NAIROBI CITY COUNTY RECEIVED

SPECIAL ISSUE

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(Nairobi City County Legislative Supplement No. 1)

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THE PUBLIC FINANCE MANAGEMENT (NAIROBI CITY COUNTY BURSARY AND SCHOLARSHIP FUND) REGULATIONS, 2021

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THE PUBLIC FINANCE MANAGEMENT ACT

(No. 18 of 2012)

IN EXERCISE of the powers conferred by section 116 of the Public Finance Management Act, 2012, the Nairobi City County Executive Committee Member for Finance and Socio-Economic Planning makes the following Regulations:—

THE PUBLIC FINANCE MANAGEMENT (NAIROBI CITY COUNTY BURSARY AND SCHOLARSHIP FUND) REGULATIONS, 2021

PART I—PRELIMINARY

Citation

 These Regulations may be cited as the Public Finance Management (Nairobi City County Bursary and Scholarship Fund) Regulations, 2021.

Interpretation

2. In these Regulations, unless the context otherwise requires—

"applicant" is a student who makes a formal application for bursary and/or scholarship under these Regulations.

"College" means a middle level institution as classified by the Ministry of Education

"County Assembly" means the Nairobi City County Assembly;

"Executive Bursary and Scholarship Management Committee" means the Nairobi City County Bursary and Scholarship Management Committee established under Regulation 11;

"Executive Committee" means the Executive Busary and Scholarship Management Committee;

"County" means Nairobi City County;

"Executive Committee Member" means the County Executive Committee Member responsible for matters relating to Education;

"Fund" means the Nairobi City County Bursary and Scholarship Fund established under Regulation 3;

"indigent student" means a needy and poor student who cannot afford to pay fees for his/her education;

"Persons with Disability" means persons with disabilities registered under National Council for persons with disabilities;

"Nairobi City County Public Service Board" means a body established under the provisions of Section 57 of the County Government Act;

"Nairobi City County Executive Scholarship" means a four (4) year scholarship for bright and needy students who have not been considered by other scholarship schemes; the scholarship will be awarded to bright and needy students from county primary schools in Nairobi admitted to secondary schools within the republic of Kenya;

"Officer Administering the Fund" means the Chief Officer in charge of matters relating to Education;

"relevant committee" means the Executive Committee or Bursary Committee as the case may be;

"scholarship" means a grant or payment made to support an indigent person's education and shall be awarded on the basis of academic merit;

"Ward" means electoral ward in Nairobi City County;

"Ward Bursary Committee" means the committee established under Regulation 13;

"Ward Committee" means the Ward Bursary Committee.

PART II—ESTABLISHMENT OF THE FUND

Establishment of the Fund

3. There is established a Fund to be known as the Nairobi City County Bursary and Scholarship Fund.

Object and purpose of the Fund

4. The object and purpose of the Fund shall be to provide a bursary scheme for financial assistance to indigent students.

Capital of the Fund

5. The initial capital of the Fund shall consist of monies standing to the credit of the account on the date of the coming into operation of these Regulations.

Sources of the Fund

- 6. The Fund shall also consist of-
- (a) additional monies appropriated by the County Assembly for that purpose;
- (b) sums received as contributions, gifts or grants;
- (c) such other monies as may be payable or vested in the Fund.

Beneficiaries of the Fund

- 7. (1) The beneficiaries of the Fund shall be indigent students of the following institutions—
 - (a) Secondary Schools;
 - (b) Vocational Training Centres;
 - (c) Colleges;
 - (d) Special needs institutions;
 - (e) Early Childhood Development Training Institutions;
 - (f) Education Teacher Training Centres; and
 - (g) Registered Driving Schools.

PART III—ADMINISTRATION OF THE FUND

Administration of the Fund

8. (1) The Fund shall be administered and operated by the Officer administering the Fund in consultation with the Executive Committee Member as may be necessary for efficient discharge of the Fund under these Regulations.

