

SPECIAL ISSUE

Kenya Gazette Supplement No. 17 (Nyamira County Bills No. 13)



REPUBLIC OF KENYA

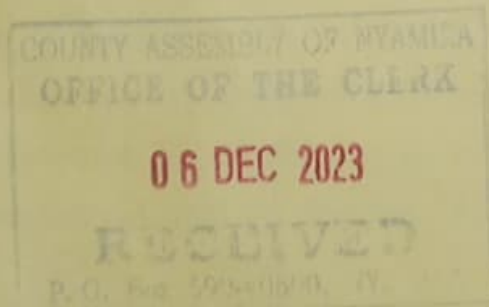
KENYA GAZETTE SUPPLEMENT

NYAMIRA COUNTY BILLS, 2023

NAIROBI, 4th December 2023

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P.O. No. 10/2023 NYAMIRA

The Nyamira County Education Support (Amendment) Bill, 2023

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**THE NYAMIRA COUNTY EDUCATION SUPPORT
(AMENDMENT) BILL, 2023**

A Bill for

AN ACT of the County Assembly of Nyamira to amend the Nyamira County Education Support Act, 2016 and for connected purposes.

ENACTED by the County Assembly of Nyamira, as follows—

Short Title

1. This Act may be cited as the Nyamira County Education Support (Amendment) Act, 2023.

Amendment of Section 2 of No. 3 of 2016

2. The Nyamira County Education Support Act, 2016, in this Act referred to as “the Principal Act” is amended in Section 2 by inserting the following new definition in proper alphabetical sequence—

“Fund Administrator” means a person designated under Section 116 of the Public Finance Management Act, 2012.

Amendment of Section 12 of No. 3 of 2016

3. Section 12 of the Principal Act is amended by deleting the subsection (1) and substituting therefor a new Sub-section—

(1A) There is hereby established a Fund to be known as Nyamira County Education Fund which shall be managed and administered by the Fund Administrator. This shall not exceed 2.5% of the total Revenue as contained in the previous year’s audited accounts excluding FIF and conditional Grants.

Amendment of Section 14 of No. 3 of 2016

4. Section 14 of the Principal Act is amended—

- (a) In subsection 1(b) by deleting the words “65% of”
- (b) In subsection 2(a) by deleting the subsection in whole
- (c) In subsection 2(b) by deleting “5%” and substituting therefor “3%”

Amendment of Section 19 of No. 3 of 2016

5. Section 19 of the Principal Act is amended in Subsection (1) by deleting the word “Commercial Bank” and substituting therefor “Central Bank of Kenya”

MEMORANDUM OF OBJECTS AND REASONS

The principal objective of this Bill is to amend the provisions of the Nyamira County Education Support Act, 2016.

Principally, the Nyamira County Education Support Act, 2016 establishes a fund and therefore to operationalize the fund in accordance with Section 116 of the Public Finance Management Act, 2012, this Amendment Bill seeks to clarify modalities of Management and Administration of the Fund.

Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms

The Bill neither delegates legislative powers to the Cabinet Secretary nor limits fundamental rights and freedoms.

Statement of how the Bill concerns county governments

The Bill proposes to enhance prudence in management of County Public Funds as specified in the Public Finance Management, Act, 2012.

The Bill therefore affects the powers and functions of the county government and it is therefore a Bill that concerns counties in terms of Article 110 (1) (a) of the Constitution.

Statement that the Bill is not a money Bill within the meaning of Article 114 of the Constitution

This Bill is not a money Bill within the meaning of Article 114 of the Constitution.

Dated the 30th November, 2023.

SAMWEL OGETO,
Chairperson, Education Committee.

