

SPECIAL ISSUE

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REPUBLIC OF KENYA

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TURKANA COUNTY ACTS, 2020

NAIROBI, 19th June, 2020

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**THE TURKANA COUNTY CO-OPERATIVE ENTERPRISE
DEVELOPMENT FUND (AMENDMENT) ACT, 2020**

No. 3 of 2020

Date of Assent: 16th June, 2020

Date of Commencement: 19th June, 2020

**AN ACT of the County Assembly of Turkana to amend the Turkana
County Co-operative Enterprise Development Fund (Amendment)
Act, 2016**

ENACTED by the County Assembly of Turkana as follows—

Short title

1. This Act may be cited as the Turkana County Co-operative Enterprise Development Fund (Amendment) Act, 2020.

Amendment to the Short Title of the principal Act

2. The Turkana County Co-operative Enterprise Development Fund Act herein referred to as the principal Act is amended in the short title wherever it appears by—

- (a) *deleting* the word “(amendment)”; and
- (b) *deleting* the year “2019” and *substituting* therefor the year “2016”.

Amendment to Section 9 of the principal Act

3. The principal Act is amended in section 9 by *deleting* sub-section (2) and *inserting* a new Sub-section 9 (2) to read—

“9 (2) The administrator of the Fund shall ensure that money held in the Fund, including any earnings or accruals referred to in Section 9 is spent only for purposes for which the Fund is established”.

Amendment to Section 10 of the principal Act

4. The principal Act is amended in section 10 (2) by *deleting* sub-section (2) and *substituting* therefor a new sub-section (2) to read—

“10 (2) The Administration costs of the Fund shall be a maximum of three (3) percent of the approved budgets of the Fund.”

Amendment of Section 11

5. Section 11 of the Principal Act is amended—

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- (a) in subsection (2)(b) by *deleting* the phrase “eight (8)” before the word “persons” and *substituting* therefor the phrase “five (5)” to read therefor—

11. (2)(b) five (5) persons not being public officers who shall be appointed by the County Executive Committee Member responsible for co-operative development and marketing drawn from the co-operative movement within the county while observing the interests of minorities, gender, people with disability and youth.

- (b) in subsection (3) by *deleting* the subsection in its entirety and *substituting* therefor the following new subsection (3)—

11. (3) the County Executive Committee Member responsible for Finance or his designate who shall be the Secretary to the Board.

- (c) in subsection (4), by *deleting* the whole subsection.

- (d) in subsection (5) by *deleting* the whole subsection,

Amendment of Section 12 of the Principal Act

6. Section 12 of the principal Act is amended by—

- (a) *deleting* the entire paragraph (12a); and

- (b) *deleting* entire paragraph 12(i).

Amendment of Section 16 of the Principal Act

7. Section 16 of the principal Act is *deleted* in its entirety and *substituted* with the following new section—

“Functions of the Fund Administrator”

16. (1) There shall be a Fund Administrator who shall be designated by the county executive committee member responsible for finance among persons serving in the county public service.

(2) The functions of the Fund Administrator shall be as outlined in section 116 of the Public Finance Management Act, 2012.

(3) No person shall be designated as the Fund Administrator of the Fund unless he has at least five years’ experience in any of the field of financial management, co-operative practice and management business administration/commerce, law, finance or economics.

(4) In the event of the Fund Administrator being absent or being incapacitated by reason of sickness or other cause, the county executive committee member for finance shall designate another officer in acting capacity.