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MACHAKOS COUNTY BILLS, 2021

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2021**

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FIRST SCHEDULE

**THE MACHAKOS COUNTY YOUTH EMPOWERMENT BILL,
2021**

A Bill for—

AN ACT of the County Assembly of Machakos to give effect to Article 55 of the Constitution; establish the Machakos County Youth Service; to establish the Machakos County Youth Empowerment Fund; to provide for youth empowerment, participation and development and for connected purposes

ENACTED by the County Assembly of Machakos, as follows—

PART I—PRELIMINARY

Short title

1. This Act may be cited as the Machakos County Youth Empowerment Act, 2021.

Interpretation

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

“Applicant” means an individual youth or a youth group which applies for funding in accordance with section 26;

“Chief Executive Officer” means the officer-in-charge of the secretariat of the Service appointed pursuant to section 11;

“Chief Officer” means the Chief Officer responsible for matters relating to the youth;

“Commission” means the Salaries and Remuneration Commission established under Article 230 of the Constitution;

“County” means Machakos County;

“County Assembly” means the County Assembly of Machakos;

“Department” means the Department responsible for matters relating to the youth;

“Executive Committee Member” means the County Executive Committee Member responsible for matters relating to the youth;

“Fund” means the Machakos County Youth Empowerment Fund created under section 20;

“Government” means the County Government of Machakos;

“Grantee” means an applicant whose grant has been approved and granted under this Act;

“Group” means a registered and active youth group with seventy-percent of its members being youth;

“Service” Means the Machakos County Youth Service established under section 12;

“Talent Development Facilities” includes performing arts, studio, games and sporting facilities, innovation centers among others.

“Youth” means the collectivity of all individuals in the county who have attained the age of eighteen years but have not attained the age of thirty-six years;

“Youth Council” means the Machakos County Youth Council established under section 10;

Object and purpose of the Act

3. The object and purpose of this Act is to provide for the—
- (a) enhancement of the capacity of the youth to identify, plan and implement sustainable socio-economic activities;
 - (b) promote youth participation in all aspects of life including governance;
 - (c) promotion of youth entrepreneurship through empowerment programs including through training, mentorship and internship;
 - (d) facilitation of the formalization and up-grading of informal micro and small enterprises;
 - (e) unlocking of youth potential for sustainable wealth creation and development;
 - (f) promotion of an entrepreneurial culture among the youth;
 - (g) attraction and facilitation of investment in economic sectors that have linkages to micro, small and medium enterprises that benefit the youth;
 - (h) facilitation of access to business development services by micro, small and youth owned enterprises;
 - (i) financing of youth groups, small and micro-enterprises through grants and low interest loans with a view of value addition amongst other activities as may be prescribed;
 - (j) support, reviving and initiation of micro-enterprises owned by the youth in sectors that can have an immediate impact to household income;

- (k) enhancement of collaboration and partnership with the stakeholders for sustainable development;
- (l) uplifting of the standards of living among the youth by ensuring that the youths enjoy equal rights, opportunities and a dignified life;
- (m) provide for the rehabilitation of vulnerable youth; and
- (n) decentralization of youth empowerment services throughout the county.

Attainment of the rights of the youth

4. (1) The County Government shall take legislative, policy, administrative and other measures to the maximum of its available resources to ensure the full realization of the rights of the youth as guaranteed by the Constitution.

