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, 2012, the County Executive Member for finance makes the following Regulations—

THE PUBLIC FINANCE MANAGEMENT (WEST POKOT COUNTY CAR LOAN (MEMBERS) SCHEME FUND) REGULATIONS, 2014

Citation

1. These Regulations may be cited as the Public Finance (West Pokot County Car Loan (Members) Scheme Fund) Regulations, 2014.

Interpretation

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

"Committee" means the Loans Management Committee established under regulation 6;

"financial year" means the period of twelve months ending on the 30th June in each year;

"fund" means the West Pokot County car loan (members) scheme fund established under regulation 4;

"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 the West Pokot County Assembly Members and an employee of West Pokot County Assembly employed on permanent and pensionable terms; and

"officer administering the Fund" means the Clerk of the West Pokot County Assembly.

Object and purpose of the Fund

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

Establishment of Fund

4. There is hereby established a Fund to be known as West Pokot County Mortgage (Members) Scheme Fund.
Initial capital

5. (1) The initial capital of the Fund shall consist of the monies standing to the credit of the account on the date of the coming into operation of these Regulations.

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

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

The Loans Management Committee

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

(a) the leader of majority party who shall be the chairperson;
(b) the deputy leader of minority party who shall be the vice chairperson;
(c) two members of the county assembly nominated by the members of county assembly;
(d) the Chairperson of the County Assembly Sectoral Committee responsible for transport;
(e) the clerk who shall be an ex-officio member and Secretary to the Committee.

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

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

(4) The Committee shall consider and may approve the loan applications presented by the clerk.

Operation of the Fund

7. (1) A member of the Scheme who wishes to apply for a loan from the Fund shall present to the clerk a duly completed hire purchase proposal form prescribed by the Committee.

(2) The Clerk shall satisfy himself or herself of the applicant’s financial status and capacity to repay the loan applied for and where satisfied shall forward the application to the Committee for consideration.

(3) If the Committee approves the application, the applicant shall enter into a hire purchase agreement in a form prescribed by the Committee.

Conditions for disbursement of funds.

8 (1) A loan approved under regulation 6 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 West Pokot County Assembly and the member of the Scheme and shall be kept in the custody of the Clerk until the loan is repaid in full by the member of the Scheme.
Temporary release of log-book

9. (1) A log-book kept in the custody of the Clerk may be temporarily released to a member of the Scheme upon application in writing to the Clerk for purposes of renewal by that member of the necessary licences.

(2) A log-book released under sub regulation (1) shall be returned to the Clerk within fourteen working days from the date of the release.

(3) The Clerk shall acknowledge receipt of the log-book in writing.

Loan amounts

10. (1) For the Members of the County Assembly the loan amount shall be the value of the vehicle that the member of the Scheme proposes to purchase but shall not exceed two million shillings.

(2) For the employees of the County Assembly, the loan amount shall be the value of the vehicle that the member of the Scheme proposes to purchase but shall not exceed the amount set out in the Schedule to these regulations relating to the designation or job group scale of the member.

(3) For the purpose of these Regulations, the value of a new vehicle shall be as quoted on the invoice from the supplier but the value of a used vehicle shall be as determined by a report from the body known as the Automobile Association of Kenya, or the Government department responsible for matters relating to procurements.

(4) No member of the Scheme shall receive a loan the repayment of which shall exceeding deductions of thirty per cent of the monthly emoluments of the member of the Scheme including salary, sitting allowances or other sources.

Interest rate

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.

Repayment Period

12. (1) A Members of the County Assembly shall repay in full a loan advanced under these Regulations within the period of service of the members in the county assembly irrespective of member the vehicle purchased is new or used.

(2) An employee of the county assembly shall repay a loan granted under these Regulations within a period of fifteen years or the remaining period of service of the borrower, whichever comes earlier.