- (2) The Executive Committee Member for Finance may designate such staff as may be necessary for the efficient discharge of the functions of the Fund under these Regulations.
 - (3) In administering the Fund, the Officer administering the Fund —
 - (a) shall be responsible for the day to day activities of the Fund;
 - (b) shall supervise the administration of the Fund;
 - (c) shall provide an Information Communication Technology based Bursary Management System that will manage the entire Bursary life-cycle from applicants' raw data to Electronic Fund Transfer Bank processing & tracking of the students school progress;
 - (d) may recommend to the Executive Committee Member the imposition of necessary conditions on the administration of the Fund.

Books of accounts

9. The officer administering the Fund shall keep books of accounts and other books and records in relation to the Fund.

Statement of accounts

- 10. (1) The officer administering the Fund shall, within three months after the end of a financial year, prepare a statement of accounts for the Fund's for that financial year and transmit it to the Auditor-General.
- (2) Every statement of account prepared under this regulation shall include details of the balances between the assets and liabilities of the Fund and shall indicate the financial status of the Fund every quarter of the Financial Year.
- (3) The officer administering the Fund shall furnish such additional information as may be required by the Auditor-General.
- (4) The officer administering the Fund shall present financial statements on the Fund to the County Assembly every financial year.

PART IV—ESTABLISHMENT OF BURSARY COMMITTEES

Executive Bursary and Scholarship Co-ordination Committee

- 11. (1) There is established a committee known as the Executive Bursary and Scholarship Co-ordination Committee, appointed by County Executive Member responsible for matters relating to Education.
 - (2) The Executive Committee shall consist of—
 - (a) a Chairperson and Vice-Chairperson elected by the members of the Executive Committee in accordance with these Regulations (Sec 11 (4));
 - (b) the Chief Officer responsible for Finance;
 - (c) the Officer administering the Fund;
 - (d) the Director of Education who shall be the Secretary of the Committee;
 - (e) one Officer representing Vocational Training Centre;
 - (f) one representative from Kenya National Union of Teachers (KNUT);

- (g) one representative from Kenya Education Primary and Secondary Heads Association (KEPSHA);
- (h) three person representing Special groups (women, youth and people living with disability).
- (3) In appointing the persons referred to in (2) above (f, g and h) the Executive Committee Member shall take into consideration regional and gender balance.
- (4) The Executive Committee shall, at its first sitting, elect a Chairperson and Vice chairperson from amongst its numbers.
- (5) The persons referred to in paragraphs (2) (f, g and h) shall serve for a period of three years and shall be eligible for re-appointment for one further term.
- (6) The appointments under this regulation shall be in writing and shall be gazetted by the Executive Committee Member of Finance.

Functions of the Executive Bursary and Scholarship Co-ordination Committee

- 12. The functions of the Executive Co-ordination Committee shall be to—
- receive all successful applications from the Ward Bursary Committee for further processing;
- (b) receive and consider applications for scholarship;
- (c) ensure speedy processing of the Bursary;
- (d) maintain relevant Bursary data and documentation in soft and/or hardcopies;
- (e) determine, approve and review the policies for administering the Fund;
- (f) monitor the administration of the Fund and assess if the Fund is being administered in accordance with the Fund's object and purpose;
- (g) prepare and submit reports on the Fund to the Executive Committee Member for onward submission to the Auditor General on a quarterly basis;
- (h) advise the Executive Committee Member on all bursary matters;
- undertake such other activities as are necessary for the effective administration of the Fund; and
- (j) ensure that the Regulations are complied with.