(2) In ensuring the achievement of the objectives of this Act, the County Government shall—

- (a) design training programmes and skills development initiatives that are relevant to the job market and contemporary societal issues;
- (b) incorporate youth mentorship and internship programmes throughout the county public service;
- (c) promote youth participation in development programmes including agriculture, business, property development, environmental conservation, information, communication technology among other fields;
- (d) prioritize youth affairs including affirmative action for the youth in employment in County public service;
- (e) inculcate a culture of self-worth and dignity, hard work, diligence, self-reliance and entrepreneurship among the youth;
- (f) partner with the private sector on youth empowerment including employment, community projects and industrial attachments;
- (g) incorporate the views of the youth in policy decisions;
- (h) put in place measures to reduce poverty and unemployment among the youth;
- (i) maintain a database of all the youth in the county and the skills they possess;

- (j) provide technical and financial support to youth intending to be self-employed;
- (k) increase the number of safe spaces for the youth and encourage the participation of the youth in constructive activities including sports, entertainment, cultural activities and community development activities;
- (l) inculcate a culture of volunteerism among the youth especially in community initiatives;
- (m) provide the relevant information to the youth to ensure their participation in governance at all levels;
- (n) collaborate with the relevant national government agencies in addressing issues affecting the youth including drug abuse, crime, cyber addiction, idling, gender-based violence, early marriages and betting; and
- (o) create public awareness on youth issues.

(3) In putting in place the measures in subsection (1) the County Government shall collaborate with the national government.

Responsibilities of the youth

5. The youth have the responsibility to—

- (a) become the custodians of their own development;
- (b) participate actively in citizenship duties and other matters affecting them;
- (c) apply their skills to assist their communities and the Government;
- (d) practice ethical conduct in their private and public affairs;
- (e) cultivate patriotism, peaceful coexistence and harmony within the County;
- (f) contribute to nation building;
- (g) fulfil their civic duties;
- (h) participate in peer-to-peer counseling and support;
- (i) contribute to environmental protection;
- (j) embrace traditional values and preserve culture and heritage found within the County;
- (k) exercise good stewardship for the resources placed under their care;

- (l) have full respect and provide assistance to their parents and elders;
- (m) be mindful of future generations by embracing sustainable development, sustainable use of resources and care for the environment; and
- (n) avoid harmful practices and activities that are detrimental to themselves and the communities they live in.

PART II—YOUTH DEVELOPMENT INITIATIVES

Capacity building programs

6. The Department shall ensure that the youth are equipped with the necessary knowledge, skills, values and attitudes on socio-economic and political dynamics of their lives including—

- (a) training on various areas of socio-economic empowerment;
- (b) enhancing the capacity of the youth to improve their living standards;
- (c) providing civic education on various aspects of social life for the youth;
- (d) fostering the culture of entrepreneurship and financial management;
- (e) partnering with various stakeholders in order to initiate programs that develop the youth; and
- (f) mobilizing resources for youth activities.

Machakos County Youth Training Programme

7. (1) The County Government, through the Service shall establish The Machakos County Youth Training Programme with the following objectives—

- (a) training the youth in various trades;
- (b) equipping the youth with life skills;
- (c) placing the trained youth on industrial attachment;
- (d) managing a volunteer community service programme for the trained youth; and
- (e) providing a link between the youth trained under the Youth Training Programme and the job market.

(2) The trades in which the youth will be trained under the Youth Training Programme include—

- (a) basic agriculture;
- (b) woodwork;
- (c) metal work;
- (d) business management;
- (e) social work;
- (f) community health;
- (g) plant operation;
- (h) driving;
- (i) mechanical works;
- (j) electrical works;
- (k) electronics;
- (l) building and construction;
- (m) performing art;
- (n) music and dance;
- (o) fine art;
- (p) tailoring;
- (q) information technology; or
- (r) cookery.

(3) The life skills to be imparted under the Youth Training Programme include—

- (a) first aid;
- (b) environmental conservation;
- (c) disaster management;
- (d) counseling;
- (e) sports;
- (f) firefighting;
- (g) physical fitness;
- (h) self-defense; and
- (i) local traditional culture.

(4) The youth trained in the Youth Training Programme shall be required to volunteer their services in different communities in the County in nation building including the following activities—

- (a) tree planting;
- (b) building of gabions;
- (c) administering first aid;
- (d) counselling;
- (e) agricultural activities;
- (f) basic road works;
- (g) basic water works;
- (h) cleaning the environment;
- (i) community health support;
- (j) disaster management;
- (k) physical education;
- (l) civic awareness creation; and
- (m) crowd control.