Insurance

13. (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 an approved limit, 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 sub regulation (2) may apply to the fund for a loan which shall be repaid within a period of one year (1) year.

(4) 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.

**Loan discharge**

14. (1) Upon full repayment of the loan, a signed loan discharge certificate in a form 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 release the log-book to the member and remove the caveat on the vehicle pursuant to regulation 8.

**Administration of the Fund**

15. (1) The Clerk as officer administering the Fund—

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

(b) may impose conditions reasonable restrictions or other requirements;

(c) shall cause to be kept records of the loans issued from the Fund, books of accounts and other records in relation to the Fund;

(2) The Clerk 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 or her, specifying the income of the Fund and showing the expenditure incurred from the Fund, in such details time in accordance with the Public Finance Management Act; furnish any additional information as may be deemed proper and sufficient for the purpose of examination and audit by the Controller and Auditor-General.

(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 to which it relates.

**Board may appoint financial institution**

16. The County Assembly Service board may, if it considers it appropriate to do so, appoint a financial institution to carry out the functions of the Clerk under Regulation 14 on behalf of the Clerk.

**SCHEDULE**

Maximum Loan Entitlement for Employees of the County Assembly

<table>
<thead>
<tr>
<th>Designation/Job Group</th>
<th>Maximum entitlement</th>
</tr>
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<tbody>
<tr>
<td>Clerk of the County Assembly</td>
<td>KSh. 3,000,000</td>
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<tr>
<td>SS 11-12</td>
<td>KSh. 2,500,000</td>
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<tr>
<td>SS 7-10</td>
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<tr>
<td>SS 3-6</td>
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</table>

JOEL K NGOLEKONG,  
County Executive Committee Member for Finance and Economic Planning.
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, 2012, the County Executive Member for finance makes the following Regulations:—

THE PUBLIC FINANCE MANAGEMENT (WEST POKOT COUNTY MORTGAGE (MEMBERS) SCHEME FUND) REGULATIONS, 2014

Citation

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

Interpretation

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

“borrower” means a person in receipt of a loan out of the Fund;

“Committee” means the Loans Management Committee established under regulation 6;

“financial year” means the period of twelve months ending on the 30th June in each year;

“fund” means the West Pokot County (members) mortgage loan scheme fund established under regulation 4;

“member of the Scheme” means the West Pokot County Assembly Members and an employee of West Pokot County Assembly employed on permanent and pensionable terms;

“officer administering the fund” means the clerk of the County Assembly;

“property” means a residential house purchased through a loan from the Fund and includes the land purchased under loan from the Fund on which such house is to be developed;

“valuer” means a person registered as a valuer under the Valuers Act (Cap. 532).

Object and purpose of the Fund

3. The object and purpose of the Fund shall be to provide a loan scheme for the purchase, development, renovation or repair of residential property by members of the Scheme.

Establishment of the fund

4. There is hereby established a Fund to be known as West Pokot County Mortgage (Members) Scheme Fund.

Capital of the Fund

5. (1) The initial capital of the Fund shall consist of the monies standing to the credit of the account on the date of the coming into operation of these Regulations.

(2) County Assembly may appropriate additional monies to the Fund.
(3) The Fund shall be administered as a special account in the County Fund and shall be operated by the clerk.

(4) The interest accruing to the Fund shall, where such interest constitutes a surplus after meeting the requirements of regulation 16(1)(b) and be credited to the capital of the Fund.

The Loans Management Committee

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

(a) the leader of minority party who shall be the chairperson;
(b) the deputy leader of majority party who shall be the vice chairperson;
(c) two members of the county assembly nominated by the members of county assembly
(d) the Chairperson of the County Assembly Sectoral Committee responsible for housing;
(e) the clerk who shall be an ex-officio member and secretary to the committee.

(2) 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.

(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 the chairperson and any two members.

County Assembly may appoint a mortgage institution

7. Notwithstanding regulation 6(2), the County Assembly may, if it considers it appropriate to do so, appoint a mortgage institution to administer the Fund on its behalf.

