

SPECIAL ISSUE

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THE WAJIR COUNTY BURSARY FUND ACT, 2014

No. 3 of 2014

Date of Assent: 24th June, 2014

Date of Commencement: 1st July, 2014

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THE WAJIR COUNTY BURSARY FUND ACT, 2014

AN ACT of the County Assembly of Wajir to provide for the establishment of the Wajir County bursary fund, the procedure for award of bursaries and for connected purposes

ENACTED by the County Assembly of Wajir, as follows—

PART I—PRELIMINARY

1. This Act may be cited as the Wajir County Bursary Fund Act, 2014.

Short title.

2. In this Act, unless the context otherwise requires—

Interpretation.

‘Wajir County Bursary Fund Committee’ means a bursary fund committee established under section 3 of this act

“Ward Committee” means the bursary committee established under section 13 of this Act;

“Executive Committee Member” means the County Executive committee member for the time being in charge of education.

“Student” means a needy student who is domiciled in Wajir County and admitted to a recognized educational institution.

PART II—ESTABLISHMENT OF THE WAJIR COUNTY BURSARY FUND COMMITTEE

3. (1) There is hereby established a committee to be known as bursary fund committee

Establishment of the Wajir County Bursary Fund Committee.

4. (1) The Committee shall consist of the following persons—

Membership of the Wajir County Bursary Fund Committee.

- (a) The Chairman appointed by the Governor
- (b) A representative appointed by the County Executive member responsible for Education
- (c) County Director of Education or his or her representative
- (d) One person representing people with disabilities nominated by county executive member in charge of Education

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- (e) Two people being a man and a woman who are educationist of at least 5 years standing, based in the county nominated by the Governor.
- (f) The Chief officer in charge of education or his/her representative shall be the secretary of the committee
- (2) The members may elect vice-chairperson from among the members appointed during the first meeting.
- (3) The County Executive member responsible for Finance in consultation with the County Executive member responsible for Education shall apportion the amounts of Bursary between Secondary Schools & Tertiary institutions.

5. The members of the Committee, other than the secretary appointed under section 4(f) and public officers shall hold office for a term of three consecutive years and may be eligible for re-appointment for one further term of three years.

Tenure of office

6. (1) The office of a member of the Committee shall become vacant—

Vacancy of office

- (a) at the expiry of three years from the date of appointment;
- (b) if the member submits a written resignation to the governor;
- (c) upon the death of such member;
- (d) if the member suffers physical or mental incapacity that hinder the discharge of functions of the office;
- (e) if the member fails to attend three consecutive meetings of the Committee without reasonable cause; or
- (f) if the member is found to have been in contravention of Chapter Six of the Constitution of Kenya;
- (g) if the appointing authority or nominating organization revokes his appointment or nomination

(2) Where the member of the committee seat becomes vacant the secretary shall be notified.

(3) A member appointed to replace another member, in case of vacancy of a member's office in the Committee shall serve for the remaining term of the member who has been replaced.

7. (1) The Secretary shall—

- (a) be the head of the Secretariat and shall be responsible to the Committee in ensuring that the Secretariat satisfactorily carries out duties and performs functions assigned to it by the Committee; and
- (b) be an *ex officio* member of the Committee and shall have no right to vote at the meetings of the Committee.

Secretary to the
Wajir County
Bursary Fund
Committee.

8. The functions of the Committee shall be—

- (a) to set the criteria and conditions governing payments of Bursary funds;
- (b) to authorize distribution of bursaries to students, upon recommendations of the ward bursary committee;
- (c) to perform and exercise all other functions and powers conferred on the Committee by this Act.
- (d) ensure equitable distribution of bursary fund to the wards.

Functions of the
Wajir County
Bursary Fund
Committee.

9. (1) The chairperson to the Committee shall preside over all the meetings of the Committee and in the absence of the chairperson, the vice-chairperson shall preside and in the absence of both the chairperson and vice chairperson, the members present shall elect one among themselves to preside at that particular meeting.

