

**SPECIAL ISSUE**

*Marsabit County Gazette Supplement No. 9 (Acts No. 5)*



REPUBLIC OF KENYA

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**MARSABIT COUNTY GAZETTE  
SUPPLEMENT**

**ACTS, 2016**

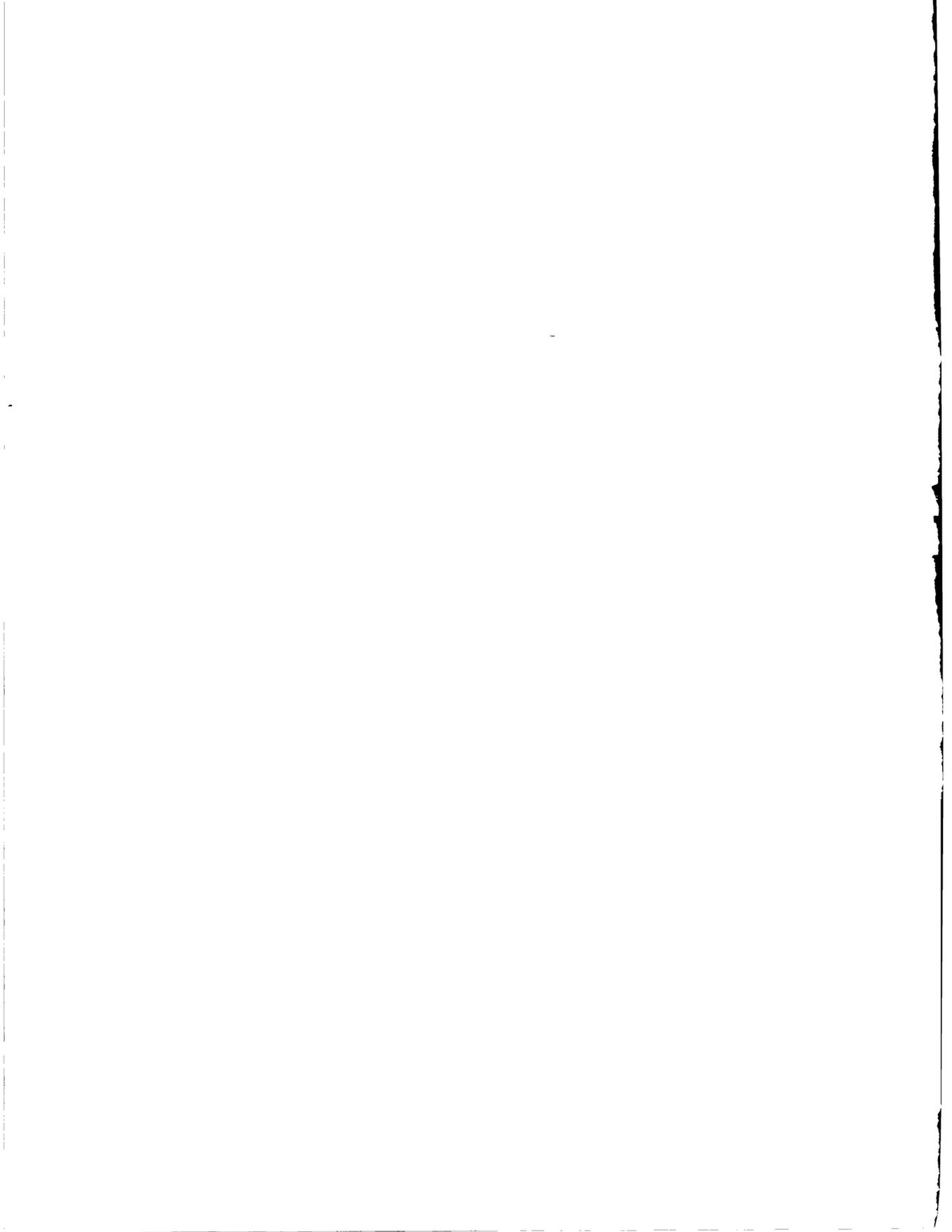
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**NAIROBI, 1st November, 2016**

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2016

Marsabit County Enterprise Fund (Amendment)

No. 5

**THE MARSABIT COUNTY ENTERPRISE FUND  
(AMENDMENT) ACT, 2016**

**No. 5 of 2016**

*Date of Assent: 17th October, 2016*

*Date of Commencement: 1st November, 2016*

**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.

Amendment to Section 1 of the Marsabit County Enterprise Fund Act, 2015 (in this Act referred to as the "Principal Act").

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.

Amendment to Section 2 of the Marsabit County Enterprise Fund Act, 2015

3. The Principal Act is amended by:

Amendment to Section 5 of the Marsabit County Enterprise Fund Act, 2015

(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;

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(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.

Amendment to Section  
6 of the Marsabit  
County Enterprise  
Fund Act, 2015

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

Amendment to Section  
8 of the Marsabit  
County Enterprise  
Fund Act, 2015

(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.

Amendment section 10  
of the Marsabit County  
Enterprise Fund Act,  
2015

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

Amendment to Section  
11 of the Marsabit  
County Enterprise  
Fund Act, 2015

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

Amendment to Section  
16 of the Marsabit  
County Enterprise  
Fund Act, 2015

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

Amendment to Section  
19 of the Marsabit  
County Enterprise  
Fund Act, 2015

10. The Principal Act is amended by—

Amendment to Section  
26 of the Marsabit  
County Enterprise  
Fund Act, 2015

(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).

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**11.** The Principal Act is amended by—

Amendment to Section  
28 of the Marsabit  
County Enterprise  
Fund Act, 2015

(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—

Amendment to Section  
33 of the Marsabit  
County Enterprise  
Fund Act, 2015

(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—

Amendment to Section  
36 of the Marsabit  
County Enterprise  
Fund Act, 2015

(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'.

Amendment to Section  
37 of the Marsabit  
County Enterprise  
Fund Act, 2015

**15.** The Principal Act is amended by inserting the number '1' after the 'word schedule'.

Amendment to the  
schedules



