISIONS

1. These Regulations may be cited as the Vihiga County Assembly Service (Ward Offices) Regulations, 2013 and shall be deemed to have come into operation on the 1st April, 2013.

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

“authority to incur expenditure” means a delegated responsibility by the Clerk to the ward office Manager to enable the Manager authorize expenditure;

“bank account” means an account opened at a commercial bank for the purpose of running a ward office;

“Clerk” means the Clerk of the County Assembly appointed under section 13 of the County Government Act;

“Board” means the Vihiga County Assembly Service Board established under section 12 of the County Government Act;

“Ward” means one of the wards into which the Vihiga County is divided under section 26 of the County Government Act a single member ward established under Article 89 of the Constitution.

“Ward office” means an office set up by a Member within the ward he represents in accordance with these Regulations;

“Ward office assistant” means a staff employed by a Member to perform duties specified under regulation 30 of these Regulations;

“Ward office manager” means a staff employed by a Member to perform duties specified under regulation 30 of these Regulations;
“Direct financial interest” means a case where a Member is part of or co-owner of a building where the ward office is located;

“Landlord” for purposes of these Regulations includes landlady;

“Member” means an elected Member of County Assembly;

“Member home” means any place, house, building or shelter which is ordinarily used by a Member within the ward as his home;

“Chief Officer” means a public officer appointed by the Governor pursuant to section 45 of the County Government Act;

“Speaker” means the Speaker of the County Assembly elected pursuant to Article 178 of the Constitution;

“Staff” means an employee or employees of a Member working for the member in the ward office; and

The Assembly means the County Assembly.

PART II—OFFICE RENTAL/CONSTRUCTION

3. Upon the gazettement of an elected or nominated Member of County Assembly, the Clerk shall, for the purpose of facilitating the opening of an office for the member, write to the Chief Officer responsible for the County Department of health, public works and lands respectively, to—

(a) inspect and verify that an office identified by a member is fit for human habitation and meets basic public health standards and requirements;

(b) Confirm that the office building is structurally sound; and

(c) assess the value of the office through a qualified property value to confirm the market renting price for such an office.

4. A Member shall, subject to the fulfillment of the provisions of regulation 3, forward a lease agreement together with the relevant letters from County Department of Public Works, Health and Lands to the Clerk for custody.

5. Renting of offices shall not be permitted where the proposed office is—

(a) in a building owned by a Member or his close relative;

(b) in a building where the Member has direct financial interest; and

(c) in the Members home.

6. The signage for a ward office shall indicate the name of the ward first then followed by the name of the Member.

7. The rented office space for a ward shall not exceed 20 square metres and the rent shall not exceed KSh. 15,000 per month.

8. The Member of the County Assembly, where necessary, shall sign a lease agreement with the landlord or agent before occupying the
office and shall be responsible for the accuracy of all the information contained in the lease agreement.

9. The ward office manager shall ensure there is sufficient security for the office premises and, at least, one guards may be employed for that purpose where and when it is necessary to do so.

10. (1) Any complaint regarding the misuse of a ward office shall be reported to the Member in writing, and the general public may also direct such complaints in writing to the Board.

(2) Upon receipt of any complaint pursuant to sub regulation (1), the Board shall investigate the complaints and take action as it deems appropriate.

11. In the construction of a ward office, the Assembly shall ensure that—

(a) the office is built on public land; and

(b) the process of procurement of goods and services for the construction of the office is in line with Government procurement procedures and financial regulations.

PART III—FINANCIAL PROVISIONS

12. The ward office manager shall purchase office equipment as may be necessary to effectively run the ward office.

13. At the commencement of every financial year, the ward office manager shall be issued with an Authority to Incur Expenditure by the Clerk for the approved budget in respect of that ward for that financial year and an initial amount shall be credited to the account of the ward opened as specified in regulation 18.

14. The ward office manager shall ensure that the money available to the ward pursuant to regulation 14 is spent in conformity with existing Government financial regulations to facilitate quick, efficient and effective delivery of services.