(5) In designing the areas of training in the Programme, the Service shall ensure that the training is relevant to the society and the trained youth can be readily absorbed in the job market.

(6) In implementing the Youth Training Programme, the Service shall collaborate with National and County Polytechnics in designing the curriculum, capacity building of the trainers and the provision of training slots among other areas of collaboration.

(7) The County government shall draw skilled manpower from the youth trained under the Youth Training Programme when employing its officers.

(8) The Manager of the Youth Training Programme shall be competitively recruited by the County Public Service Board.

(9) The Manager of the Youth Training Programme in collaboration with the Service shall recruit the trainees from each Village in the County.

(10) In implementing the Youth Training Programme, the County Government shall not charge any fee on the trainees.

Talent Development

8. The Government shall, in collaboration with other stakeholders, promote talent development for the youth through—

- (a) improved accessibility to talent development facilities in schools, communities, villages and by providing them with trained personnel to assist in identifying and developing youth talents;
- (b) the promotion of cultural arts as a way of recreation and culture preservation;
- (c) encouraging youth representation in arts and sports decision-making bodies;
- (d) rehabilitation of talent development infrastructure;
- (e) professional coaching and training of talent development actors;
- (f) equipping talent development centers with adequate facilities; and
- (g) the development of artistic works and talent promotion.

Establishment of Youth Centers

9. (1) The County Government shall establish the Machakos County Youth Center and at least one youth center in every sub-county.

(2) The County Government shall ensure that all the youth centers are well equipped with the necessary equipment.

(3) In putting in place the youth centers, the County Government shall ensure reasonable accommodation of marginalized groups including persons with disabilities.

Establishment of the Youth Council

10. (1) The Service shall oversee the establishment of the Machakos County Youth Council.

(2) The Youth Council is composed of two youth representatives from every Ward being one woman and one man.

(3) The functions of the Youth Council include to—

- (a) advocate for the rights of the youth;
- (b) provide a forum for youth networking and participation in public affairs;
- (c) foster youth mentorship and support, peer-to-peer counseling and youth leadership;

- (d) monitor and report on the youth empowerment initiatives by national and County governments;
- (e) enter into partnerships with stakeholders on youth development;
- (f) liaise with the Service and the department in managing youth affairs, and
- (g) to act as a reference point on youth matters.

(4) The Service shall convene and preside over open public meetings in every ward for the election of members of the Youth Council.

(5) The procedure of convening the public meetings and conducting the elections for the Youth Council shall be as may be prescribed by the Service.

Annual Youth Conference

11. (1) Once every year, the Service shall, in collaboration with the Executive Committee of the Youth Council, organize and facilitate the convening of the Annual Youth Conference.

(2) The Annual Youth Conference shall deliberate and make resolutions on the following issues among others—

- (a) the status of the youth in the County;
- (b) reports from stakeholders in the youth sector;
- (c) planning on youth development for the coming year;
- (d) show casing of youth activities;
- (e) national or County topical issues affecting the youth;
- (f) making policy and administrative actions by national and County government agencies; and
- (g) any other matter relating to youth empowerment.

(3) The attendance at the Annual Youth Conference shall be drawn from the Youth Council, youth groups, County Government and other stakeholders as may be determined by the Service.

PART III—MACHAKOS COUNTY YOUTH SERVICE

Establishment of the Machakos County Youth Service

12. (1) There is established the Machakos County Youth Service.