Ward Bursary Committee

- (1) There is established for each Ward a Committee known as the Ward Bursary
- (2) The Ward Bursary Committee shall be domiciled in the Ward office of the elected Member of county Assembly of that ward.
 - (3) The Ward Bursary Committee shall consist of-
 - (a) the Sub-County Officer responsible for matters relating to Education, who shall be the Secretary;
 - (b) three persons, not being public officers, who have experience in Education matters and reside in the ward;

- (c) three persons who ordinarily reside in the ward representing Women, Youth and Persons Living With Disability;
- (d) the elected member of the County Assembly from the ward who shall be an exofficio member, and
- (e) The Ward Administrator who shall be a member of the Ward Committee.
- (4) The Ward Bursary Committee shall, at its first sitting, elect a Chairperson and Vice chairperson from amongst its Members. The Chairperson and Vice chairperson shall be amongst persons mentioned in Regulation 13(3) (a), (b) and (c).
- (5) The minimum qualification for the appointment of a Chairperson shall be a holder of The Kenya Certificate of Secondary Education or its equivalent.
- (6) The persons referred to in paragraphs (3) (b) and (c), shall be appointed by the elected Member of the County Assembly who shall take into consideration gender balance.
- (7) The Ward Bursary Committee members appointed under paragraphs (3) (b) and (c) shall serve for a period of three years and shall be eligible for re-appointment for one further term.
- (8) The appointments under paragraphs (3) (b) and (c) shall be in writing and the same communicated to the Executive Committee in writing.

Functions of the Ward Bursary Committee

- 14. The functions of the Ward Bursary Committee shall be to—
- (a) apply the Fund in accordance with its object and purpose;
- (b) ensure that the bursary forms are available to every deserving student in the ward;
- (c) receive and consider applications for bursaries;
- (d) process the bursary applications and maintain relevant data and documentation of the applicant in soft and/or hardcopies;
- (e) distribute payment vouchers to successful applicants;
- (f) undertake such other activities as may be assigned by the Executive Committee for the effective application of the Fund;
- (g) to recall any payment voucher issued in the event of wrongful information given by an applicant.

Declaration of vacancies in the Bursary Committees

- 15. A position in both the Executive and Ward Committees shall be declared vacant when—
 - (a) a member is absent from three consecutive meetings without good cause;
 - (b) a member is in serious violation of these Regulations or any other written law;
 - (c) a member is guilty of gross misconduct;
 - (d) a member is physically or mentally incapable of performing the functions of the committee;
 - (e) a member is adjudged bankrupt; or
 - (f) if a member dies.

Allowances for members of the committee

- 16. (1) Members of the Executive Committee and the Ward Committee shall be paid such allowances of a minimum of two (2) sittings and a maximum of eight (8) sittings as will be determined by the Executive Committee Member in consultation with the County Executive Committee Member for Finance and Socio-Economic Planning and the relevant Salaries and Remuneration Commission guidelines.
- (2) The Ward Committee shall retain 2% of the total amount of bursary allocated to the Ward to cover administrative costs and payment of allowances.

Ouorum.

17. The quorum for the meetings of the relevant committee shall be one third of the members present.

Meeting and Records.

- 18. (1) The meetings of the relevant Committee shall be convened by the Chairperson or in the absence of the Chairperson, the Vice chairperson.
- (2) The relevant committee shall have a minimum of two sittings and a maximum of eight sittings in a year and shall maintain records of its deliberations. Voting
- 19. A question before the relevant committee shall be decided by a majority of the members present.

PART V—APPLICATIONS FOR GRANT OF BURSARIES

Conditions for the award of a bursary

- 20. In determining whether an applicant is to be granted a bursary, the Ward Bursary Committee shall consider the applicant's indigence and vulnerability including whether the applicant is-
 - (a) a total or partial orphan;
 - (b) a child of a single parent;
 - (c) a person with disability;
 - (d) does not exceed the maximum of 20 applicants per institution per Ward;
 - (e) A student in levels of Education listed in 7 (1).

Application for Bursary

- 21. (1) An application for bursary shall be made to the Ward Bursary Committee and Executive Bursary Committee in the form prescribed in the first schedule.
- (2) An application for bursary may be made by the student in person, the applicant's parent, guardian or representative.

