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UASIN GISHU COUNTY ACTS, 2021

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Date of Commencement: See Section 1

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**THE UASIN GISHU COUNTY ADMINISTRATION
ACT, 2021**

AN ACT of the Uasin Gishu County Assembly to give effect to part VI of the County Governments Act, 2012; to give effect to the decentralization of functions and provisions of services in Uasin Gishu County, and for connected purposes.

ENACTED by Uasin Gishu County Assembly, as Follows—

PART 1—PRELIMINARY**Short title and commencement**

1. This Act may be cited as the Uasin Gishu County Administration Act, 2021 and shall come into force upon publication in the *Gazette*.

Interpretation

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

“Board” means the Uasin Gishu County Public Service Board established pursuant to Section 57 of the County Governments Act, 2012;

“County” means the County of Uasin Gishu;

“County Assembly” means the County Assembly of Uasin Gishu;

“County Government” means the County Government of Uasin Gishu;

“Governor” means the Governor of Uasin Gishu County;

“protected areas” means Kapsaos Ward, Kimumu Ward, Kipkenyo Ward;

Langas Ward, Kiplombe Ward, Moi’s Bridge Ward, Kuinet/Kapsuswa Ward;

Racecourse Ward, Kapsoya Ward and Huruma Ward;

“Village Administration Units” means a governance unit to be determined as per the requirements of Section 53 of the County Governments Act;

“Village Administrator” means a person appointed by the County Government to be the public servant responsible for coordination of all public service and development in the village unit” as per the County Governments Act, (2012);

“Location” means as provided under the National Government Coordination Act;

“Sub-location” means a unit of administration within the county existing under the National Government structure;

“Ward Administrator” means a person appointed under County Governments Act, 2012 to be in charge of the administration of a Ward unit;

“Village Council” means persons established under this Act for purposes of administration of the Village Unit;

Objective and purpose of the Act

3. (1) Object and purpose of the Act is to—

- (a) provide for the decentralization of functions and provision of services of the County Government;
- (b) provide for Sub-County, Wards and Village units of decentralization of the County Government;
- (c) create village administration units;
- (d) create offices of the Village Administrator;
- (e) create Village Councils;
- (f) provide procedure for restructuring village units from the existing administrative boundaries;
- (g) provide for public participation in the implementation of development projects at Village Units;
- (h) provide for the appointment of Village Administrators; and
- (i) provide for a legal framework for delivery of service by the County Government at the Village Units.

(2) This Act gives effect to the provisions of Article 176(2) of the Constitution of Kenya, 2010 and Section 48(1)(d), Section 52, and Section 53, of the County Governments Act.

PART II DECENTRALIZATION AND ADMINISTRATION

Units of decentralization

4. (1) The functions and provision of services of Uasin Gishu County Government shall be decentralized to—

- (a) urban areas and cities within the county establishment in accordance with the Urban Areas and Cities Act, 2011;

- (b) the Sub-Counties, with each of the Constituencies in the County forming a Sub-County;
- (c) the Wards within the county as demarcated by the Independent Electoral and Boundaries Commission pursuant to Article 89(3) of the Constitution;
- (d) village units, with each of the Sub-Locations as of 25th January, 2021 in the County constituting a Village Unit; and
- (e) gazetted administrative units in accordance with the National Government Co-ordination Act of 2013.

(2) If a constituency or part of a constituency falls within an area classified as an urban area or city under the urban Areas and Cities Act, 2011, that constituency or part of the constituency, as the case may be shall be deemed to be an Urban Area or City for purposes of subsection (1)(a).

Sub County Administrators

5. (1) There is established at the level of each Sub-County the office of the Sub-County Administrator.

(2) The Sub-County Administrator shall have qualifications and knowledge in administration and management and shall be competitively appointed by the County Public Service Board in accordance with the provisions of the County Governments Act, 2012.

(3) The Sub-County Administrator shall be responsible for coordination, management and supervision of the general administrative functions in the Sub-County unit, including—

- (a) the development of plans and policies;
- (b) service delivery;
- (c) developmental activities to empower the community;
- (d) provision and maintenance of infrastructure and facilities of public service;
- (e) exercise any function and powers delegated by the County Public Service Board under Section 86 of the County Governments Act, 2012; and
- (f) facilitation and co-ordination of citizen participation in the development of policies and plans and delivery of services.

