

**THE KILIFI COUNTY WARD SCHOLARSHIP FUND ADMINISTRATION
(AMENDMENT) ACTBILL, 2015**

NO.OF 2015

[DATE ASSENT :.....]

[DATE OF COMMENCEMENT.....]

A bill for,

AN ACT of the County Assembly of Kilifi to amend the
Kilifi County Ward Scholarship Fund Administration
Act, 2013

ENACTED by the County Assembly of Kilifi as
follows—

1. This Act shall be cited as the Kilifi County Ward Scholarship Fund Administration (Amendment) Act, 2015 and shall come into operation upon publication. Short title and commencement
2. Section 2 of the Kilifi County Ward Scholarship Fund Administration Act, 2013, in this Act referred to as “the principal Act” is amended by inserting the following new definition after the definition of “Scholarship”

“Vocational training” includes a skill other than academic related; Amendment of section 2 of no. 1 of 2013
3. The principal Act is amended by inserting the following new section immediately after section 4—

4A. The purpose of the fund shall be to provide funds to be used for granting scholarships to assist needy and deserving students. Amendment of section 5 of no. 1 of 2013
4. Section 5 of the principal Act is amended—

(a) in subsection (3) by deleting the word “Ministry” and replacing it with the word “Department” wherever it occurs;

(b) in subsection (3) by deleting the words “Head of Accounting” appearing in paragraph (a) and substituting therefore the word “Director”;

(c) in subsection (3) by deleting the words “Youth and Social Services” appearing in paragraph (b) and substituting therefor the words “Youth affairs and sports”;

(d) by adding the following new subsection immediately after paragraph (d)-

(2a) The Executive Committee Member for Finance shall appoint the Chairperson of the Board from amongst the five persons appointed in paragraphs (a-e) of subsection (3).

5. Section 10 of the Principal Act is amended—
- (a) by deleting the words “with the concurrence of the Governor and the relevant County Assembly committee” appearing in subsection (1);

Amendment of section 10 of no. 1 of 2013

- (b) by inserting a new subsection immediately after subsection (1) as follows—

(1a) The amount appropriated to the fund every financial year shall be not less than 20 per cent of the development budget and not more than 2 percent of the Scholarship Fund to carter for administrative costs.

Amendment of section 12 of no. 1 of 2013

6. Section 12 of the principal Act is amended—
- (a) By deleting subsection one and replacing it with the following new subsection-
- (1) There shall be established in every ward, a Committee to be known as Ward Scholarship Committee.
- (b) In subsection (2) by deleting paragraph (a);
- (c) In subsection (2) by inserting the words “proposed by the committee” immediately after the word “members” appearing in paragraph (g);
- (d) By deleting subsection (3) and replacing it with the following new subsection-

- (3) the committee shall be patronized by the Ward Representative of the specific ward;
 - (e) By deleting subsection (4) and replacing it with the following new subsection-
 - (4) The committee shall elect the chairperson in its first meeting which shall be presided by the sub-county Administrator or a representative from his office;
 - (f) By deleting subsections (5) and (6).
7. Section 13 of the principal Act is amended by inserting the following new subsection immediately after subsection (2)-
- (3) to monitor the academic performance of scholarship recipients.
8. The principal Act is amended by deleting Section 22 and inserting the following new part immediately after section 21-

Amendment of section 13 of no.1 of 2013

Insertion of new part III A into no. 1 of 2013

PART III A -SCHOLARSHIP APPLICATIONS.

- 21 A. (1) Every student who wishes to be considered for the grant of scholarship fund shall make an application to the committee in the prescribed form.
- (2) All application forms shall be collected from the office of the Ward representative and shall be submitted back after having been duly filled.
 - (3) All duly completed forms will be eligible for evaluation.
 - (4) The committee after evaluation may accept or reject any application for scholarship assistance.
 - (5) If the committee accepts the application, it shall recommend to the Board to grant scholarship to the eligible student.
 - (6) All unsuccessful applicants shall be notified through a notice published at the relevant ward representative office.

Applications

21 B. Any applicant aggrieved by the decision of the committee may appeal to the patron within thirty days of the committee's decision.

21 C. (1) The committee shall ensure that strict criterion is adhered to in determining whether an applicant qualifies for scholarship support and shall ensure that applicants are-

Criteria for allocation of scholarships

- a) Kenyan nationals and bona fide residents of Kilifi County; and
- b) have demonstrated financial need.

(2) Priority shall be given to needy and deserving students in order of-

- (a) total orphans;
- (b) partial orphans;
- (c) single parents and people living with disabilities; and
- (d) those from poor households.

(3) the committee in consultation with the County Executive Member may come up with other criterion not specified in this Act.

21 D. The list of successful applicants shall be submitted to the chairperson of the Ward scholarship fund board after approval by the Ward Scholarship Committee.

21 E. The list of scholarship for each ward shall be publicized by the Board and published to ensure transparency and public accountability in the exercise.

21 F. A student shall cease to benefit from the scholarship if-

Scholarships to be publicized, published and reported

- (a) the student's performance deteriorates;
- (b) at completion of the course; and
- (c) the student is discontinued from school on matters of indiscipline.

9. The principal Act is amended by inserting the

following new part-

PART V-MISCELLANEOUS

26. The County Executive Committee member for education may make regulations for the better carrying out of the provisions of this Act.

Insertion of new part V into no.1 of 2013

10. The First Schedule to the principal Act is amended by deleting the word “Minister” appearing in paragraph (5) sub- paragraph (3) and substituting therefor the words “Executive Committee member for Finance.

Regulations

MEMORANDUM OF OBJECTS AND REASONS

Statement of object and reasons for the Bill

Scholarships by the department of education

The objective of this Bill is to give further effect to Article 207 (4) (b) of the constitution and Article 116 of the Public Finance Management Act as regards establishment of funds and the administration thereof and more specifically in recognizance of the rights to basic education as enshrined under the constitution.

The purpose of the fund shall be to provide funds to be used for granting scholarships to assist needy and deserving students.

The Bill seeks to cushion households from social impacts of poverty, unstable economy and the effects of HIV/AIDS by increasing access, retention and completion rates in primary, secondary and tertiary learning institutions and further to provide for the procedure applicable to and requirements for scholarship allocations in Kilifi County.

Part I of the Bill provides for preliminary matters including citations and words used in this Bill.

Part II of the bill establishes the Fund.

Part III of the bill establishes the Ward Scholarship

Committee to manage the Fund.

Part III A of the Bill makes a provision for scholarship applications.

Part IV of the Bill makes provisions for the County Assembly Select Committee on Ward scholarship fund.

Part V of the Bill provides miscellaneous provisions.

The provisions of this Bill are in addition to and not in derogation of the Constituencies Development Fund Act, 2003.

DATED theDay of.....2015

GERTRUDE MBEYU MWANYANJE

MCA, AND CHAIRPERSON,

Scholarship and Vocational Training Committee