MARSABIT COUNTY GAZETTE SUPPLEMENT

ACTS, 2016

NAIROBI, 1st November, 2016

CONTENT

Act—

The Marsabit County Enterprise Fund (Amendment) Act, 2016 .................1

PRINTED AND PUBLISHED BY THE GOVERNMENT PRINTER, NAIROBI
AN ACT of County Assembly of Marsabit to amend the Marsabit County Enterprise Fund Act, 2015 and for connected purposes

ENACTED by the County Assembly of Marsabit, as follows—

1. This Act may be cited as the Marsabit County Enterprise Fund (Amendment) Act, 2016.

2. The Principal Act is amended by inserting the words, ‘as the’ after the word ‘appointed’ in the interpretation of “board secretary” under section 2.

3. The Principal Act is amended by:

(1) repeal of section 5 and introducing the following—

“5(1) there is established a County Enterprise Fund Board consisting of—

(a) five persons appointed by the Governor from amongst individuals nominated by the County Executive Member for Trade;
(b) a non-executive chairperson appointed by the Governor from amongst individuals appointed under 5 (1) (a);
(c) the Chief Officer for the time being responsible for matters relating to trade;
(d) the Chief officer for the time being responsible for matters relating to County Treasury;
(e) one person representing the special interest groups nominated by the County Executive Committee Member and appointed by the Governor;
(f) A Fund Manager who is an ex officio and Secretary to the Board, designated by the County Executive Committee for Finance in accordance with section 116 of Public Finance and Management Act;
(2) The member under subsection (1) (c) (d) may appoint alternate members in writing who must be senior officers to represent them in Board meetings.

4. The Principal Act is amended by repeal of section 6.

5. Section 8 of the Principal Act is amended by—

   (1) In subsection 8 (b), deleting ‘advice county government’ and substituting it with, ‘seek approval of county executive’ just before the words on the structure and operations of the fund.

   (2) In subsection 8 (e), deleting ‘mobilize’ and substituting it with ‘management of’.

   (3) repeal subsection 8 (f) and substituting it with a new subsection 8 (f) ‘work under directorate of trade for purposes of creating cooperation in the management of the fund’.

   (4) In subsection 8 (h) delete the words ‘legal framework’ substituting with the words ‘policy guidelines’.

   (5) In subsection 8 (l) insert the words ‘and propagate’ immediately after the word ‘protect’.

   (6) In subsection 8 (o) insert the words ‘or as directed by the county executive committee.’ After the word ‘Act’.

6. The Principal Act is amended by repeal of section 10.

7. The Principal Act is amended by inserting the words ‘member for trade’ immediately after the word committee wherever it occurs.

8. The Principal Act is amended by inserting the words ‘member for trade’ immediately after the word committee under section 16 (1).

9. The Principal Act is amended by repeal of section 19.

10. The Principal Act is amended by—

    (1) inserting the words, ‘with approval of the county executive committee’ immediately after the words ‘may’ both in sub-section 26 (1) and 26 (3).
11. The Principal Act is amended by—

(1) Inserting the words, ‘member for trade’ immediately after the words ‘County executive committee’ in 28 (2) and;

(2) Inserting the word, ‘meeting’ immediately after the words ‘County executive’ in 28 (3).

12. The Principal Act is amended by—

(1) Deleting section 33 (1) substituting with ‘33 (1) The executive committee for finance shall enforce that proper books of account of the income, expenditure, assets and liabilities of the fund are kept and shall in this regard be subject to the provisions of any other law.’

(2) Deleting the word ‘board’ appearing before the word ‘referred’ in sub section 33 (2).

13. The Principal Act is amended by—

(3) Inserting the words, ‘member for trade’ immediately after the words ‘County executive committee’ in 36.

14. The Principal Act is amended by inserting the words ‘for trade’ immediately after the word ‘Officer’.

15. The Principal Act is amended by inserting the number ‘1’ after the ‘word schedule’.