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KERICHO COUNTY BILLS, 2024

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SCHEDULE—PROVISIONS RELATING TO THE CONDUCT OF BUSINESS AND AFFAIRS OF THE BOARD

THE KERICHO COUNTY YOUTH DEVELOPMENT BILL, 2024

A Bill for

AN ACT of the County Assembly of Kericho to give effect to Articles 55 and 56 of the Constitution; to provide for the establishment of the Kericho County Youth Development Board and for connected purposes.

ENACTED by the County Assembly of Kericho, as follows—

PART 1— PRELIMINARY

Short title and commencement

1. This Act may be cited as the Kericho County Youth Development Act, 2024 and shall come into operation upon publication in the *Kenya Gazette*.

Interpretation

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

“Board” means the Kericho Youth Development Board” established by section 7;

“Executive Member” means the County Executive Member of the Department for the time being responsible for matters relating to Youths;

“Contract of service” means an agreement, whether oral or in writing, and whether expressed or implied, to employ or to serve as an employee for a period of time, and includes a contract of apprenticeship, internship and Indentured learnership;

“disability” means a physical, sensory, mental or other impairment, including any visual, hearing, learning or

physical incapability, which impacts adversely on a person’s social and economic participation;

“employee” means a person employed for wages or a salary and includes an apprentice, intern and indentured learner;

“employer” means any person, public body, firm, corporation or company who or which has entered into a contract of service to employ any individual and includes the agent, foreman, manager or factor of such person,

public body, firm, corporation or company;

“job seeker” means a person who is seeking for employment;

“register” mean a register maintained by the Authority under section 26; and

“youth” has the meaning assigned to it in Article 260 of the Constitution.

Object of the Act

3. The object and purpose of this Act is to—

- (a) give effect to Articles 55 and 56 of the Constitution;
- (b) provide for the maintenance of a database of all Kericho County Youth Seeking employment;
- (c) provide a framework to facilitate increased employment of the Youth in the national government, county government, State organs, and national and county government entities;
- (d) provide for a framework and facilitation of employment of youth in the private sector;
- (e) provide for the maintenance of a database of Youth-owned Companies and enterprises in Kericho County;
- (f) Track, Facilitate and ensure compliance of the thirty per cent Government Procurement opportunities for the Youths in the county;
- (g) Facilitate and promote Sports and Talent search in the County;
- (h) to ensure that youth empowerment services are decentralized throughout the County;
- (i) promote participation of the youth in development programs including entrepreneurship, agriculture, health, forestry, urban development, and environmental rehabilitation;
- (e) facilitate and promote equity and diversity, and eliminate discrimination in the employment of youth;
- (f) provide for co-ordination and collaboration with other government agencies and to support implementation of national policies on youth in the county;
- (g) facilitate and enhance community participation in youth related matters;
- (h) to conduct research and implement effective measures to empower the youth in the county;
- (i) to inculcate a culture of self-worth and dignity, hard work, diligence, self-reliance and entrepreneurship among the youth;
- (j) to provide a mechanism for addressing unique youth needs; and,

- (k) to give effect to the constitutional values and principles in so far as employment of the youth is concerned.

Application of the Act

4. This Act applies to—

- (a) the Kericho County Government and its entities;
- (b) the private sector in the County; and
- (c) the informal sector in the County.

Guiding principles

5. All persons subject to this Act shall at all times respect, uphold and defend the values and principles enshrined in the Constitution.

Mandatory registration

6. In order to facilitate access to employment and other opportunities of the youth pursuant to Article 55 of the Constitution, any youth seeking employment or an opportunity in the County shall register with the Board in accordance with this Act.

PART II—ESTABLISHMENT AND COMPOSITION OF THE BOARD

Establishment of the Authority.

7. (1) There is established a body to be known as the County Youth Development Board.

(2) The Board is a body corporate with perpetual succession and a common seal and shall, in its corporate name, be capable of—

- (a) suing and being sued;
- (b) taking, purchasing or otherwise acquiring, holding, charging or disposing of movable and immovable property;
- (c) entering into contracts; and
- (d) doing or performing all other acts or things for the proper performance of its functions under this Act which may lawfully be done or performed by a body corporate.