Procedure for Disbursement of bursaries

22. (1) The Executive Committee and the Ward Committee shall adhere to the following procedure in considering the applications and disbursing any bursaries-

- (a) the Officer administering the Fund shall issue the Bursary application forms to the member of the County Assembly who shall deliver the forms to the Ward Committee;
- (b) the Ward Committee shall invite applicants from the residents of the relevant ward;
- (c) the Ward Committee shall receive duly completed application forms accompanied by the school fees structure, report forms and admission letters (where applicable);
- (d) there shall be no requirement for the application forms to be presented to applicant's institution or learning under this part;'
- (e) the Ward Committee shall vet the applications and select the beneficiaries of the bursary in accordance with this Regulation;
- (f) the Ward Committee shall cause the preparation of an electronic spread sheet with information of the successful applicants. The spread sheet shall contain the following columns and in the order shown herein—
 - (i) Full name of the Learning Institution (as per the bank account name);
 - (ii) Bank name of the learning institution;
 - (iii) Bank branch name of the learning institution;
 - (iv) Bank account number of the learning institution Bursary amount;
 - (v) Full name of the student;
 - (vi) The admission number of the student;
 - (vii) Type of the institution of learning (e.g. Secondary, College, Driving);
 - (viii) County in which the Learning Institution is located;
- (g) the Ward Committee shall cause the printing of a hard copy of the electronically prepared spread sheet in paragraph (5) above.
- (h) the Ward Committee shall cause the delivery and presentation of the following information to the Executive Committee—
 - (i) duly filled bursary forms;
 - (ii) attachment documents (e.g. report form, admission letter, school fees structure);
 - (iii) electronic spread sheet prepared in regulation 22 (5);
 - (iv) the electronically spread sheet printed in a hard copy as in (paragraph 6 above).
- (2) The Executive Committee shall cause the examination and scrutiny of the bursary information received under sub-section in paragraph (7).
 - (3)(a)The Executive Committee shall thereafter issue the necessary bank instructions that shall cause the lump-sum payments to be effected by the paying bank to the relevant bank accounts of the beneficiary institutions of learning as presented by the various Ward Committees.

- (b) The relevant details of the successful applicants shall be communicated to the paying bank by the Executive Committee while issuing instructions for payment.
- (4) The Executive Committee shall cause the preparation of the Bursary Voucher bearing the following details-
 - (a) Full name of the Learning Institution.
 - (b) Full name of the student.
 - (c) The admission number of the student.
 - (d) The bursary amount.
- (5) The Executive Committee shall then issue vouchers to the Member of the County Assembly for onward delivery to the Ward Committee.
- (6) The Ward Bursary Committee shall thereafter examine and scrutinize the vouchers to address any misrepresentation, inaccuracies, incorrectness, omissions, inconsistencies with these regulations and/or any other issues that may have arisen.
- (7) In the event that any issue is detected under paragraph (13), it shall be communicated to the Executive Committee to be addressed, rectified and/or remedied.
- (8) The Ward Bursary Committee shall then cause the voucher to be issued to the Bursary Beneficiaries by the Member of the County Assembly.
- (9) The Beneficiaries of the Bursaries shall present the vouchers to the Heads of the Learning Institution as evidence of payment of fees for the student indicated in the voucher.
- (10) Any payment in respect to paragraph (10) that will not have a corresponding payment voucher shall be returned to the Fund. Such returned funds shall be reutilized as per the provisions of these regulations.
- (11) (a) The Executive Committee shall prepare, deliver and present a schedule containing the following information of the Beneficiaries of the Bursary to the Head of each Learning Institution of that received payment-
 - Full name of the Learning Institution
 - (ii) Full name of the student.
 - The admission number of the student. (iii)
 - (iv) Bursary amount.
- (b) The schedule in paragraph (18 (a) may be delivered or communicated to the institution of learning in whichever manner, mode or medium. Minimum and Maximum Bursary Allocation

- 23. The Ward Committee may allocate a minimum of KSh. 5,000 and a maximum of KSh. 53,000 or as per the Ministry of Education school fees guidelines, to each applicant per year. However, a maximum of Kshs.20, 000 is set for an applicant in a Driving School.
- 24. (1) The relevant committee shall make any decisions touching on the application without undue delay.
- (2) The Ward Committee shall process the Bursary application forms and forward the successful applications within 30 days of receipt of the applications.