Disbursement of loans for development

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

(2) 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:

(3) A loan for the development of residential property may be granted at the discretion of the Committee—

(a) to a member of the Scheme who is in possession of a title deed to the land on which the development is intended to be carried out; or
(b) in two installments, for the purchase of the land at which the residential property is to be developed and for the subsequent development of the property.

(4) The amount of the first installment granted for the purchase of land under paragraph (b) shall not exceed forty per cent of the maximum loan amount for which the member of the Scheme is eligible.

Utilization of loan monies

9. (1) A loan granted for the development of a residential property under these Regulations shall be released to the applicant in the following phases-

(a) the first disbursement based on the value of the land on which the residential property is proposed to be developed; and

(b) the subsequent disbursements based on the rate of completion of the various phases of development as certified by a qualified valuer at the cost of the applicant.

Application for a loan

10. (1) 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 relevant county government department 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.

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

(3) Where a borrower fails to comply with the requirements of paragraph (2) within the stipulated time, the clerk shall, upon giving the borrower fourteen days' notice, deduct the amount due from the salary of that borrower in such installments as may be appropriate and remit such deductions to meet such costs as may be due.

(4) All legal transactions in respect of the property being purchased shall be conducted by an advocate appointed by the clerk in accordance with existing relevant regulations.

Leasehold property

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

Maximum loan disbursement

12. (1) For the Members of the County Assembly, the maximum loan to be granted 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 term of service.

Provided that a loan granted under these Regulations shall not exceed the sum of three million shillings.
(2) For the employees of the County Assembly, the maximum loan entitlement in respect of the designation or job group scale specified in the first column of the schedule shall not exceed the respective amount set out in the second column of the Schedule.

(3) A member of the County Assembly shall be required to give prior authority in writing for pension dues to be utilized to clear any outstanding debt in case the member loses the County Assembly seat before fully repaying the loan.

(4) 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 Nairobi; 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.

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

Repayment of loan

13. (1) For the Members of the County Assembly, loan granted under these Regulations shall be fully repaid at the end of the term of that service.

(2) For the employees of the county assembly a loan granted under these Regulations shall be repayable within a period of fifteen years or the remaining period of service of the borrower, whichever comes earlier.

Interest on loans

14. (1) The interest chargeable on a loan shall be three per centum per annum on a monthly reducing balance.

(2) The interest charged under sub regulation (1) of this regulation shall be met by the borrower.

Lien

15. (1) The Clerk 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 management committee;

(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 clerk; and

(c) provide a transfer deed duly signed by the borrower and a letter authorizing the management committee to sell the property in case of default in payment.

(3) All residential properties purchased through the Fund shall be constructed of such material as may be acceptable to the Management committee.

(4) During the loan repayment period, every borrower shall—
(a) ensure that the property is used for residential purposes only;

(b) maintain the property in a satisfactory state of repair; and

(c) not alter or make any structural alteration to the property, carry out any valuation, assessment or investigation relating to the property or title thereto, as the case may be, without the approval of the Management committee.

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

**Mortgage insurance**

16. (1) A borrower shall take out and maintain a mortgage protection policy and a fire policy with an insurance firm approved by the Management committee, 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 clerk.

**Default in repayment**

17. The Management committee 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.

**Administration of the Fund**

18. (1) The clerk 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.
**Responsibilities of mortgage institution**

19. 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 various vendors, after the necessary documentation is completed by the Committee;

(d) to pay all outgoings and issue demand notices where necessary to members through the clerk;

(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 Commission 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.

**Supplementary terms**

20. (1) These Regulations shall be supplemented by such terms as may, from time to time, be detailed in the application form supplied by the Management committee.

(2) Subject to these Regulations, the Management committee 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.