Headquarters and access to services

8. (1) The headquarters of the Board shall be in the Headquarters of the county.

(2) The Board shall ensure reasonable access of its services in all parts of Kericho County, so far as it is appropriate to do so having regard to the nature of the service.

(3) Notwithstanding subsections (1) and (2), the Board shall keep and maintain an up-to-date data system and other service delivery mechanisms that are accessible in all parts of Kericho.

Functions of the Board

9. The functions of the Board shall be to—

- (a) register all youth who are seeking employment and youth-owned companies and enterprises in the County;
- (b) maintain and publish online an up-to-date database of all youth seeking employment;
- (c) maintain and publish online an up-to-date database of all youth owned companies and enterprises;
- (d) facilitate the employment and placement of youth in formal, informal or any other form of employment, locally and nationally;
- (e) Circulate in a timely manner job vacancies, tenders and other opportunities advertised by the Government to youths throughout Kericho county through appropriate means, including use of social media, internet, and publication of materials;
- (f) ensure easy access to any information pertaining to job vacancies and Procurement opportunities for the youth;
- (g) continuously liaise with both the County government and its entities, private sector and other categories of employers to facilitate absorption of youth in employment;
- (h) through established County mechanisms, facilitate cooperation with the private sector, informal sector and foreign governments and institutions with a view of facilitating Development of the youths;
- (i) facilitate, through continuous training and other activities of education of youth on possible improvement of their employment chances and work skills;
- (j) facilitate, through continuous training to youths on registration of companies and enterprises, compliance of all the procurement opportunities requirements and the tendering Processes;
- (k) facilitate counselling of the youth and similar activities to improve the absorption of youth in employment and undertake activities to promote the development of youth in so far as Development of the youth is concerned;

- (l) advise both the Kericho County Governments and its entities on any policy matter touching on affirmative action and Development of the youths;
- (m) facilitate the implementation of Kericho County Government policies on Development of youths;
- (n) prepare necessary proposals and budgets for the youth welfare and empowerment programs;
- (o) facilitate the implementation of national government policies and county government policies on affirmative action measures for the youth;
- (p) carry out research directly or in collaboration with other institutions and serve as the repository of data and statistics related to youth in the county;
- (q) advise the Executive Member generally on the exercise of his powers and performance of his functions under this Act, and in particular on county policy and laws to be adopted in regard to the youth;
- (r) in collaboration with other relevant county departments, prepare and submit a youth empowerment status report bi-annually by the 30th June and 31st December each year in the prescribed manner to the Executive Member which shall be transmitted to the County Executive Committee and the County Assembly;
- (s) facilitate citizen participation in matters related to youth in accordance to the framework for citizen participation established under the County Governments Act, the Urban Areas and Cities Act or any other relevant written law;
- (t) encourage and promote efficiency and responsibility in the Development of youths;
- (u) encourage equal opportunity Development practices for the benefit of the youth;
- (v) perform such other function as may be assigned to it by any other written law;
- (w) Identification and nurturing talents such as artists, athletes, footballers; and
- (x) Following up on the certifications of the trainees in vocational training centres.

Powers of the Board

10. The Board shall take steps to achieve its objects with the means at

its disposal and may, subject to this Act and any other written law, for the purpose of achieving its objects—

- (a) exercise such powers and perform such duties as may be given or assigned to the Board by this Act or any other written law;
- (b) enquire into and report to the Executive Member on any matter concerning the objects and functions of the Board;
- (c) advise the Executive Member on any matter deemed by the Board to be necessary or expedient to be considered by the County in connection with the provisions of this Act or the application thereof, and on any other matter relating to Development of youth which has been referred by the CEC Member to the Board for the advice and recommendations of the Board;
- (d) conduct a study on any matter relating to its mandate;
- (e) receive public Petitions from the Youths in the county with regards to its mandate, consider and give appropriate feedback in writing within 21 days;
- (f) through the relevant County authorities, gather information relevant to the discharge of its functions;
- (g) take the necessary steps to protect the youth against any form of abuse or exploitation;
- (h) subject to the provisions of this Act, cause its work to be performed by persons employed or appointed by it in terms of this Act;
- (i) develop, maintain and publish, online or otherwise, a computerized data base with information required for the proper performance of its functions;
- (j) provide or disseminate information promoting and encouraging compliance with this Act;
- (k) in the prescribed manner, establish a complaints office to receive, process, refer or deal with complaints regarding any matter pertaining to its mandate;
- (l) furnish information required by any department or any county entity for the purposes of its functions;
- (m) become a member of an association or organization which seeks to promote any matter in which the Board has an interest;
- (n) establish relations with or enter into co-operation agreements with bodies or offices offering similar services in another country.

