

SPECIAL ISSUE

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REPUBLIC OF KENYA

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TRANS NZOIA COUNTY BILLS, 2023

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**THE TRANS NZOIA COUNTY NAWIRI FUND (AMENDMENT)
BILL, 2023**

A Bill for

**AN ACT of the County Assembly of Trans Nzoia to amend the Nawiri
Fund Act, No. 4 of 2015**

ENACTED by the County Assembly of Trans Nzoia as follows□

Short Title

1. This Act may be cited as the Trans Nzoia County Nawiri Fund (Amendment) Act, 2023.

Interpretation

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

“Committee” means the committee established under Section 8A of this Act.

Amendment of Section 8 of the Principal Act;

3. Section 8 of the principal Act is amended as follows;

(a) Replace 8(2) with 8(2)(i)

(b) In Sub Section 8(2)(i)(g) Replace the entire paragraph with the following□

“Two youths, a male and a female, to represent the youth”

(c) Introduce Paragraph 8 (2)(i)(h) to read as follows;

“Two persons, a male and a female, to represent persons living with disability” □

Replace the Principal paragraph 2(h) with “2(ii)

(d) In the new Paragraph 2(ii) replace “8(3)(a) to (g)” with “8(3)(e) to h”

(e) In paragraph 8 (4) introduce the following words between the word “Member” and the full stop; “upon approval by the County Assembly”

Introduction of Section 8A after Section 8

4. The Principal Act be amended by introducing **Section 8A** to provide as follows;

Ward Nawiri Fund Committees

(a) 8A (1) There is established a committee to be known as Nawiri Fund Committee for each ward in the County.

- (b) (2) The committee shall comprise the following as members;
- (i) The Ward Administrator who shall be the Secretary to Committee;
 - (ii) All Village Administrators for the Villages in the Ward;
 - (iii) Two persons, a man and a Woman, Living with Disability elected by the traders registered within the Ward;
 - (iv) Two youths, a male and a female, elected by the youths registered as traders in the Ward; and
 - (v) Two persons, a man and a woman, nominated by religious organizations in the ward.

(3) The Members of the Committee shall elect one person from among the Members appointed under Sub section 2(i) (c) to (e) to be the Chairperson of the Committee.

(4) The Executive Committee Member for matters related to trade shall appoint the Members contemplated under Sub section 2(i) (c) to (e) shall serve for a period of Three years and may be reappointed for a further term of three years only.

(5) The office of a Member of the Committee shall become vacant on the same grounds as are applicable to the office of Member of the Board under Sub section 8(6) of this Act.

- (6) The functions of the Committee shall be
- (a) To receive applications for loan from the eligible registered traders in the Ward;
 - (b) To verify and vet the applications for loan from the traders registered in the Ward;
 - (c) To approve or reject a loan application submitted to the Committee under this Act;
 - (d) To forward to the Board all applications for loan received by the Committee detailing
 - (i) All approved applications;
 - (ii) All rejected Applications, with reasons for such rejection and
 - (iii) Any other Applications, including deferred ones and the reasons thereof;
 - (e) To submit quarterly and such other reports to the Board as the Board may require from time to time.

Amendment of Section 9 of the Principal Act

5. Section 9 (1)(a) of the Principal Act be amended by introducing the words “for the time being in charge of matters related to trade” between the words “Officer” and “or”.

Amendment of Section 18

6. Section 18 of the Principal Act is amended as follows□

(a) Introduce paragraph 18(5) to provide for the expenses for the administration of the Fund□

- (i) The administrative costs of running the Fund shall be a charged on the Fund.
- (ii) “Not more than Two-point Five per cent of the monies allocated to the Fund shall be utilized towards the administration expenses of the Fund”

MEMORANDUM OF OBJECTS AND PURPOSE

The Amendments are necessary to align the principal Act with the Objects of Devolution and to promote the participation of the people, the enhancement of the principles of democracy and the Rule of law. The amendments do not infringe on any of the fundamental rights and freedoms under the Constitution.

Dated the 7th March, 2023.

OBED MWALE MAHANGA,
Member of County Assembly.