

SPECIAL ISSUE

Kenya Gazette Supplement No. 15 (Tana River County Acts No. 7)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

TANA RIVER COUNTY ACTS, 2025

NAIROBI, 5th March, 2026

CONTENT

Act—

PAGE

The Tana River County Ward Bursary Fund Administration (Amendment) Act, 2025	1
---	---

**THE TANA RIVER COUNTY WARD BURSARY FUND
ADMINISTRATION (AMENDMENT) ACT, 2025**

No.7 of 2025

Date of Assent: 17th December, 2025

Date of Commencement: 5th March , 2026

ARRANGEMENT OF SECTIONS

Section

- 1— Short title.
- 2— Amendment of long title of Act No. 2 of 2014.
- 3— Amendment of section 2 of Act No. 2 of 2014.
- 4— Amendment of title of Part II of Act No. 2 of 2014.
- 5— Amendment of section 3 of Act No. 2 of 2014.
- 6— Insertion of New section 3A.
- 7— Amendment of section 4 of Act No. 2 of 2014.
- 8— Amendment of section 5 of Act No. 2 of 2014.
- 9— Insertion of New section 5A.
- 10— Substitution of section 6 of Act No. 2 of 2014.
- 11— Insertion of new section 6A.
- 12— Amendment of section 7 of Act No. 2 of 2014.
- 13— Amendment of section 9 of Act No. 2 of 2014.
- 14— Amendment of section 10 of Act No. 2 of 2014.
- 15— Amendment of section 12 of Act No. 2 of 2014.
- 16— Amendment of section 13 of No. 2 of 2014.
- 17— Substitution of the title of Part V of Act No. 2 of 2014.

- 18— Amendment of section 14 of Act No. 2 of 2014.
- 19— Amendment of section 16 of Act No. 2 of 2014.
- 20— Amendment of section 17 of Act No. 2 of 2014.
- 21— Amendment of section 18 of Act No. 2 of 2014.
- 22— Amendment of section 20 of Act No. 2 of 2014.
- 23— Amendment of section 21 of Act No. 2 of 2014.
- 24— Substitution of the title of Part VIII of Act No. 2 of 2014.
- 25— Substitution of section 22 of Act No. 2 of 2014.
- 26— Insertion of New section 22A.
- 27— Insertion of New Part IX and new sections.
- 28— Amendment of section 23 of Act No. 2 of 2014.
- 29— Insertion of new section 29.
- 30— Insertion of New PART X title.
- 31— Insertion of New PART XI title.
- 32— Substitution of sections 23A of Act No. 2 of 2014.
- 33— Amendment of the First Schedule.
- 34— Transition and savings.

2025 *Tana River County Ward Bursary Fund Administration (Amendment)* No. 7

**THE TANA RIVER COUNTY WARD BURSARY FUND
ADMINISTRATION (AMENDMENT) ACT, 2025**

AN ACT of the County Assembly of Tana River to amend the Tana River County Ward Bursary Fund Administration Act and for connected purposes

ENACTED by the County Assembly of Tana River, as follows—

Short title

1. This Act may be cited as the Tana River County Ward Bursary Fund Administration (Amendment) Act, 2025.

Amendment of long title of Act No. 2 of 2014

2. The long title of the Tana River County Ward Bursary Fund Administration Act, 2014, hereinafter referred to as “the principal Act”, is amended by inserting the words “and Scholarship” immediately after the word “Bursary”.

Amendment of section 2 of Act No. 2 of 2014

3. Section 2 of the principal Act is amended —

- (a) by deleting the term “Chairperson” together with the definition;
- (b) by deleting the term “Executive Committee Member” together with its interpretation and substituting therefor the following new term and interpretation —

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

- (c) in the interpretation of the word “Fund” by inserting the words “and scholarship” immediately after the words “the bursary”;
- (d) in the interpretation of the words “Ward Bursary Committee” by inserting the words “and scholarship” immediately after the words “Ward bursary”;
- (e) by inserting the following new terms and their interpretations in their proper alphabetical sequence;

“scholarship” means full or partial amount of money awarded to a beneficiary to pay for studies at a recognized learning institution;

No. 7 *Tana River County Ward Bursary Fund Administration (Amendment)* 2025

“ward manager” means a ward manager in-charge of the office of the ward representative;

- (f) inserting the following marginal note “Interpretation”.