The Authority of the Board

11. (1) The Board shall be governed by an authority of the Board consisting of—

- (a) Chairperson to the Board appointed by the Governor and Vetted by county assembly;
- (b) the Chief Officer of the Department for the time being responsible for matters relating to Youths;
- (c) one youth representative from each Sub-County, appointed by the Governor, with the approval of the County Assembly;
- (d) a youth representative of persons living with disabilities, appointed by the Governor, with the approval of the County Assembly;
- (e) Director of Youth Affairs.

(2) In nominating the youth representatives, the Governor shall take into consideration the gender balance.

(3) A person shall be qualified for appointment as the chairperson of the Board if that person—

- (a) is a citizen of Kenya;
- (b) meet the requirements of Chapter Six of the Constitution; and
- (c) has experience in matters on Youth Affairs.

Removal from Office of a Board member

12. A member of the Board may be removed from office for —

- (a) violation of the Constitution or any other Law;
- (b) gross misconduct, whether in performance of the member's functions or otherwise;
- (c) physical or mental incapacity to perform the functions of the office;
- (d) incompetence or neglect of duty.

(2) A member of the Council may resign from office upon submission of a one month written notice to the Governor.

(3) Upon receiving the resignation notice, the Governor shall make such appointment within twenty-one days.

Remuneration of Board members

13. Members of the Board shall be paid such remuneration and allowances as the Salaries and Remuneration Commission shall determine.

Term of office

14. Members of the Board, other than the *ex-officio* members, shall hold office for a term of three years and shall be eligible for reappointment for one further and final term of three years.

Committees of the Board

15. (1) The Board may establish such committees as may be necessary for the proper discharge of its functions under this Act or any other written law.

(2) The Board may co-opt into the membership of the committees established under subsection (1) any person whose knowledge and expertise may be required.

Delegation by the Board

16. A delegation under this section—

- (a) shall be subject to such conditions as the Board may impose;
- (b) shall not divest the Board of the responsibility concerning the exercise of the powers or the performance of the duty delegated; and
- (c) may be withdrawn, and any decision made by the person to whom the delegation is made may be withdrawn or varied by the Board.

Conduct of business and affairs of the Board

17. (1) The conduct of business and affairs of the Board shall be as set out in the Schedule.

(2) Except as provided in the Schedule, the Board may regulate its own procedure.

Powers of the CEC.

18. (1) The Board shall operate under the guidance of the CEC member who shall be an *ex-officio* member of the Board.

(2) Where the Board fails to maintain any prescribed standard in the fulfilment of its functions under this Act, the CEC member may give general or special directions to the Board describing the extent of the failure and stating the steps required to remedy the situation.

Director of Youth Affairs

19. (1) The Director of Youth Affairs in the County is the secretary to the Board.

(2) The Director shall—

- (a) Subject to the directions of the Board, be responsible for the day-to-day management of the Board;
- (b) In consultation with the Board, be responsible for the direction of the affairs, the exercise, discharge and performance of its objectives, functions and duties and the general administration of the board.
- (c) Keep the records of the Board.

Staff of the Board

20. (1) The Board shall competitively appoint suitably qualified staff as may be necessary for the efficient performance of the functions of the Board.

(2) In the appointment of staff of the Board, the Board shall comply with the values and principles set out in the Constitution and in particular—

- (a) afford adequate and equal opportunities for appointment and advancement at all levels, of youth, men and women, members of all ethnic groups, gender and persons with disabilities;
- (b) exercise transparency in the recruitment process;
- (c) ensure competitive recruitment and selection on the basis of personal integrity, competence and suitability.

