

**SPECIAL ISSUE**

**Kenya Gazette Supplement No. 7 (Mandera County Acts No. 1)**



REPUBLIC OF KENYA

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***KENYA GAZETTE SUPPLEMENT***

**MANDERA COUNTY ACTS, 2019**

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**NAIROBI, 18th April, 2019**

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**THE MANDERA COUNTY TRADE DEVELOPMENT FUND  
(AMENDMENT) ACT, 2019**

**No. 1 of 2019**

*Date of Assent: 5th April, 2019*

*Date of Commencement: 18th April, 2019*

**AN ACT of the County Assembly of Mandera to amend the Mandera County Trade Development Fund Act, 2014 and the Mandera County Trade Development Fund (Amendment) Act 2016 and for connected purposes**

**ENACTED** by the County Assembly of Mandera, as follows—

**Short title**

1. This Act may be cited as The Mandera County Trade Development Fund (Amendment) Act, 2019.

The Mandera County Trade development fund (Amendment) Act, 2016 is amended as follows—

**Amendment of section 2 of No. 4 of 2016**

2. Repealing section 2(a) The Mandera County Trade development fund (Amendment) Act, and replacing thereof with definition of Administrator of the Fund as per principle Act Section 2 of No.6 of 2014

3. The Mandera County Trade development (Amendment) Act,2016 is amended by repealing section 3(a) and replacing thereof with section 4(g) of the principle Act

**Amendment of Section 6 (1) (a) of the principle Act**

4. Section 6 (1) (a) of the principle Act is amended by deleting it completely and inserting the following new subsections—

- (i) Provide strategic leadership for effective delivery of Boards mandate
- (ii) Make regular reports for submission to the County Cabinet and County Assembly by the County Executive Committee Member on the execution of the functions of the Board;
- (iii) Convening board meetings, presiding over all Board meetings and shall have both deliberate and casting vote;
- (iv) Lead the board in overall management, design and oversight of the Fund;
- (v) Consider, verify and approve funding for groups in the Sub Counties;

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- (vi) Oversee the reports on the performance of the Fund;
- (vii) Develop relevant guidelines and review them as the need arises for the County Executive Member to approve after the Board Adapts for it guide the operations and implementation of the Fund;
- (viii) Give leadership in Monitoring and evaluation of the programs and activities under the Fund;
- (ix) Oversee the management and administration of the Fund including recoveries from loans beneficiaries; and
- (x) Oversee management of the finances, preparation and submission of the Boards Annual Plans, Programmes and estimates.
- (xi) Execution of the decisions of the Board.
- (xii) Perform any other duty as assigned by the Board and County Executive Committee member from time to time

**Amendment of section 6 (1) (f) of the principle Act**

5. (i) Section 6 (1) (f) of the principle Act is amended by deleting “trade officer” and replacing thereof with the “director of trade.”

(ii) Section 6 (2) (c) of No. 4 of 2016 is amended by deleting the number “seven” and substituting thereof with “five”

(iii) Section 6 (2) (c) (i) of No. 4 of 2016 is amended by deleting the number “Three” and substituting thereof with “one”

**Amendment of section 9(a)(b) of the Mandera County Trade development fund (Amendment) Act, 2016**

6. Section 9 (a)(b) of No. 4 of 2016 is amended as follows—

- (a) Delete the 10% appearing in section 9(a) of the amendment act 2016 and substitute thereof with 3%
- (b) Delete 6 Sub- County appearing in the last paragraph of section 9(b) and replace thereof with Sub-Counties.

**Amendment of Section 11 The Mandera County Trade development (Amendment) Act, 2016**

7. Repealing section 11(a) of The Mandera County Trade development (Amendment) Act,2016 and replacing with section 15(i) of the principle Act of No.6 of 2014.

**insertion of a new sub sections**

8. Section 15 of the principle Act is amended by inserting the following new subsection—

- (i) Funds provided under these Regulations shall not be used for the purpose of supporting political parties or entities.

**Amendment of section 16 of the Principle Act**

9. Section 16 of the principle Act is amended by inserting the following new subsection

- (i) The County Executive Committee Member for Finance designate the accounting officer of the County Department for the time being responsible for the matters relating to Trade shall be designated as administer of the fund

**New insertion 16 (5)**

10. Section 16(5) of the principle Act is amended by inserting the following new subsection

- (i) Every statement of account shall include details of the balance between the assets and liabilities of the Fund, and shall indicate the financial status of the Fund as at the end of the financial year concerned

**Amendment of section 15 (a) (ii) of The Mandera County Trade development (Amendment) Act, 2016**

11. section 15 (a) (ii) of The Mandera County Trade development (Amendment) Act, 2016 is amended by repealing section 19 (5) of the Principle Act, No. 6 of 2014 amended by deleting the word “receipt” at the end of the last paragraph before the word “group’ and substitute with word “recipients’ “