(2) The Service shall consist of—

- (a) a Chairperson being a person who ordinarily resides in the County and who has knowledge and experience in any field related to the management of public affairs;
 - (b) two persons representing the youth being one woman and one man, working on matters relating to the youth in the County nominated by the umbrella organization representing the largest number of youth groups in the County;
 - (c) two persons representing persons with disabilities being one woman and one man, working on matters relating to the persons with disabilities in the County nominated by the umbrella organization representing the largest number of persons with disabilities in the County;
 - (d) the Chief Officer responsible for matters relating youth affairs or a designate not below the level of a Director; and
 - (e) the Chief Executive Officer who shall be an *ex officio* member and the secretary to the Service.
- (3) The chairperson shall be competitively recruited by the County Public Service Board.
- (4) The persons referred to in subsection (2) (b) and (c) shall be nominated by the respective organizations and appointed by the County Public Service Board.
- (5) The persons referred to in subsection (2) (a), (b) and (c) shall serve for a term of three years renewable for one further term.
- (6) The Chairperson of the County Public Service Board shall present the names of the persons appointed under subsection 2 (a), (b) and (c) to the Assembly for approval.
- (7) The members shall elect a Vice-Chairperson from among themselves.
- (8) Any person may recommend to the Assembly for the removal from office of a member of the Service appointed under subsection (2) (a), (b) and (c) on the following grounds—
- (a) gross violation of the Constitution or other written law;
 - (b) incompetence;
 - (c) gross misconduct; and
 - (d) bankruptcy.

Functions of the Service

13. The functions of the Service are to—

- (a) ensure the participation of the youth in matters affecting them;

- (b) ensure the mainstreaming of youth issues in County governance;
- (c) advise the County government on policy matters concerning the youth;
- (d) mobilize resources for youth empowerment programmes;
- (e) facilitate the implementation of national government and County government policies on youth;
- (f) facilitate the development of a database of information concerning the youth;
- (g) oversee the administration of the Fund;
- (h) advise the Department on the development of youth facilities for youth empowerment;
- (i) advise the Department on the development of policies, budgets and work plans for the Department;
- (j) conduct research on youth related matters;
- (k) establish networks and partnerships with local, national and international institutions and organizations for purposes of achieving the objectives of this Act including research, fund raising and information sharing; and
- (l) perform such other function as maybe necessary for the implementation of this Act.

Powers of the Service

14. The Service is a body corporate with perpetual succession and a common seal and is capable of—

- (a) suing and being sued;
- (b) acquiring, holding, charging and disposing property; and
- (c) performing such other acts for the proper discharge of its functions under this Act.

Chief Executive Officer

15. (1) There shall be a Chief Executive Officer of the Service.

(2) The Chief Executive Officer shall be recruited by the County Public Service Board through an open, transparent and competitive recruitment process.

(3) A person shall be qualified for appointment as the Chief Executive Officer under subsection (1) if that person—

- (a) is a citizen of Kenya;
 - (b) holds at least a first degree from a university recognized in Kenya;
 - (c) has knowledge, experience and a distinguished career of not less than ten years;
 - (d) has at least five years' experience in a leadership position at senior management level in a public service or private sector organization; and
 - (e) meets the requirements of leadership and integrity as prescribed under Chapter Six of the Constitution.
- (4) The Chief Executive Officer shall be—
- (a) the secretary to the Service;
 - (b) the head of the secretariat of the Service;
 - (c) the Accounting Officer of the Service;
 - (d) the custodian of the Service's records; and
 - (e) responsible for—
 - (i) the execution of the decisions of the Service;
 - (ii) the preparation and submission to the Service for approval, programs necessary for the achievement of the Service's mandate;
 - (iii) causing to be kept records of the proceedings and minutes of the meetings of the Service and such other records as the Service may direct;
 - (iv) the preparation of quarterly report on the implementation of this Act which shall be transmitted to the Service; and
 - (v) the performance of such other duties as maybe assigned by the Service or any other written law.
- (5) The Chief Executive Officer shall hold office for a term of five years and shall be eligible for re-appointment once.
- (6) The County Public Service Board may remove the Chief Executive Officer on the following grounds—
- (a) inability to perform the functions of the office due to physical or mental infirmity;
 - (b) incompetence;

- (c) gross misconduct;
- (d) bankruptcy; or
- (e) violation of the Constitution or any other legislation.