Terms and conditions of service

21. The staff of the Board shall serve the Board on such conditions of service as the Board may, in consultation with the County Public Service Board and the Salaries and Remuneration Commission, determine.

PART III—REGISTRATION

Registration of youth

22. (1) A person seeking Development may register with the Board.

(2) The Board shall not charge a fee or any form of charges to a youth for registration under this Act.

Eligibility for registration

23. (1) A person shall be eligible for registration under this Act if the person—

- (a) is a citizen of Kenya and a resident of Kericho County;
- (b) is a Youth; and
- (c) is of sound mind.

(2) For the Purpose of an enterprise owned by youth, it shall be eligible for registration under this Act if is a legal entity that—

- (a) is registered with the relevant government body;
- (b) has at least seventy percent membership of youth; and
- (c) the leadership shall be one hundred percent youth.

Continuous update of data

24. It shall be the responsibility of the applicant to continuously update or communicate to the Board any changes on their bio-data as and when they arise.

Factual information to be given

25. (1) An applicant shall at all times ensure that all information given to the Board is factual.

(2) The Board shall not be responsible for false or inaccurate information submitted by an applicant.

(3) An applicant who offers false or inaccurate information to the Board commits an offence and shall be liable, on conviction, to a fine not exceeding fifty thousand shillings, or to imprisonment for a term not exceeding three months, or both.

Register

26. (1) The Board shall keep and maintain an up-to-date register of all—

- (a) youth seeking employment; and
- (b) The Youth owned Companies and Enterprises

(2) The register referred to under subsection (1)(a) shall contain—

- (a) particulars of the youth seeking employment;
- (b) academic qualifications of the youth;
- (c) work experience, if any, of the youth;
- (d) contact details of the youth;
- (e) the Sub- County and the ward from which the youth come from;
- (f) ethnicity and tribe of the youth, if known;

- (g) details of whether the youth is living with any form of disability or challenge;
 - (h) gender;
 - (i) area of specialization, interest or Qualifications;
 - (j) such other detail as the Authority may consider necessary.
- (3) For the register referred to under subsection (2)(b) shall contain—
- (a) Business Registration Certificates for enterprises;
 - (b) Certificate of incorporation and the CR12 for Limited Companies;
 - (c) Partnership deed for business partnership;
 - (d) the KRA pin and Tax compliance certificate;
 - (e) National Construction certificate for the construction certificate;
 - (f) the Registration documents from the National council for persons living with disabilities for Youths living with disabilities; and
 - (g) an Access to Government Procurement Opportunities Certificate.

Authorization for use of data.

27. (1) The Board shall seek authorization from each particular youth seeking employment to share with prospective employers all or any particular details of the youth seeking employment contained in the register.

(2) The consent and authorization obtained under subsection (1) shall be given to the Board at the registration of the youth under section 22.

(3) The Board shall use the data obtained under this Act for—

- (a) securing employment, internship and Procurement opportunities for the youth; and
- (b) Informing the Kericho County government, its entities and the private sector on policies on matters affecting Development of the youths.

(4) Where the Board wishes to use the data for any other purpose other than the purposes authorized under this Act, the Board shall seek individual consent from the respective or affected youth.

Protection of information

28. (1) The Board shall, at all times, take measures to ensure protection of data on the youth in its possession against abuse or any other adverse consequences.

(2) The right to privacy and other constitutional and statutory rights of the youth shall not be compromised.

Prohibition from unauthorized use of data

29. (1) The Board shall not use the data obtained under this Act for any other purpose other than the purpose authorized under this Act.

(2) A person who contravenes subsection (1) commits an offence and shall be liable on conviction to a fine not exceeding one million shillings.

Information on vacancies

30. (1) Whenever a vacancy arises in County or its entities, the concerned County office, shall convey details of the vacancy to the Board.

(2) Whenever a vacancy occurs, the appointing office shall give priority to the youth registered by the Board who possess the qualifications or skills sought.

(3) Where the qualifications or skills sought are not available in the Board's database, the appointing office shall invite applications from qualified applicants through advertisements.

(4) The Board shall, immediately upon receipt of the notification under subsection (1), circulate the vacancy information to all youth who have subscribed to and registered themselves with the Board.