15. At regular intervals, supporting documents for expenditure incurred shall be lodged with the Clerk for reimbursement.

16. No reimbursement pursuant to regulation 16 shall be effected before the ward properly accounts for the expenditure incurred on the disbursed funds.

17. An account approved by the Board shall be opened for every ward with a reputable commercial bank at the nearest location from the ward office.

18. The signatories to the account opened pursuant to regulation 18 shall be;

(a) the ward office manager whose signature shall be mandatory;

(b) two signatories appointed by the member for that purpose.

19. Copies of bank statements and any other financial records from every ward shall be availed to the Clerk at the end of every month.
PART IV—STAFFING OF WARD OFFICES

20. A member shall employ a ward office manager and other staff as the member shall require subject to the ceiling of staff salaries approved by the Board.

21. (1) Members shall initiate recruitment of all the ward office staff and determine their terms of employment and salary scale.

(2) The Member shall dismiss any of the staff but after informing the County Assembly Service Board of the reasons for such dismissal.

(3) Notwithstanding the provisions of sub regulation (1), the staff recruited shall not be paid house allowance, overtime allowance or any honorarium.

22. The terms of service for ward staff employees shall be a maximum of five years contract.

23. Each staff shall sign a contract in three counterparts with the Member retaining one, the staff the other and the last one being submitted to the Clerk.

24. (1) At the expiry of a contract, three months salary in lieu of notice shall be paid to the staff.

(2) A staff may at any time give one months’ notice before vacating his employment, or surrender one month salary in lieu of notice.

25. (1) Each staff shall be entitled to twenty-one working days as annual leave and shall in that respect be entitled to a leave allowance to be determined by the Board.

26. When a member ceases to be the representative of a ward either after an election, or in any other manner, the contract signed between the member and the staff at the ward office shall become void.

27. (1) The ward office manager shall possess basic education and a good understanding of local problems.

(3) The ward office assistant shall have

(a) Basic education; and

(b) Good communication skills.

28. (1) It shall be the responsibility of the ward office manager to

(a) provide administrative and institutional support to a member;

(b) keep the member well informed about the transactions of the ward bank account established under regulation 18;

(c) conduct official correspondence as directed by the respective member of the County Assembly

(d) prioritize incoming mail and enquiries;

(e) undertake general office management; and

(f) maintain a members diary at the ward office by recording all major ward events that require the members attention.
(2) The Secretary and other staff shall perform such duties as shall be assigned to them by the ward office manager from time to time.

PART V—HANDING OVER OFFICES

29. When the office of a Member falls vacant, the ward office manager shall be responsible for running the ward office until a new member is elected.

30. Any outgoing Member shall vacate the ward office within seven working days after the gazettement of the new member.

31. The cost for transporting personal papers and effects of a Member who has ceased to be the representative of a particular ward shall be the responsibility of the outgoing Member.

32. (1) The Board shall pay all expenses including rent, telephone, power and lighting, water and other incidental costs relating to a ward office for one (1) month after a Member vacates his seat.

(2) If a Member resigns, all the payments to the ward office shall cease with effect from the date the Speaker receives the letter of resignation from the member.

(3) Photocopying and postal privileges including use of franking stamp in respect of a ward office shall continue for one month after the election day

33. It shall be the responsibility of the outgoing Member and his or her ward staff to fully account for Board property in the ward office, including the bank account transactions within one month of the gazettement of a new Member.

34. The returns specified in regulation 34 shall be signed by the ward office manager and handed over to the Clerk or his appointed representative within 30 days of the swearing in of Members of County Assembly.

35. The Clerk shall satisfy himself that all the handing over procedures have been fully complied with before making last payments of salaries and allowances, if any, to the out-going ward office manager and other staff.

Dated the 7th March, 2014.

DANIEL C. CHITWA,
Speaker/Chairman,
County Assembly Service Board.