Amendment of Title of Part II of Act No. 2 of 2014

4. The title of PART II of the principal Act is amended by inserting the words and “AND SCHOLARSHIP” immediately after the word “BURSARY”.

Amendment of section 3 of Act No. 2 of 2014

5. Section 3 of the Principal Act is amended—

- (a) in sub-section (1) by deleting the words “Fund (in this Act referred to as the “Fund”) which shall be administered by the Board” immediately after the word “Fund” and substituting thereof with the words “and Scholarship Fund which shall be administered by the Fund Administrator”.
- (b) in subsection 2—
 - (i) paragraph (a) by deleting the figure and words “2.5% of the shareable revenue” immediately after the word “than” and substituting thereof with the figure and words “2.8% of the total budget”.
 - (ii) paragraph (c) by inserting the word “lawful” immediately after the word “other”.
- (c) inserting the following marginal note “Establishment of the Fund”.

Insertion of New section 3A

6. The principal Act is amended by inserting the following new section 3A immediately after section 3—

Appropriation of the Fund

“3A. The Fund shall be appropriated as follows—

- (i) an amount totaling to fifty-five (55%) per centum of the monies set aside for disbursement under this Act shall be allocated equitably to all the wards as bursary.

2025 Tana River County Ward Bursary Fund Administration (Amendment) No. 7

- (ii) an amount totaling to forty-two (42%) per centum of the monies set aside for disbursement under this Act shall be allocated to scholarship.
- (iii) an amount totaling to not more than three (3%) per centum of the monies shall be set aside as administrative costs.”

Amendment of section 4 of Act No. 2 of 2014**7. The principal Act is amended—**

- (i) in section 4 sub-section (1) by deleting the words “ward bursary fund” immediately after the words “known as the” and substituting thereof with the words “Bursary and Scholarship”.
- (ii) inserting the following marginal note “Establishment of the Board”.

Amendment of section 5 of Act No. 2 of 2014**8. Section 5 of the principal Act is amended—**

- (a) in sub-section (5) by—
 - (i) inserting the word “County” immediately after the words “appointed by the”; and
 - (ii) deleting the words “and planning” immediately after the word “finance” and substituting thereof with the words “in accordance with section 9”.
- (b) inserting the following marginal note “Composition of the Board”
- (c) by deleting sub-section (4) and substituting therefor the following new sub-section—

“(4) two members, a male and a female, representing youth nominated by a registered umbrella body for the youth in the county and appointed by the County Executive Committee Member with the approval of the County Assembly.”
- (d) deleting sub-section (7) and substituting therefor with the following new sub-section—

No. 7 *Tana River County Ward Bursary Fund Administration (Amendment)* 2025

“(7) One member representing gender in the County appointed by the County Executive Committee Member with the approval of the County Assembly.”

- (e) in sub-section (9) by deleting the words “for gender, culture and social services” immediately after the words “committee member”.
- (f) deleting sub-section (1) and substituting therefor the following new sub-section—

“(1) A Chairperson nominated and approved by the County Executive Committee Member with the approval of the County Assembly.”

- (g) deleting sub-section (2) and substituting therefor the following new sub-section—

“(2) The County Chief Officer responsible for matters relating to Education.”

Insertion of New section 5A

9. The principal Act is amended by inserting the following new section 5A immediately after section 5—

Qualification for bursary Board member

“**5A.** A member of the Bursary and Scholarship Board appointed under section 5 (1), (4), (7), (8), and (9) must possess the following qualification:

- (a) be a Kenyan citizen;
- (b) possess a minimum qualification of a Bachelor’s Degree, for the Chairperson, and a Diploma, for the other members, from an institution recognized in Kenya;
- (c) has working experience of not less than three years;
- (d) meet the requirements of Chapter Six of the Constitution.”

Substitution of section 6 of Act No. 2 of 2014

10. The principal Act be amended by deleting section 6 and substituting thereof with the following new section—

Removal from the Board

“6. (1) A member of the Board may be removed from office on any of the following grounds —

- (a) lack of integrity;
- (b) gross misconduct;
- (c) gross violation of the Constitution or any statute;
- (d) physical incapacitation or mental infirmity for a period exceeding six months;
- (e) bankruptcy;
- (f) failure to attend three consecutive meetings without apology; or
- (g) conviction for a criminal offence for a period exceeding six months.