Private sector etc vacancies.

31. (1) The Board shall, on its own motion or through other means, establish the vacancies available in the private sector, informal sector or any other sector.

(2) Where the Board establishes the existence of such vacancies, it shall—

- (a) upload such information to county website; and
- (b) convey such information to the youth with qualifications that fit the specifications and qualifications required by the prospective employers.

Applications

32. (1) A youth registered under this Act may apply directly to a prospective employer.

(2) The Board may forward applications or details of any qualified candidates to any prospective employer for their consideration and Development of the youth registered under this Act.

(3) A State entity, county entity, public office or State office may

request for data of qualified youth from the Board for purposes of considering them for employment.

(4) It shall be the responsibility of the applicant to make and tender their application upon receipt of the notification of a vacancy under this Act.

Notification of employment

33. Upon successful interview and securing of employment by a person registered under this Act, the successful applicant shall communicate the same to the Board in the prescribed manner.

(2) The Board shall maintain a record of all successful applicants who have secured employment through the Board.

(3) The Board shall update its records accordingly and remove an applicant who obtains Development from the register kept under section 25.

PART IV—PROVISIONS ON DUE DILIGENCE AND COOPERATION

Co-operation with employers

34. (1) The Board shall take all steps necessary to foster and maintain a good working relationship and cooperation with all prospective employers including those in the private and informal sectors.

(2) The Board shall take measures necessary to ensure that demands of the sectors referred to in subsection (1) are addressed to the greatest extent possible.

Board to undertake due diligence

35. (1) The Board shall, on its own motion, or using other County machineries, undertake due diligence on private companies seeking its services under this Act.

(2) The County shall not partner with any prospective employer where the Board or any national security organ has, upon due diligence, established possible employment malpractices or violation of laws.

(3) Notwithstanding subsection (1) and (2), the Board shall take necessary measures to ensure that the youth are not denied access to Development unreasonably.

PART V—PROVISIONS ON TRAINING, COUNSELLING, ETC

Facilitation of training.

36. The Board shall, through Department initiative and similar fora, facilitate training on any matter relating to Development to youth seeking employment.

Counselling

37. (1) The Board shall provide counselling services to youth seeking Development on general matters relating to employment, including career progression, choice of careers, among others.

(2) The Board may offer such counselling in its offices, at institutions of higher learning, schools and other fora, to educate and disseminate information with regard to trends of employment/Development and other factors that influence the labour market.

PART VI—INTERNSHIPS**Placement for internship.**

38. (1) The Board shall facilitate placement of students at tertiary institutions in positions of internship or attachment during and after completion of their study.

(2) The Board shall, during or after successful completion of a person's undergraduate, diploma or certificate studies, make efforts to find paid internship for that person in a Government institution or any other sector, as the person seeks employment individually or through the Board.

(3) A student at a tertiary institution or institution of higher learning who wishes to be placed on internship or attachment by the Board shall furnish the Board, in a manner provided by the Board, with personal and academic details to facilitate such placement.

(4) The Board shall maintain a record of—

- (a) all students seeking internship or attachment; and
- (b) all students who successfully attain positions of internship or attachment.

(5) The Board shall monitor all placements to ensure that youth are not exploited or their rights violated by any employer or institution in which they are undertaking an internship or attachment.

(6) The Executive Member may, in consultation with the Board, make regulations generally to give further effect to this section.

PART VII—AFFIRMATIVE ACTION**Encouragement to employ the youth**

39. (1) The Board shall encourage private and public institutions to employ youth in all positions, including positions of leadership and management.

(2) The County shall come up with incentives to reward any private institution that employs the youth within six months of completion of their certificate or undergraduate studies, and who does not possess more than five years work experience.

(3) The Government shall take affirmative action measures and actions designed to promote the employment of youth in management and other levels of employment regardless of their years of experience.

PART VIII—FINANCIAL PROVISIONS

Funds of the Board

40. The funds of the Board shall comprise—

- (a) such funds as shall be appropriated by the Kericho County Assembly to the department and for purposes of the Board;
- (b) such moneys or assets as may accrue to or vest in the Board in the course of the exercise of its powers or the performance of its functions under this Act of any other written law; and
- (c) all moneys from any other source provided for, donated or lent to the Board.

