

## **SPECIAL ISSUE**

*Kenya Gazette Supplement No. 196 (National Assembly Bills No. 48)*

---



REPUBLIC OF KENYA

---

# **KENYA GAZETTE SUPPLEMENT**

**NATIONAL ASSEMBLY BILLS, 2021**

---

**NAIROBI, 29th October, 2021**

---

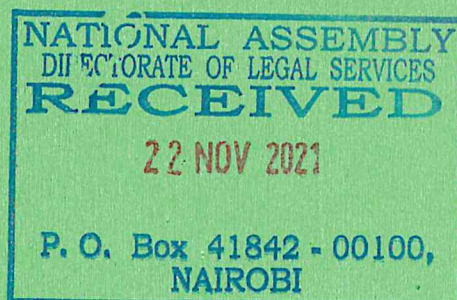
### CONTENT

Bill for Introduction into the National Assembly—

PAGE

The National Government Constituencies Development Fund (Amendment)  
Bill, 2021 .....

1359









**THE NATIONAL GOVERNMENT  
CONSTITUENCIES DEVELOPMENT FUND  
(AMENDMENT) BILL, 2021**

**A Bill for**

**AN ACT of Parliament to amend the National  
Government Constituencies Development Fund Act**

**ENACTED** by the Parliament of Kenya, as follows—

1. This Act may be cited as the National Government Constituencies Development Fund (Amendment) Act, 2021.

Short title.

2. Section 25 of the National Government Constituencies Development Fund Act, 2015, is amended by inserting the following new paragraph immediately after paragraph 10—

Amendment of  
Section 25 of  
No.15 of 2015.

“(10A) Youth entrepreneurship programmes or activities that focus on utilising acquired vocational and technical skills in generating employment opportunities may be considered as development projects for purposes of this Act provided that the allocation to such activities do not exceed five per centum of the total allocation of the constituency in that financial year .”



## **MEMORANDUM OF OBJECTS AND REASONS**

### **Statement of the objects and Reasons for the Bill**

The principal object of this Bill is to amend the National Government Constituencies Development Fund Act to provide for youth entrepreneurship programmes or activities as a project for funding under the Act. Entrepreneurship programmes generate employment opportunities needed for unemployed youth by providing platforms that enable them exercise their acquired technical and vocational skills. In addition, these programmes equip the youth with skills and an attitude that is important in developing the private sector; and

### **Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms**

The Bill does not delegate legislative powers nor does it limit fundamental rights and freedoms.

### **Statement of how the Bill concerns county governments.**

The Bill does not concern county governments in terms of Article 109 (4) of the Constitution as it does not contain provisions that affect the functions and powers of the county governments as set out in the Fourth Schedule to the Constitution.

### **Statement as to whether the Bill is a money Bill within the meaning of Article 114 of the Constitution**

The Bill is not a money Bill within the meaning of Article 114 of the Constitution.

Dated the 6th October, 2021.

DAVID GIKARIA,  
*Member of Parliament.*



***Section 25 of the National Government Constituencies Development Fund Act that the Bill proposed to amend –***

**25. Funding of projects**

(1) Any funding under this Act shall be for a complete project or a defined phase of a project and may include the acquisition of land and buildings.

(2) All projects shall be projects as defined under this Act and may include costs related to studies, planning and design or other technical input for the project but shall not include recurrent costs of a facility.

(3) Funds provided under this Act shall not be used for the purpose of supporting political bodies or political activities or for supporting religious bodies or religious activities.

(4) Notwithstanding the provisions of subsection (3), the Constituency Committee may identify a religious body or organization as an appropriate specialized agency for purposes of section 8 with regard to emergency support.

(5) Constituency Committee office project shall be considered as a development project for purposes of the Act and may include appropriate furniture and equipment for the office.

(6) Notwithstanding the provisions of subsection (2), up to a maximum of six per centum of the total annual allocation for the constituency may be used for administration, recurrent expenses of vehicles, equipment and machinery and such use shall be listed in the Third Schedule as a project.

(7) Projects may include the acquisition of vehicles, machinery and other equipment for the constituency.

(8) Sports activities shall be considered as development projects for purposes of this Act but shall exclude cash awards provided that the allocation to such activities does not exceed two per centum of the total allocation of the constituency in that financial year.

(9) Monitoring and evaluation of ongoing projects and capacity building of various operatives may be considered as a development project provided that not more than three per centum shall be allocated for this purpose.

(10) Environmental activities may be considered as development projects for purposes of this Act provided that the allocation to such activities does not exceed two per centum of the total allocation of the constituency in that financial year.



(11) Each of the projects shall be listed in the Third Schedule including the emergency item under section 8 and, where applicable, the activities under subsections (5), (6), (7), (8), (9) and (10) of this section.