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REPUBLIC OF KENYA

GARISSA COUNTY GAZETTE SUPPLEMENT

BILLS, 2014

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GARISSA COUNTY SCHOLARSHIP BILL, 2014

A Bill for

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

ENACTED by the County Assembly of Garissa as follows—

PART I—PRELIMINARY

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

2 In this Act, unless the context otherwise requires—

   “County” means the County Government of Garissa,

   “County Assembly” means the County Assembly of Garissa County,

   “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, Health Sciences, Actuarial Science, Architect, education and Technical Vocational Education and Training (TVET)

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 skills 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—SCHOLARSHIP FUND

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

(2) The Fund shall consist of —

(a) Momes 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 and needy 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 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 needy students who qualify for the scholarship, and

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

7 (1) There shall be the Garissa County Scholarship Fund Management Committee

(2) The Management Committee shall comprise—

(a) seven members nominated by the County Executive Member each member representing a sub-county,

and

(b) an officer of the county seconded to the County Scholarship Fund Management Committee by the County Executive Member who shall be an ex-officio and shall serve as a secretary to the management committee

(3) The names of the Management Committee members shall be forwarded to the County Assembly for approval
(4) The seven persons appointed under subsection 2 (a) shall elect a chairperson and a vice-chairperson of the Management Committee from among themselves.

(5) The Management Committee shall serve office for a term of three years and shall be eligible for reappointment for one further term.

(6) 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.

(7) A decision to remove a member under subsection (6) may be made through a resolution of at least five members of the Committee and the member sought to be removed shall be given a fair hearing before the resolution is made.

(8) A vacancy arising as a result of removal, resignation or death of a member shall be filled in the manner set out in subsections (2) and (3).

8 The Scholarship shall be issued to the bright and needy students who have qualified for any of the priority courses based on the following criteria —

(i) Applicants must be Kenyan national and bonafide resident of Garissa County,
(ii) Has completed Secondary Level Education and has in his possession, a leaving certificate and a result slip from the Kenya National Examinations Council,
(iii) Demonstrate financial need,
(iv) Has obtained admission in the University, College or a TVET institution registered and approved by the Ministry of Higher Education and Technology,
(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 Garissa County, his or her career objectives and future goals,

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

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

(viii) The applicant must be willing to work in Garissa County upon completion of his or her course, and

For the continuing students, they shall submit to the management 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.

9 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.

10 (1) The County Executive Member, with the concurrence of the relevant Assembly Committee, shall for each financial year allocate not less than 35 million Kenya shillings towards the Scholarship Fund.

(2) The Management Committee shall allocate 500,000 Ksh to each Ward in the County from the fund in respect of the general amount allocated under subsection (1). The funds so allocated to the Wards shall specifically benefit students from the Wards and be disbursed by the Management Committee.

(3) The remainder of the funds shall be allocated to students across the County fairly based on the eligibility criteria set out by Section 8 of the Act.

(4) Once funds are allocated to a particular Ward, it shall remain allocated to that Ward and shall be cumulative and carried forward from one financial year to the next.

11. (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.

12 (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,

13 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 Garissa 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 appointed by the County Executive Member for Finance.

Clause 6 provides for the power of the County Executive Member with respect to the Fund.

Clause 7 provides for a management committee to manage the Fund to be appointed by the County Executive Member.

Clause 8 provides for the eligibility criteria for one to qualify for the scholarship.

Clause 9 provides for the disbursement of the Fund to the institutions where the beneficiaries are taking their studies.

Clause 10 provides for the allocation of funds by the County Executive Member to the Scholarship Fund.

Clause 11 compels the County Executive Member to obtains the approval of the County Assembly for payments made out of the Fund within two months of such payments.

Clause 12 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 require submission of the statement to the Auditor General.

Clause 13 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.

Dated 11th July, 2014

IDRISS A. MUKHTAR,
Executive Committee Member for Finance and Economic Planning