(2) Notwithstanding subsection (1) (c), the Board shall not accept funds, gifts or other donations from any person it regulates.

(3) Any moneys donated to the Board shall be declared at the end of each financial year.

(4) There shall be paid out of the funds of the Authority all sums required to defray the expenditure incurred by the Authority in the exercise of its powers and the performance of its functions under this Act.

Financial year

41. The financial year of the Board shall be the period of twelve months ending on the thirtieth day of June in each year.

Annual estimates

42. (1) At least three months before the commencement of each financial year, the Board shall cause to be prepared estimates of revenue and expenditure of the Board for that year.

(2) The annual estimates shall make provision for the estimated expenditure of the Board for the financial year, and in particular, the estimates shall provide for—

- (a) the payment of salaries, allowances, pensions, gratuities and other charges in respect of the staff of the Board;

- (b) the proper maintenance of the buildings and grounds of the Board;
- (c) the maintenance, repair and replacement of the equipment and other property of the Board;
- (d) the creation of such reserve funds as the Board may consider appropriate to meet the recurrent expenditure and contingent liabilities of the Board.
- (e) Expenditure of programs to be funded.

Accounts and audit

43. (1) The Board shall cause to be kept all proper books and other records of accounts of the income, expenditure, assets and liabilities of the Board.

No. 12 of 2003

(2) The accounts of the Board shall be audited and reported upon in accordance with the provisions of the Public Audit Act, 2003.

PART IX—MISCELLANEOUS PROVISIONS

Annual reports

44. (1) At the end of each financial year or upon request by the CECM, the Board shall submit an annual report on the discharge of its functions under this Act or any other written law.

(2) The report referred to under subsection (1) shall include—

- (a) number of youths and Youth-owned companies and enterprises registered in the period under review;
- (b) number of youths who have secured employment during the period under review;
- (c) number of youth-owned companies and enterprises that have benefited from the thirty percent procurement opportunities;
- (d) any impediment encountered in the discharge of the functions of the Board;
- (e) any policy matters that the Board may require to be addressed in the national or county governments; and
- (f) any other matter pertinent to the discharge of its functions under this Act.

(3) An annual report referred to under this section shall be published and publicized.

Offences

45. A person who contravenes any provision of this Act to which no penalty has been prescribed commits an offence and shall be liable, on conviction, to a fine not exceeding five hundred thousand shillings in the case of a natural person, and two million shilling in the case of a firm or body corporate, or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment.

Regulations

46.(1) The Executive member may, in consultation with the Board, make regulations for the better carrying into effect the provisions of this Act.

Cap. 2

No. 23 of 2013

- (2) For the purposes of Article 94(6) of the Constitution—
 - (a) the authority of the CECM to make regulations under this Act shall be limited to bringing into effect the provisions of this Act and for the fulfilment of the objectives of this Act;
 - (b) the principles and standards applicable to the regulations made under this section are those set out in the Interpretation and General Provisions Act and the Statutory Instruments Act, 2013.

SCHEDULE
PROVISIONS RELATING TO THE CONDUCT OF BUSINESS
AND AFFAIRS OF THE BOARD

Tenure of office.

1. The chairperson and members of the Board, other than *ex-officio* members, shall hold office for a term of three years and shall be eligible for re-appointment for one further and final term of three years.

Appointment

2. Members of the Board, other than *ex-officio* members, shall be appointed in such a manner that the respective expiry dates of their terms of office fall at different times.

Vacation of office

3. A member of the Board, other than an *ex-officio* member, may—
- (a) at any time resign from office by notice in writing, in the case of the chairperson, to the Governor, and in the case of any other member, to the Executive Member in charge of Youth Affairs;
 - (b) be removed from office by the Governor, as the case may be, if the member—
 - (i) has been absent from three consecutive meetings of the Board without the permission of the Board;
 - (ii) is adjudged bankrupt or enters into a composition scheme or arrangement with his or her creditors;
 - (iii) is convicted of an offence involving dishonesty or fraud;
 - (iv) is convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months or to a fine exceeding ten thousand shillings;
 - (v) Is incapacitated by prolonged physical or mental illness;
 - (vi) is found to have acted in a manner inconsistent with the aim and objectives of this Act;
 - (vii) fails to comply with the provisions of this Act relating to disclosure; or
 - (viii) is otherwise unable or unfit to discharge his or her functions as member of the Board.