(3) The Executive Committee shall consider the successful applications forwarded by the Ward Committee within 30 days of receipt to determine the Beneficiaries of the

Winding up of the Fund

25. In the event of winding up of the Fund, the cash balances shall be transferred to the National Ex-chequer Account while other assets of the Fund shall be transferred to the Ministry for the time being responsible for matters relating to finance. Supplementary Requirements

26. These Regulations shall be supplemented by such requirements as may be detailed in the bursary application form issued by the Officer administering the Fund.

Amendments to these Regulation

27. The Executive Committee may, from time to time, recommend to the Nairobi City County Executive Committee Member for Finance and Economic Planning any

Repeal of Kenya Gazette Supplement No.14 of 2016

- 28. (a) The Public Finance Management (The Nairobi City County Bursary and Scholarship Fund) Regulations, 2016 are repealed.
 - (b) On coming into operation of these Regulations, all the assets and liabilities of the Nairobi City County Bursary and Scholarship Fund Regulations 2016 shall be transferred to and vest in the Fund.

Offences and Penalties

29. Any person found guilty of misrepresentation or giving false information in his/her application for bursary or Scholarship shall be disqualified from the Fund.

FIRST SCHEDULE

NAIROBI CITY COUNTY GOVERNMENT

TELEGRAM "SCHOOLING" TELEPHONE: 2221166/224281 EXT: 2426/2590



CITY HALL ANNEXE: P. O. BOX 30298 GPO- 00100, NAIROBI, KENYA

EDUCATION, SPORTS, CULTURE, YOUTH, GENDER AND SOCIAL SERVICES

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RE YOU AN ORPHAN? (√)		
A)TOTAL ORPHAN NO	_ (B) PARTIAL ORPHAN	

(Attach Supporting Documents)

14	Nairobi City County Subsidiary Legislation, 2021
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PART E:	MEMBER OF COUNTY ASSEMBLY
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NAIROBI CITY COUNTY GOVERNMENT

TELEGRAM "SCHOOLING" TELEPHONE: 2221166/224281 EXT: 2426 /2590



CITY HALL ANNEXE: P. O. BOX 30298 GPO- 00100, NAIROBI, KENYA

EDUCATION, SPORTS, CULTURE, YOUTH, GENDER AND SOCIAL SERVICES
This Form is not for sale

SERIAL NO.....

Attach passport size photo

<u>Application form for Nairobi City County Executive Scholarship</u> Timeline <u>NOTES</u>

- 1. Students must attach all relevant supporting documents including a written essay as to why they should be considered for the Scholarship
- This form should be returned to the office of the County Chief Officer, Education, Social Services & Gender (City Hall Annexe; 9th Floor)
- 3. This form MUST be returned on or before 31st January of Form One admission

PART 1 APPLICANTS' DETAILS

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Last Name	Middle Name	
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Address of school:		
County		
Sub-county		

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	Nairobi City C	ounty Su	bsidiary Legislation, 2	2021 17
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18	Nairobi City County Subsidiary Legislation, 2021
Executive Bu	nrsary Committee Recommendation
Approved /N	fot Approved
Chairperson	
Date	Signature
Mada	on the 18th January 2021

Made on the 18th January, 2021.

ALLAN ESABWA IGAMBI, County Executive Committee Member for Finance and Economic Planning.