**SCHEDULE**

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<thead>
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<tr>
<td>SS3-7</td>
<td>KSh. 3,000,000</td>
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</table>

J. K. NG'OLEKONG,

*County Executive Committee Member for Finance and Economic Planning.*
LEGAL NOTICE NO. 3

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 County Executive Committee Member for Finance makes the following Regulations—

THE PUBLIC FINANCE MANAGEMENT (WEST POKOT COUNTY BURSARY, EDUCATION DEVELOPMENT AND INFRASTRUCTURE FUND) REGULATIONS, 2014

ARRANGEMENT OF SECTIONS

PART I – PRELIMINARY

Section
1. Short title and commencement
2. Interpretation

PART II - ESTABLISHMENT AND ADMINISTRATION OF THE FUND

3. Establishment of the fund
4. Sources of funds

PART III - ESTABLISHMENT AND FUNCTIONS OF THE COUNTY BURSARY EDUCATION DEVELOPMENT AND INFRASTRUCTURE COMMITTEE

5. Establishment of the County Bursary Education Development and Infrastructure Committee and its Composition
6. The Secretary to the County Bursary Education Development and Infrastructure Committee
7. Functions of the County Bursary Education Development and Infrastructure Committee
8. County Bursary Education Development and Infrastructure Committee Meetings

PART IV - ESTABLISHMENT AND FUNCTIONS OF WARD BURSARIES EDUCATION DEVELOPMENT AND INFRASTRUCTURE FUND COMMITTEES

9. Establishment of Ward Bursaries Education Development and Infrastructure Fund Committees and its Composition
10. Functions of the Ward Bursaries Education Development and Infrastructure Fund Committee
11. Ward Bursaries Education Development and Infrastructure Fund Committee Meetings

PART V - APPLICATION FOR BURSARIES

12. Application of the Fund
13. Appeal to the County Bursary Education Development and Infrastructure Committee

PART VI - FUND ELIGIBILITY CRITERIA

14. County Executive Committee Member responsible for education to determine eligibility criteria
PART VIII-MISCELLANEOUS

15. Guidelines and other Miscellaneous provisions

16. Transition

THE PUBLIC FINANCE (WEST POKOT COUNTY BURSARY, EDUCATION DEVELOPMENT and INFRASTRUCTURE FUND), REGULATIONS, 2014

PART I - PRELIMINARY

1. These Regulations may be cited as The Public Finance (West Pokot County Bursary, Education Development and Infrastructure Fund) Regulations, 2014 and shall come into operation upon gazettement.

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

"Administrator of the Fund" means the Chief Officer responsible for matters relating to Education;

"County Bursary Committee" means the "County Bursary, Education Development and Infrastructure Committee "means the fund management body established under Section 5;

Regulations to provide for the disbursement of funds for Bursary, Education Development and Infrastructure and for matters connected therewith.

"Ward Appraisal Committee" means the Ward Bursaries, Education Development and Infrastructure Fund Committee established under Section 11;

"education" includes primary, secondary, tertiary, college and university education;

"Executive Committee Member" means County Executive Committee Member responsible for Finance;

"fund" means the West Pokot County Bursary Education Development and Infrastructure Fund management body established under Section 116(1) of the Public Finance Management Act, 2012;

"secretary" in the case of the County Bursary, Education Development and Infrastructure Committee means the secretary appointed under Section 6 of these Regulations; and in the case of the Ward Bursaries Education Development and Infrastructure Fund Committee the secretary appointed under Part V of these Regulations;

"student" means any person who is domiciled in West Pokot County and admitted to a recognised educational institution.

PART II - ESTABLISHMENT AND ADMINISTRATION OF THE FUND

3. (1) There is hereby established a Fund to be known as the West Pokot County Bursary, Education Development and Infrastructure Fund.

