CONTENT

Bill for Introduction into the Bungoma County Assembly — ................................................................. 1

The Bungoma County Scholarship Bill, 2014 ......................................................................................... 1
THE BUNGOMA COUNTY SCHOLARSHIP BILL, 2014

ARRANGEMENT OF CLAUSES

Clause
1—Short title.
2—Interpretation.
3—Objects of the Act
4—Establishment of the Fund.
5—Purpose of the Fund.
6—Officer responsible for administering the Fund.
7—Power of the County Executive Committee Member.
8—Fund Management Committee.
9—Scholarship Selection Committee.
10—Eligibility criteria.
11—Disbursement of the scholarship funds.
12—Approval of the County Assembly.
13—Financial statement.
14—Regulations.
A Bill for

AN ACT of the Bungoma County Assembly to make provision for the establishment of the County Scholarship Fund and for connected purposes

ENACTED by the Bungoma County Assembly, as follows—

PART I—PRELIMINARY

1. This Act may be cited as the Bungoma County Scholarship Act, 2014.

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

“County” means the County Government of Bungoma;

“County Assembly” means the County Assembly of Bungoma;

“Fund” means the County Scholarship Fund established under section 4 of this Act;

“County Executive Committee Member” means the County Executive Member for the time being responsible for matters relating to finance; and

“financial year” means the period of twelve months ending on thirtieth day of June.

“Priority area courses” means Engineering, Medicine, Actuarial Science, Architect and Technical Vocational Education and Training (TVET)

“scholarship” means the Bungoma County Scholarship program as provided under this Act.

3. The objects of this Act are—

(i) To encourage and support learning in the field of Sciences and the development of technical skills;

(ii) Develop professional and technical skill and create opportunities for local employment;

(iii) Rationalize training programmes with a view to giving the youth in the County comparative
advantage in Kenya and beyond;

(iv) Encourage the best students to undertake training in county and national priority areas;

(v) Seek allocation of more funds to specialized study areas.

PART II—THE BUNGOMA COUNTY SCHOLARSHIP FUND

4. (1) There is established a Fund to be known as the Bungoma County Scholarship Fund.

(2) The Fund shall consist of—

(a) Monies appropriated by the County Assembly; and

(b) Grants and donations made into the Fund

5. The purpose of the Fund is to enable payments to be made in respect of bright students within the County qualified to pursue the courses in priority areas. This will include those students who have completed the Kenya Certificate of Secondary Education and who qualify as well as those already in institutions of higher learning already pursuing the priority area courses.

6. (1) The County Executive Committee Member shall designate an officer of the County to be responsible for administering the Fund.

(2) The officer administering the Fund shall open and maintain a separate account into which all money appropriated to that Fund shall be paid.

7. (1) The County Executive Committee Member may approve payments to be made from the Fund only if satisfied that—

(a) there is need for payment to be made out of the Fund and due process was followed in selecting the bright and need students who qualify for the scholarship; and

(b) the award of scholarship is intended to meet the needs of the county in priority areas.

8. 1) The Fund shall be managed by a Management Committee constituted by the Governor which shall operate within the Governor’s office and patronized by the Governor.
(2) The Governor in appointing the Management Committee members, he shall adhere to the principles of affirmative action. The names of the Management Committee members shall be forwarded to the County Assembly for approval.

9. There shall be a selection Committee which shall be appointed by the Governor in adherence to gender equality principles from heads of the various Directorates under the Governance office.

10. The Scholarship shall be issued to the Bright students who has qualified for any of the priority courses based on the following criteria—

(i) Applicants must be Kenyan national and bonafide resident of Bungoma County; and

(ii) Has completed Secondary Level Education and has in his possession, a leaving certificate and a result slip from the Kenya National Examinations Council; and

(iii) Demonstrate financial need; and

(iv) Has obtained admission in the University, College or a TVET institution registered and approved by the Ministry of Higher Education and Technology; and

(v) Write an Essay of not more than 250 words, highlighting facts about self, academic performance, chosen field of study and reasons and how he or she thinks can contribute to the development of the Bungoma County, his or her career objectives and future goals; and

(vi) The applicant should not have benefited from any other scholarship for the same course or programme; and

(vii) Provide a letter of reference and a complete application form for the Scholarship; and

(viii) The applicant must be willing to work in Bungoma County upon completion of his or her course for a certain period of time; and

(ix) For the continuing students, they shall submit to the selection committee all the necessary
documents from the institution of learning including a letter from the university confirming that the student is taking his or her studies from that institution.

11. The funds shall be disbursed directly to the institutions of higher learning in which the student(s) is admitted once the necessary details have been submitted and verified accordingly.

12. (1) The County Executive Committee Member shall notify the County Assembly in writing within two months after payment is made out of the Fund.

(2) If the County Assembly is not sitting during the period referred to in subsection (1) and the County Executive Committee Member has not sought the approval of the County Assembly before the end of that period, the County Executive Committee Member shall seek the approval of the County Assembly for the payment within fourteen days after it next sits.

(3) As soon as practicable after the County Assembly has approved the payment, the County Executive Committee Member shall arrange for an Appropriation Bill to be introduced into the County Assembly for the appropriation of the money paid and for the replenishment of the Fund to the extent of the amount of the payment.

13. (1) Within three months after the end of each financial year, the County Treasury shall prepare and submit to the Auditor-General a financial statement in respect of the Fund for that year.

(2) The financial statement prepared under subsection (1) shall include the following information—

(a) the date and the amount of each payment;

(b) the respective students to whom the payment was made;

(c) the purpose for which the payment was made;

(d) whether the student(s) to whom the payment was made utilised the money for that purpose and a statement made to that effect;

14. The County Executive Committee Member may make regulations for the better carrying out of the provisions of this Act.
MEMORANDUM OF OBJECTS AND REASONS

The Bill establishes the Bungoma County Scholarship Fund to provide payments for the needy and bright students from the county taking priority courses and those qualified to join institutions of higher learning and who have qualified to undertake studies in the priority courses.

The Bill is structured as follows:

Clause 1 provides for the short title of the Act.

Clause 2 provides for the interpretations of terms used in the Bill. This is intended to provide clarity during the implementation of the Act.

Clause 3 provides for the objects of the Act.

Clause 4 establishes the Fund. It provides that the Fund will consist of funds appropriated by the County Assembly. The section as well provides for the fund to be maintained in a separate bank account.

Clause 5 highlights the purpose of the establishment of the Fund.

Clause 6 provides for the administration of the Fund by an administrator appointed by the County Executive Member for Finance.

Clause 10 compels the County Executive Committee Member to obtain the approval of the County Assembly for the payments made out of the Fund within two months of such payment.

Clause 11 provides for the County Treasury to prepare a financial statement within three months after the end of each financial year, highlights the information to be contained in the financial statement and requires submission of the statement to the Auditor General.

Clause 12 confers on the County Executive Committee Member the powers to make Regulations under the Act.

The Bill shall occasion additional expenditure to the County. The expenditure shall be appropriated by the County Assembly.

PAUL MASINDE,
County Executive Committee Member.
for Finance and Economic Planning.