Meetings of the
Wajir County
Bursary Fund
Committee.

(2) The Committee shall meet at least three times per year but the chairperson shall, upon request in writing by at least four members, convene a special meeting of the Committee at any time.

(3) if an applicant's request is rejected at the ward level he or she can make an appeal directly to the County Bursary Fund Committee.

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(4) The committee reserves the right to investigate any matter, within its jurisdiction and make decision for better execution of its mandate in this Act.

(3) All questions at any meeting of the Committee shall be determined by a simple majority of the votes of the members present and voting.

(4) The Chairperson shall, in case of an equality of votes during voting upon any matter, have an original and casting vote.

(5) The secretary shall record minutes and proceedings of all the Committee meetings to be entered into a Minute Book kept for that purpose.

10. (1) The bank accounts for the Committee shall be opened and maintained at the commercial Bank approved by the County Executive Committee member responsible for Finance

Finances.

(2) The signatories to the account shall be Chief Officer in charge of education, the chairperson and the one other member appointed by the County Executive responsible for Finance.

(3) The signing instructions shall be such that the signature of the Chief Officer in charge of education shall be mandatory on all cheques and the representative of the Finance department

11. The Committee members shall be paid such allowances and disbursements for expenses at applicable rates as may be approved by the County Executive Member in charge of Education.

Allowances of Members.

**PART III—ESTABLISHMENT OF WARD
BURSARIES COMMITTEE**

13. (1) There shall be established in each ward, a Ward Bursaries Committee.

Establishment of
Ward Bursaries
committees.

(2) The members of the committee shall be appointed by the County Executive member in charge of Education in consultation with the Member of county Assembly representing that ward

14. (1) The Committee shall consist of—

Membership of the
Committee.

- (a) the Ward administrator;
- (b) one person representing religious leaders resident in the ward;
- (c) one person representing women resident in the ward;
- (d) one person representing the youth resident in the ward;
- (e) one person representing primary school head teachers in that ward
- (f) one person representing secondary school head teachers in that ward
- (g) a representative of persons leaving with disabilities resident in that ward

(2) The chair-person of the Ward Committee shall be the Ward Administrator

(3) All members of the ward bursary committee shall have a minimum qualification of primary education certificate or its equivalent.

15. The Functions of the Ward Committee shall be—

Functions of the
committee.

- (a) to receive and consider bursary applications;
- (b) to vet applicants according to the criteria set by the Committee; and
- (c) to recommend to the County Bursary Committee eligible students.

16. (1) The chairperson shall preside at all the meetings of the committee and in the absence of the Chairperson, the members present shall elect one of them to preside at that particular meeting.

Committee
meetings.

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(2) The committee shall meet at least, three times in a year but the chairperson shall upon request in writing by at least three members, convene a special meeting of the Committee at any time.

17. All bursary applications to the committee shall be made through a prescribed form.

Bursary applications.

18. (1) The beneficiaries of the bursary fund shall be secondary and tertiary students who—

Bursary beneficiaries.

- (a) have no father;
- (b) are orphans; or
- (c) are from poor families;
- (d) deserving cases as approved by the committee;

(2) The Ward committee may approve or reject any bursary application stating reasons for rejection.

(3) If the Ward Committee approves the bursary application, the Committee shall recommend to the County Bursary Fund Committee to grant bursary to the eligible students.

19. Notification on the availability of bursaries shall be done in secondary schools, public notice boards, public *barazas* and any other public place as the committee may deem fit.

Bursary notification.

20. (1) The committee shall vet the applicants to make sure that the bursaries are awarded to deserving beneficiaries.

Vetting applicants.

(2) Any applicant aggrieved by the decision of the Committee may appeal to the County Bursary Fund Committee within seven days of the Ward Bursary Committee's decision.

(3) The County Bursary Fund Committee shall look into the grievances and give feedback within seven days.