(2) The object and the purpose of the Fund shall be to provide funds for granting bursaries to assist needy students to pursue education at recognized institutions and to finance educational development and infrastructural development for the promotion of education.
4. (1) The sources of funds for the Fund shall consist of—

(a) sums of money which may, from time to time be, voted for that purpose by the County Assembly;

(b) any gifts, donations, grants and endowments made to the Fund; and

(c) any interests that may accrue from the Fund;

(d) moneys that may accrue to the Fund in the course of exercise or performance of the functions of the Fund.

(2) There shall be paid out of the Fund any expenditure approved by the County Bursary Education Development and Infrastructure Committee and incurred in connection with the management and operation of the Fund.

PART III - ESTABLISHMENT AND FUNCTIONS OF THE COUNTY BURSARY, EDUCATION DEVELOPMENT AND INFRASTRUCTURE COMMITTEE

5. (1) There is established a Committee to be known as the County Bursary, Education Development and Infrastructure Committee.

(2) The County Bursary Education, Development and Infrastructure Committee shall comprise—

(a) a Chairperson nominated by the County Governor;

(b) County Executive Committee Member responsible for matters of education;

(c) Six members nominated by the County Executive Committee member responsible for Education who shall be the Secretary;

(d) The County Chief Officer responsible for matters of Education who shall be the Secretary;

(e) Three representatives from the union or association of teachers, non-governmental organization and a religious leader;

The Governor shall be the Patron of the Committee.

3. A person shall be qualified to be appointed as a member under sub-regulation (2) if that person satisfies the provisions of Chapter Six of the Constitution;

4. The members of the County Bursary Education Development and Infrastructure Committee other than the Secretary shall hold office for a period of three consecutive years and may be eligible for re-appointment.

5. Notwithstanding the provisions of sub regulation (4) the committee may be dissolved if the office of the Governor falls vacant and as soon as a new Committee is established by the new Governor.
6. (1) The Secretary shall be the administrator of the Fund activities and responsible for the management of the day-to-day operations of the County Bursary, Education Development and Infrastructure Committee.

(2) The Secretary shall be an ex officio member of the County Bursary Education Development and Infrastructure Committee and shall have no right to vote at the meetings of the Committee.

7. The functions of the County Bursary, Education Development and Infrastructure, Committee shall be:

(a) to formulate sound policies for regulating the management of the Fund;

(b) to raise and solicit for funds and other assistance to promote the functions of the County Bursary, Education Development and Infrastructure Committee;

(c) to set the criteria and conditions governing the granting of bursaries, education development and infrastructure;

(d) to receive any gifts, donations, grants or endowments made to the County Bursary, Education Development and Infrastructure Fund and to make legitimate disbursements therefrom;

(e) to establish links for the furtherance of the purposes for which the Fund is established;

(f) to grant bursary fund, as the County Bursary, Education Development and Infrastructure Committee may deem fit to eligible students upon recommendation of the Ward Appraisal Committee;

(g) to approve funds for education development and infrastructure to eligible institutions within the County;

(h) to consider appeals from the Ward Education Development and Infrastructure Appraisal Fund Committee; and

To perform and exercise all other functions and powers conferred to the County Bursary, Education Development and Infrastructure Committee by these Regulations or any other law.

8. (1) The Chairperson shall preside over all the meetings of the County Bursary Education Development and Infrastructure Committee and in his or her absence a person elected by the committee shall preside over the meeting.

(2) The County Bursary, Education Development and Infrastructure Fund shall meet at least, four times in a year but the Chairperson shall, upon requisition in writing by at least four members, convene a special meeting of the County Bursary, Education Development and Infrastructure Committee at any time.

(3) The resolutions of the Committee shall be by simple majority.
(4) The Chairperson shall, in case of equality of votes, have an original and a casting vote.

(5) The Secretary shall cause minutes and proceedings of all the County Bursary, Education Development and Infrastructure Committee's meetings to be entered into the Minute-Book kept for that purpose.