Vice chairperson

4. At the first meeting of the Board, the members shall elect a vice-chairperson, from among the members appointed under this Act.

Meetings

5. (1) The Board shall meet at least four times in every financial year and not more than four months shall elapse between the date of one meeting and the date of the next meeting.

(2) Notwithstanding the provisions of subparagraph (1), the chairperson may, and upon requisition in writing by at least five members shall, convene a special meeting of the Board at any time for the transaction of the business of the Board.

Notice of meeting

6. Other than in the case of a special meeting or unless three quarters of members agree, every member of the Board shall be given at least fourteen days written notice of every meeting of the Board.

Quorum

7. The quorum for the conduct of business of the Board shall be half of the members, and unless a unanimous decision is reached, decisions shall be by a majority vote of the members present, and in the case of an equality of votes, the chairperson or the person presiding shall have a casting vote.

Chairperson to preside

8. The chairperson shall preside over all meetings of the Board in which he or she is present, but in his or her absence, the vice-chairperson shall preside and in the absence of the vice-chairperson, the members present shall elect one of their members who shall, with respect to that meeting and the business transacted thereat, have all the powers of the chairperson.

Disclosure of interest

9. (1) If a member is directly or indirectly interested in any matter before the Board, and is present at the meeting of the Board at which the matter is the subject of consideration, he or she shall, at the meeting and as soon as practicable after the commencement, disclose that fact and shall be excluded at the meeting at which the matter is being considered.

(2) A disclosure of interest made under this section shall be recorded in the minutes of the meeting at which it is made.

Board may regulate own procedure

10. Subject to the provisions of this Schedule, the Board may regulate its own procedure.

MEMORANDUM OF OBJECTS AND REASONS

The principal objective of this Bill is to give effect to Articles 55 and 56 of the Constitution, which requires the State to take measures to ensure that the youth access employment and other opportunities. Additionally, the Constitution requires the State to take legislative, administrative and affirmative measures and policies designed to redress any disadvantage suffered by individuals or groups because of past discrimination.

The Bill thus seeks to establish a legal framework to facilitate access by the youth to employment, procurement opportunities and other opportunities such as Sports and talents. It provides for the establishment of an Authority whose core mandate is to maintain a database of all youth seeking employment and facilitate their employment as well as a database of youth-owned Enterprises and facilitate their access to the thirty percent procurement opportunities. The management of the Authority is vested in a Board.

Part I contains preliminary provisions.

Part II provides for the establishment, functions and powers of the Board. It vests the management of the Board on a Board constituted in accordance with this Part. The Part further provides for access to services of the Board in all parts of county to ensure that all youth including those residing in marginalized areas are served.

Part III provides for matters relating to registration of youth seeking employment and Development opportunities. It makes it an obligation for all youth seeking employment and other opportunities to register themselves with the Board and the Board is tasked to convey relevant information on jobs and procurement opportunities to the youth in the database and facilitate their absorption in the job market.

Part IV provides for matters relating to cooperation with prospective employers. It requires the Board to foster a good working relationship with prospective employers by providing requisite information to facilitate employment of the youth.

Part V provides for training and counselling of youth seeking Development.

Part VI provides for internship and requires the Board to provide for regulations on matters relating to placement of youth as interns or on attachment in public institutions. The Board is further required to formulate and implement mechanisms to ensure that youth on internship, mentorships, attachments or placements are not exposed to unfair labour practices or abuse.

Part VII provides for affirmative action programmes in order to facilitate the absorption of the youth in the job market.

Part VIII contains financial provisions

Part IX contains miscellaneous provisions.

The enactment of this Bill shall occasion additional expenditure of public funds to be provided for in the estimates.

The Bill delegates the power to make regulations to the CECM and the Board.

This Bill concerns Kericho County Government and is an ordinary Bill.

ISSACK MATKEIR,
Nominated Member of the County Assembly.