(2) A member of the Board may be removed from office by—

- (a) the County Executive Committee Member, in consultation with the Board;
- (b) a public petition to the County Assembly; or
- (c) a motion by a Member of the County Assembly supported by simple majority of the total Membership of the County Assembly.

Insertion of new section 6A

11. The Principal Act is amended by inserting the following new section 6A immediately after section 6 —

Resignation

“6A. A member, other than an *ex-officio* member, may at any time resign from office by notice in writing to the County Executive Committee Member.”

Amendment of section 7 of Act No. 2 of 2014

12. Section 7 of the principal Act is amended—

No. 7 *Tana River County Ward Bursary Fund Administration (Amendment)* 2025

- (a) in sub-section (1) by deleting the word “schools” immediately after the words “funds to the” and substituting thereof with the words “learning institutions”.
- (b) by inserting the following new sub-section (1A) immediately after subsection (1) —

“(1A) Ensure the efficient administration and management of the scholarship awards and grants.”
- (c) inserting the following marginal note “Functions of the Board”.

Amendment of section 9 of Act No. 2 of 2014

13. Section 9 of the principal Act is amended by—

- (a) deleting sub-section (1) and substituting thereof with the following new sub-section (1) —

“(1) The County Executive Committee Member for Finance shall appoint the fund administrator in accordance with the provisions of section 116(2) of the Public Finance Management Act.”.
- (b) inserting the following marginal note “Appointment of the Fund Administrator”.

Amendment of section 10 of Act No. 2 of 2014

14. Section 10 of the principal Act is amended—

- (a) by deleting sub-section (2) and substituting thereof with the following new sub-section (2) —

“(2) All disbursements from the Fund shall be for beneficiaries in accordance with procedures outlined in this Act and regulations made herein after.”
- (b) in sub-section (3), by inserting the word “learning” immediately after the word “or”;
- (c) inserting the following marginal note “Disbursement of funds”.

Amendment of section 12 of Act No. 2 of 2014

15. Section 12 of the principal Act is amended—

- (a) in sub-section (2) by deleting the words “Executive Committee Member for Finance and the relevant County Assembly

2025 Tana River County Ward Bursary Fund Administration (Amendment) No. 7

Committee” immediately after the words “concurrence of” and substituting thereof with the words “County Executive Committee Member for Finance and the relevant Member of County Assembly with the approval of the County Assembly”.

- (b) inserting the following marginal note “Unspent funds”.

Amendment of section 13 of No. 2 of 2014

16. The section 13 of the principal Act is amended—

- (a) by deleting sub-section (1) and substituting thereof with the following new sub-section (1) —

“(1) Each Ward Bursary Committee shall consist of the following members—

- (a) one person representing persons with disabilities, nominated by a registered umbrella body representing persons with disabilities in the County, in consultation with the Tana River County Persons with Disabilities Board, and appointed by the County Executive Committee Member;
- (b) one person representing educational institutions, appointed by the County Executive Committee Member;
- (c) one person representing the youth, nominated by the ward representative and appointed by the County Executive Committee Member; and
- (d) one person representing gender, nominated by ward representative and appointed by the County Executive Committee Member.

- (b) by deleting sub-section (2) and substituting therefor the following new sub-section—

“(2) The Ward Office Manager shall be the Secretary of the Committee and shall perform the following roles—

- (a) issue and receive bursary applications on behalf of the Ward Bursary Committee;
- (b) issue and receive scholarship applications on behalf of the Ward Bursary Committee;

No. 7 *Tana River County Ward Bursary Fund Administration (Amendment)* 2025

- (c) keep records of the Ward Bursary Committee deliberations; and
 - (d) maintain a database of all applicants and successful beneficiaries.”
- (c) by deleting sub-section (3) and substituting thereof with the following new subsection—
 - “(3) The Members appointed under sub-section (1) (a) (b) (c) and (d) must be residents of the respective ward.”
- (d) in subsection (4) by inserting the words “from amongst the persons appointed in paragraph (a), (b), (c) and (d)” immediately after the word “chairperson”.
- (e) inserting the following marginal note “Establishment of Ward Bursary Committees”.

Substitution of the title of Part V of Act No. 2 of 2014

17. The principal Act is amended by deleting the title of PART V and substituting therefore the following new title “PART V—ADMINISTRATION OF WARD BURSARY AND SCHOLARSHIP”.