(7) Before removal from office under subsection (6), the Chief Executive Officer shall be informed in writing, of the reasons for the intended removal, and shall be afforded an opportunity to defend themselves against such allegations, either in person or through a legal representative.

(8) The Service may delegate to the Chief Executive Officer such of its functions as are necessary to carry out the day-to-day management of its affairs.

Committees of the Service

16. (1) The Service may from time to time establish such committees as it may consider necessary for the better carrying out of its functions and the exercise of its powers under this Act.

(2) The Service may co-opt into the membership of any committee established under subsection (1) any person whose knowledge and skills are necessary for the proper performance of its functions.

(3) A person co-opted under subsection (2) shall have no right to vote at any meeting of the Service.

Remuneration

17. The members of the Service shall be paid such allowances as the County Public Service Board, after consultation with the Commission, may determine.

Conduct of business and affairs of the Service

18. (1) The conduct of business and affairs of the Service shall be as set out in the First Schedule.

(2) In addition to the First Schedule, the Service shall determine its own procedure.

Personnel of the Service

19. (1) The County Public Service Board shall appoint such personnel of the Service and the Department as maybe necessary for the achievement of the objectives of this Act.

(2) The personnel shall serve on such terms of service as the County Public Service Board, on the recommendation of the Commission, may determine.

PART IV—MACHAKOS COUNTY YOUTH EMPOWERMENT FUND

Establishment of youth empowerment Fund

20. (1) There is established the Machakos County Youth Empowerment Fund.

(2) The Fund shall be utilized, to empower the youth, in the manner provided under this Act.

(3) The Fund shall consist of—

- (a) monies allocated and appropriated by the County Assembly for that purpose;
- (b) sums received as contributions, donations, endowments, gifts or grants;
- (c) refunds from any institution duly paid into the fund;
- (d) monies paid into the fund as fees or charges;
- (e) monies earned or realized from any investment of the fund;
- (f) monies from any other lawful sources accruing to the fund; or
- (g) such other monies as maybe payable or vested in the fund.

Purpose of the Fund

21. The Fund shall be appropriated for the purpose of—

- (a) providing access to capital and financial facilities to micro, medium and small enterprises owned by the youth;
- (b) providing access to capital and financial facilities to youth groups, self-help groups and organizations;
- (c) spurring socio-economic development for the youth;
- (d) supporting youth groups and enterprises to develop linkages with larger enterprises, national and international development partners;
- (e) marketing products and services of small and medium enterprises for the youth;
- (f) defraying the administrative cost of the Service in regard to administering the Fund;

- (g) supporting entrepreneurship training for micro and medium enterprise to groups benefitting from the Fund;
- (h) support rehabilitation of youth who are affected by drug and substance abuse; and
- (i) establishing and maintaining talent development facilities.

Fund Manager

22. The Fund shall be administered by the Chief Executive Officer upon designation as such by the Executive Committee Member for Finance in accordance with section 116 (2) of the Public Finance Management Act.

Opening of a Bank Account

23. (1) Monies received by the Fund shall be maintained in a separate bank account in the name of the Fund opened and administered in accordance with the Public Finance Management Act, 2012 and regulations made under the Act.

(2) The bank account shall be managed by the Chief Executive Officer who shall be a mandatory signatory thereto.

Functions of the Service concerning the Fund

24. In respect of the management of the Fund, the Service shall be responsible for—

- (a) reviewing and considering applications by youth groups for funding under this Act;
- (b) advising the Executive Committee Member on the implementation and better management of the Fund;
- (c) formulating policies and other criteria for the disbursement of the monies under the Fund;
- (d) entering into partnerships with financial institutions for the management of the loan facilities provided under the Fund;
- (e) with guidance from the national treasury invest any surplus funds;
- (f) creating awareness among the public about the Fund and mobilizing potential beneficiaries of the Fund;
- (g) monitoring and evaluating the progress and performance of the youth groups funded under this Act;
- (h) preparing annual reports on the utilization of the Fund; and
- (i) carrying out any other functions as may be necessary for the proper management of the Fund.