PART IV- ESTABLISHMENT AND FUNCTIONS OF WARD EDUCATION DEVELOPMENT AND INFRASTRUCTURE APPRAISAL FUND COMMITTEES

9. (1) There is established Ward Education Development and Infrastructure Appraisal Committee in each Ward;

(2) The Committee shall consist of—

(a) Chairperson who shall be appointed by the County Executive Committee Member responsible for Education;

(b) Ward Administrator who shall be the Secretary to the Committee;

(c) An elected member for the County Assembly;

(d) A representative from Non-Governmental Organization and a religious leader;

(e) Three members of the community, bearing into consideration gender balance, representation of the youth and persons with disability elected through public forum.

(3) The members of the Committee other than the Ward Administrator shall hold office for a period of three consecutive years and may be eligible for re-appointment.

(4) Notwithstanding provisions of sub regulation (3) the committee may be dissolved if the office of the Governor falls vacant and as soon as a new Committee is officially established by the new Governor.

(5) Notwithstanding the provisions of sub regulation (4) a member of the Committee shall be removed by the Governor upon the advice of the Chief Executive Committee member responsible for education.

10. The functions of the Ward Bursary, Education Development and Infrastructure Appraisal Committee shall be:

(a) to receive and consider bursary and development fund applications;

(b) to scrutinize and verify all applications;

(c) to recommend to the County Bursary, Education Development and Infrastructure Committee the grant or award of bursaries to eligible students;

(d) to recommend to the County Bursary, Education
Development and Infrastructure Committee the selected educational institution and development infrastructure to benefit from the fund;

(c) to monitor the academic performance of bursaries recipients and oversee the utilization of funds by these selected institution;

to perform and exercise all other functions and powers conferred to the Committee by these Regulations.

11. (1) The Chairperson shall preside over all the meetings of the Ward Bursary, Education Development and Infrastructure Appraisal Committee and in his or her absence a person elected by the committee shall preside over the meeting.

(2) The Ward Bursary Appraisal Committee shall meet at least, four times in a year but the Chairperson shall, upon requisition in writing by at least four members, convene a special meeting of the Ward Bursary Appraisal Committee at any time.

(3) All resolutions of the ward Appraisal Committee shall be determined by a simple majority of the votes of the members present and voting.

(4) The Chairman shall, in case of equality of votes, have an original and a casting vote.

(5) The Ward Administrator shall cause minutes and proceedings of all the Committee’s meetings to be entered into the Minute-Book kept for that purpose.

PART V - APPLICATION FOR FUND SUPPORT

12. (1) Every student or Institution wishing to be considered for assistance shall make an application to the Ward Appraisal Committee in a form prescribed by the County Bursary Committee.

(2) This Ward Appraisal Committee may accept or reject any application.

(3) If the Ward Appraisal Committee accepts the application, it shall recommend to the County Bursary Committee for consideration.

(4) If the Ward Appraisal Committee rejects the application, it shall notify the applicant of such rejection in writing and the reasons thereof.

13. Any applicant aggrieved by the decision of the Ward Appraisal Committee may appeal to the County Bursary, Education Development and Infrastructure Committee within thirty days of Ward Appraisal Committee’s decision.

PART VII - ELIGIBILITY CRITERIA

14. The County Executive Member responsible for matters relating to education may from time to time determine, through policy guidelines, the criteria for eligibility.
PART VII - MISCELLANEOUS

15. (1) The County Bursary, Education Development and Infrastructure Committee may make guidelines for the smooth running of the Fund and the guidelines shall be tabled before the County Assembly for approval before implementation.

(2) The County Bursary, Education Development and Infrastructure Committee may, from time to time make and review the terms and conditions for application of the funds.

16. The County Bursary, Education Development and Infrastructure Committee shall be responsible for the functions of the Ward Bursary, Education Development and Infrastructure Appraisal Committees until the Committees are constituted.

J. K NG’OLEKONG,
County Executive Committee Member for Finance and Economic Planning