

SPECIAL ISSUE

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REPUBLIC OF KENYA

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MIGORI COUNTY ACTS, 2021

NAIROBI, 31st March, 2021

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**THE MIGORI COUNTY CAR LOAN AND MORTGAGE FUND
(AMENDMENT) ACT, 2021**

No. 2 of 2021

Date of Assent: 18th March, 2021

Date of Commencement: 31st March, 2021

**AN ACT of the County Assembly of Migori to amend the Migori
County Car Loan and Mortgage Fund Act, 2014 and for
connected purposes**

ENACTED by the County Assembly of Migori, as follows—

Short title

1. This Act may be cited as the Migori County Car Loan and Mortgage Fund (Amendment) Act, 2021.

Amendment to Section 4 of the Migori County Car Loan and Mortgage Fund Act, 2014

2. Section 4 of the Migori County Car Loan and Mortgage Fund Act, 2014 (in this Act referred to as the “principal Act”) is amended—

- (a) in subsection (1) by inserting the words “*and Employees*” immediately after the word “*Members*”;
- (b) in subsection (2) by inserting the words “*and Employees*” immediately after the word “*Members*”;
- (c) by inserting a new subsection 4. (2)c provide a Kenya Shillings Two million (KSh. 2,000,000) grant for purchase of vehicle in the form of a transport facilitation benefit for members of the second Assembly;
- (d) notwithstanding the provisions of Section 4(3) of the Migori County Car Loan and Mortgage Fund Act, 2014, the grant referred to in paragraph 2(c) above shall not be repayable by the Members of the second Assembly.
- (e) in subsection (3) by inserting the words “*or retirement*” immediately after the word “*term*”.

Amendment to Section 7 of the Migori County Car Loan and Mortgage Fund Act, 2014

3. Section 7 (2) (b) of the principal Act is amended by inserting the words “*and Employees*” immediately after the word “*Members*”.

No. 2 *Migori County Car Loan and Mortgage Fund (Amendment)* **2021**

Administration of the Fund

4. (1) A Loans and Mortgages Board of Management is hereby established for the purposes of this Act and shall consist of the following members—

- (a) the Clerk of the County Assembly who shall be in charge of the administration of the Fund and chairperson to the Board;
- (b) the County Chief Officer from the county department responsible for Finance;
- (c) employee of the County Assembly Service Board responsible for the Staff Welfare Committee of the County Assembly Service Board and shall be the Secretary to the Board; and
- (d) one person appointed to the County Assembly Service Board under section 12 (2)(d) of the County Governments Act, 2012.

(2) The Board shall be responsible for the general administration and management of the affairs of the Fund and specifically, the Board shall be responsible for—

- (a) making recommendations with respect to the conditions under which a loan and or a mortgage shall be granted or repaid under this Act;
- (b) processing applications for the granting of loans and mortgages to Members of the County Assembly subject to the provisions of any agreement relating to the provision of the loan and or mortgage;
- (c) receiving, administering and investing the resources of the Fund;
- (d) supervising the day-to-day running of the Fund;
- (e) liaising with financial institutions (if any) to set up a revolving fund for the disbursement of the loans; and
- (f) generally doing all that is expedient or necessary for the proper exercise of its duties and functions with respect to the Fund.

(3) The Board may co-opt any one or more persons to attend any of its meetings for the purpose of assisting or advising the Board, but no person who has been so co-opted shall have the right to vote.

(4) The meetings of the Board 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 Board's functions.

(5) The quorum for a meeting of the Committee shall be the Chairperson and any two members.