Functions of the Chief Executive Officer concerning the Fund

25. The functions of the Chief Executive Officer relating to the administration of the Fund include—

- (a) receiving and vetting applications for funding;
- (b) recommending to the Service the applicants who to be considered for funding;
- (c) advising the Service on the projects that meet the criteria for funding;
- (d) facilitating the Service in the implementation of the Act in the county; and
- (e) carrying out such other roles as are necessary for the implementation of the object of this Act, and perform such other functions as may, from time to time, be assigned by the County Executive Member.

Application for a loan

26. (1) An Applicant for a loan shall make an application to the Chief Executive Officer in the prescribed form.

(2) Upon receipt of the applications under subsection (1) the Chief Executive Officer shall vet the applications and forward them to the Service for consideration.

(3) The Service shall make a decision on the applications without undue delay but not later than twenty one (21) days after receipt of the Application by the Chief Executive Officer.

(4) The Chief Executive Officer shall notify the Applicant of its decision in the prescribed manner.

Eligibility for accessing the Fund

27. For a group to be eligible for accessing loans or other financial assistance under this Act—

- (a) at least seventy percent of its membership must be youth; and
- (b) ought to be operating a micro or small enterprise business within the County.

Loan repayment

28. (1) The Service shall establish the conditions for loan repayment, grants or other financial assistance under this Act.

(2) Where a group that has been granted a loan under this Act defaults on repayment, the Service shall initiate the prescribed recovery measures.

Utilization of the funds

29. (1) A loan granted under this Act shall only be utilized for financing an enterprise or business undertaking that is approved by the Service.

(2) The Service may disqualify from accessing any further loan, grant or other financial assistance, any group which utilizes a loan, a grant or other financial assistance granted under this Act in activities other than that approved under this Act.

Partnership

30. The County Government may collaborate, consult or enter into partnership with other government agencies or any private entity for the purposes of implementing this Act.

PART V- MISCELLANEOUS PROVISIONS

Financial estimates

31. (1) At least three months before the commencement of each financial year the Chief Executive Officer shall cause to be prepared, estimates of all the expenditure required for the purposes of this Act for that year, and shall present such estimates to the Service for approval.

(2) The Chief Executive Officer shall forward the approved estimates to the Executive Committee Member for inclusion in the budget.

Books of accounts

32. The Chief Executive Officer shall cause to be kept books of accounts and other books and records in relation to the Service.

Statement of accounts

33. (1) The Chief Executive Officer shall, within three months after the end of a financial year, prepare a statement of accounts for the Service for that financial year and transmit it to the Auditor-General.

(3) Every statement of account prepared under this Act shall include details of the balances between the assets and liabilities of the Fund and shall indicate the financial status of the Service as at the end of the financial year concerned.

(4) The Chief Executive Officer shall furnish such additional information as may be required by the Auditor-General.

Annual reports

34. (1) The Chief Officer shall, not later than three months after the end of each financial year, prepare a health status report that shall consist of—

Offences and penalties

35. (1) A person is guilty of an offence if the person—

- (a) makes an application for grant or a loan on the basis of false statements made in the application whether orally or in writing relating to any matter affecting a request for a grant or loan; or
- (b) upon being granted a loan or a grant and is subsequently required to answer any questions, furnish any information or particulars or produce any document or paper relating to the grant or loan amount and use thereof, neglects or fails to do so without reasonable cause or furnishes false information or information aimed at misleading the Service; and
- (c) fails to comply with regulations made under this Act.