Amendment of section 14 of Act No. 2 of 2014

- 18.** Section 14 of the principal Act is amended—
- (a) in the introductory clause by deleting the figure “(1)”;
 - (b) by inserting the following new paragraph (ba) immediately after paragraph (b) —
 - “(ba) by causing disharmony within the Committee.”
 - (c) in paragraph (d) by deleting the word “and” immediately after the word “infirmary”;
 - (d) inserting the following marginal note “Removal from a Committee”.

Amendment of section 16 of Act No. 2 of 2014

- 19.** Section 16 of the principal Act is amended by—
- (a) inserting the following new sub-section (2a) immediately after sub-section (2) —

2025 Tana River County Ward Bursary Fund Administration (Amendment) No. 7

“(2a) Receive scholarship applications and forward to the board for consideration.”

- (b) inserting the following marginal note “Functions of the committee”.

Amendment of section 17 of Act No. 2 of 2014

20. Section 17 of the principal Act is amended by—

- (a) inserting the words “and scholarship” immediately after the words “ward bursary”, and
- (b) inserting the following marginal note “Filling of vacancy”.

Amendment of section 18 of Act No. 2 of 2014

21. Section 18 of the principal Act is amended by—

- (a) inserting the words “and scholarship” immediately after the words “ward bursary”, and
- (b) inserting the following marginal note “Successful applications”.

Amendment of section 20 of Act No. 2 of 2014

22. Section 20 of the principal Act is amended by—

- (a) inserting the following new sub-section (aa) immediately after subsection (a) —
- “ (aa) a summary of the scholarship funds received and status of the disbursements.”
- (b) inserting the following marginal note “Report to the County Assembly”.

Amendment of section 21 of Act No. 2 of 2014

23. Section 21 of the Principal Act is amended in paragraph (a) by inserting the words “and scholarship” immediately after the words “ward bursary”.

Substitution of the title of Part VIII of Act No. 2 of 2014

24. The principal Act is amended by deleting the title of PART VIII and substituting thereof with the following new title “COUNTY ASSEMBLY OVERSIGHT”.

Substitution of section 22 of Act No. 2 of 2014

25. The principal Act is amended by deleting section 22 and substituting thereof with the following new section 22—

No. 7 *Tana River County Ward Bursary Fund Administration (Amendment)* **2025**

County Assembly Committee

“**22.** The County Assembly shall in accordance with its Standing Orders designate a Committee that will oversee the implementation of the provisions of this Act.”

Insertion of New section 22A

26. The principal Act is amended by inserting the following new Section 22A immediately after Section 22—

Patronage of ward committees

“**22A.** The ward representative shall be the patron of the Ward Bursary Committee and shall perform the following roles—

- (a) convene the first meeting of the Ward Bursary Committee;
- (b) provide liaison to the Committee with other institutions and donors within and outside the wards;
- (c) oversight the Ward Bursary Committee activities; and
- (d) act as a link between the Ward Committee and the Board.”

Insertion of New Part IX and new sections

27. The Principal Act is amended by inserting the following new PART IX and sections immediately after section 22A—

“PART IX— THE SCHOLARSHIP PROGRAM

Scholarship programme

“**22B.** (1) The scholarship program shall cater for the following categories —

- (a) students in or joining public secondary schools;
- (b) students in or joining recognised universities and colleges pursuing professions of high demand;
- (c) students in universities under the Kenya University and Colleges Central Placement Services program;
- (d) special needs students in or joining special schools.

(2) The scholarship will meet partial or full costs for the entire period of study by the beneficiary depending on the performance, availability of funds and level of need.

2025 *Tana River County Ward Bursary Fund Administration (Amendment)* **No. 7**

(3) The Board shall, in the administration of scholarship, ensure inclusivity by equitably selecting beneficiaries from all wards within the County.

Application for admission to the scholarship program

22C. (1) A person who is eligible for scholarship under this Act may apply to the Board for admission to the scholarship program.

(2) An application for scholarship shall be made in a form prescribed by the County Executive Committee Member, in consultation with the Board, and with the approval of the County Assembly.

Eligibility criteria for the scholarship

22D. An Applicant must meet the following requirements to be admitted into the scholarship program: —

- (a) special needs students who are needy;
- (b) orphans and vulnerable children;
- (c) students with poor parents living with disabilities;
- (d) students with parents living with chronic diseases and are unable to raise school fees;
- (e) students from needy families;
- (f) students must have achieved a level of performance as shall be reviewed from time to time by the Board;
- (g) the student must be a resident of the County.
- (h) students joining public universities within and outside the country pursuing courses of high demand.

Review and award of scholarship

22E. The Board shall review all applications and, upon review, may—

- (a) reject an application; or
- (b) admit an applicant to the scholarship programme.

Qualification for subsequent scholarship allocation

22F. All beneficiaries must submit the following documents before applying for the next scholarship allocation—

- (a) transcripts for college and university students;
- (b) progress or academic report for that particular year;
- (c) fees receipt for the last allocation; and
- (d) updated fee statement.

Scholarship performance monitoring

22G. (1) The Board shall monitor the performance of the beneficiaries of the scholarship program.

(2) Performance shall be monitored termly for secondary school students and annually for university and technical institutions students.

(3) The minimum grade for eligibility for the subsequent scholarship for secondary students shall be an annual aggregate of mean grade C+ or its equivalent.

Termination or Suspension from the scholarship programme

22H. The Board shall discontinue a student from the Scholarship Scheme where—

- (a) the applicant completes the study for which the sponsorship was awarded;
- (b) the admission into the sponsorship was obtained through fraud, false information or misrepresentation;
- (c) applicant ceases to be a student for reasons other than medical grounds or grounds specified under paragraph (b);
- (d) applicant fails to meet the prescribed annual performance aggregate;
- (e) indiscipline by the beneficiary;
- (f) applicant applies for and is granted bursary or full sponsorship support from any other source after the applicant has been admitted to the sponsorship under the Act;
- (g) the applicant repeats classes for reasons other than medical grounds.”

Mentorship Programme

22I. The County Executive Committee Member shall organize and conduct an annual mentorship programme for the beneficiaries of the scholarship programme.

Amendment of section 23 of Act No. 2 of 2014

28. Section 23 of the principal Act is amended—

- (a) by deleting the words “shall be guilty of” immediately after the words “provided in this Act” and substituting thereof with the word “commits”;
- (b) inserting the following marginal note “Offences and penalties”; and
- (c) deleting the words “one million shillings (KSh. 1,000,000/=)” immediately after the word “exceeding” and substituting therefor the words “five million shillings”.

Insertion of new section 29

29. The principal Act is amended by inserting the following new section 29—

General penalty

“29. Where a person commits an offence under this Act where no penalty has been provided, the person shall, upon conviction, be liable to imprisonment for a term not exceeding three years or to a fine not exceeding three hundred thousand shillings or to both.”

Insertion of New PART X Title

30. The principal Act is amended by inserting the following new title immediately after section 22 “PART X— MISCELLANEOUS”.

Insertion of New PART XI Title

31. The principal Act is amended by inserting the following new title immediately after Section 23 “PART XI— PROVISIONS ON DELEGATED POWERS”.

Substitution of sections 23A of Act No. 2 of 2014

32. The principal Act is amended by deleting section 23A and substituting therefor with the following new section 24—

No. 7 *Tana River County Ward Bursary Fund Administration (Amendment)* 2025

“24. The County Executive Committee Member in consultation with the Board shall make regulations prescribing—

- (a) scope and procedure of administration of the Bursary application;
- (b) scope and procedure of administration of scholarship applications, awards and their general administration.
- (c) additional guidelines regarding bursary awards; and
- (d) the application forms.”

Amendment of the First Schedule

33. The First Schedule of the Principal Act is amended by deleting paragraph 2 of the First Schedule.

Transition and savings

34. (1) Upon the commencement of this Act, all existing Ward Bursary Committees established prior to the enactment of this Act shall stand dissolved.

(2) Notwithstanding sub-section (1), new Ward Bursary Committees shall be constituted in accordance with this Act immediately upon its commencement, and such Committees shall serve until the expiry of the term of the current Member of the County Assembly for the respective ward.

(3) Upon the expiry of the term of the current Member of the County Assembly, any subsequent Ward Bursary Committees appointed under this Act shall serve for a term of five years and in accordance with the provisions of this Act.

(4) The Board established under this Act shall be deemed to be duly constituted and shall continue in office and perform its functions in accordance with this Act, notwithstanding the dissolution of the existing Ward Bursary Committees under sub-section (1).