(2) A person who is convicted of an offence under subsection (1) is liable to a fine not exceeding fifty thousand shillings or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

(3) A person found guilty of an offence under this section may in addition to the penalty imposed by the court be ordered to pay the party injured by the offence such sums of money in compensation as the court may deem appropriate.

Regulations

36. (1) The Executive Committee Member shall, after consultation with the Service, make Regulations for the better carrying into effect of any provisions of this Act.

(2) Without prejudice to the generality of subsection (1), regulations under this Act may provide for—

- (a) the conduct of the business of the Service;
- (b) fees and charges payable;
- (c) the procedure for the approval of applications for loans;
- (d) prescribed forms;
- (e) the waiver or exemption from repayment of interest on loans;
- (f) the withdrawal, recovery and cancellation of loans;

(g) the management of County youth training programmes under section 6 (2);

(h) registration of youth groups;

(i) the establishment of the Youth Council;

(j) the operations of the Youth Council;

(k) the preparation and maintenance of grantee's records; and

(l) any other matter necessary for the implementation of this Act.

FIRST SCHEDULE
PROCEDURE OF MEETINGS

Meetings

1. (1) A meeting of the Service or the Youth Council shall be presided over by the chairperson or in his or her absence by the vice-chairperson.
- (2) The chairperson, in consultation with the secretary shall determine the place and time of Service or Youth Council meetings.
- (3) The Service and Youth Council shall have at least four meetings in every financial year and not more than four months shall elapse between one meeting and the next.
- (4) In calling for meetings, the chairperson shall give a notice of at least seven days.

Conflict of interest

2. (1) If any member has a personal or fiduciary interest in any matter before the Service or Youth Council, and is present at a meeting of that committee or Board at which any matter is the subject of consideration, that person shall as soon as is practicable after the commencement of the meeting, declare such interest and shall not take part in any consideration or discussion of, or vote on any question touching such matter.
- (2) A disclosure of interest made under subsection (1) shall be recorded in the minutes of the meeting at which it is made.
- (3) A person who contravenes subsection (1) commits an offence and shall be liable, upon conviction, to a fine not exceeding fifty thousand shillings, or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment.
- (4) No member or staff of the Service shall transact any business or trade with the Service.

Quorum

3. The quorum of the meetings of the Service or the Youth Council is a third of the membership.

Voting

4. (1) A matter before the Service or the Youth Council which requires a vote shall be decided by a simple majority.
- (2) The chairperson shall only vote in a casting vote.

MEMORANDUM OF OBJECTS AND REASONS

This Bill of the County Assembly of Machakos seeks to empower, improve and develop the youth as well as establishing a Fund to provide access to capital and financing facilities through loans, grants and for the youth;

PART I of the Bill provides for preliminary matters including the short title, commencement and the interpretation of words and expressions used in the Bill and the objects and purpose of the Bill.

PART II of the Bill contains provisions concerning the capacity building programs, the creation of the Youth Training Programme, talent development, the establishment of youth centers, and the establishment of the Youth Council.

PART III of the Bill contains provisions for establishment of the Service, the functions of the service, the powers of the Service, the Chief Executive Officer, Committees of the Service, the remuneration, the conduct of the business and affairs of the Service. And the personnel of the Service.

PART IV of the Bill is concerned with the creation of the Youth Fund, the purpose of the Fund, the functions of the Service concerning the Fund, the functions of the Chief Executive Officer concerning the Fund, application for the Fund, opening of the bank account, eligibility for accessing the Fund, among other provisions.

PART V of the Bill contains miscellaneous provisions including financial estimates, the keeping of books of accounts, statements of accounts, annual reports, offences and Regulations.

This Bill is a money Bill within the meaning of Section 21(4) of the County Governments Act, 2012, and its enactment shall occasion additional expenditure of public funds which shall be provided for in the estimates. This is because the Bill creates the Youth Fund.

The Bill does not contain provisions limiting the fundamental rights and freedoms set out under the Constitution.

JUSTUS KATUMO,
Member of County Assembly.

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