(4) In carrying out the functions and obligations in sub-section (3), the Sub-County Administrator shall be responsible to the relevant County Chief Officer.

(5) The Sub-County Administrator shall be eligible for transfer within the County every three (3) years.

Ward Administrator

6. (1) The Ward Administrator established under section 51 of the County Governments Act, 2012 shall be the head of the Ward, and shall be appointed by the Board through an open and competitive process.

(2) A person shall not be appointed as a Ward Administrator unless such person—

- (a) holds a degree from a recognized institution of higher learning;
- (b) has three years' experience in the relevant field; and
- (c) is knowledgeable in administration or management.

(3) A Ward Administrator shall serve for such period and on such terms and conditions as the CPSB may prescribe.

Functions of the Ward Administrator

7. (1) The Ward Administrator shall co-ordinate, manage and supervise the general administrative functions in the Ward unit including—

- (a) the developmental policies and plans;
- (b) service delivery;
- (c) developmental activities to empower the community;
- (d) the provision and maintenance of infrastructure and facilities of public services;
- (e) the County Public Service;
- (f) exercise any functions and powers delegated by the County Public Service Board under Section 86 of the County Governments Act, 2012;
- (g) co-ordination and facilitation of citizen participation in the development of policies and plans and delivery of services.

(2) In carrying out the functions and obligations in sub-section (1), the Ward Administrator shall be responsible to the Sub - County Administrator.

(3) the Ward Administrator shall be eligible for transfer within the County every two (2) years.

Village Administration Units

8. (1) There is established Village Units in accordance with Section 48(1)(d) of the County Governments Act, 2012.

(2) In establishing the village units the County Assembly shall take into account the following factors as listed in section 48 (3) (a) (b) (c) and (d) of the County Governments Act, 2012—

- (a) population size;
- (b) geographical features;
- (c) community of interest, historical, economic and cultural ties; and
- (d) means of communication

(3) A village unit within the protected areas shall comprise of a population of at least ten thousand (10,000) persons as per the latest Kenya National Bureau of Statistics census.

Office of the Village Administrator

9. There is established for each village unit the Office of the Village Administrator.

Qualifications for appointment as Village Administrator

10. (1) The Village Administrator shall have professional qualifications and technical knowledge in administration and shall be competitively appointed by the County Public Service Board having regard to the interests of women, the youth, people living with disabilities and other marginalized members of the community.

(2) A person shall thus be appointed as Village Administrator only if such a person is—

- (a) has attained the age of majority;
- (b) a resident of the respective Village Unit for at least 5 years
- (c) at least a holder of form 4 certificate with technical knowledge in the relevant field; and
- (d) satisfying the requirements of Chapter Six of the Constitution of Kenya (2010).

Remuneration of Village Administrator

11. The remuneration of the Village Administrator shall be determined by the County Public Service Board (CPSB) in line with Salaries and Remuneration Commission (SRC) guidelines on remuneration in the Public Service.

Vacation of office of Village Administrator

12. Village Administrator may vacate office—

- (a) in case of death;
- (b) by resignation in writing submitted to the immediate senior administrator with one month in lieu of notice;
- (c) where the administrator is convicted of a criminal offence punishable by a prison term of not less than six months; and
- (d) by being of unsound mind.

Duties and Responsibilities of a Village Administrator

13. A Village Administrator shall co-ordinate, manage and supervise the general administrative functions in the Village Unit in pursuant to paragraph 14 of part II of the Forth Schedule to the Constitution including—

- (a) ensuring and coordinating the participation of the village unit in governance;
- (b) assisting the village unit to develop the administrative capacity for the effective exercise of the functions at the village level and;
- (c) exercising any functions and powers delegated by the County Public Service Board under section 86 of the County Governments Act;
- (d) be a symbol of the village unity;
- (e) report on public utility neglect, wastage, repair, loss, misuse, abuse or pollution; and
- (f) be custodian of all village data and statistical information including but not limited to pollution, general demographics, social amenities and facilities, state of roads, agriculture and livestock production, culture and heritage.

14. In carrying out the duties and responsibilities the Village Administrator shall be responsible to the respective Ward Administrator.

The Village Council

15. There is established, for each Village Unit, a Village Council.

Composition of the Village Council

16. The Village Council shall comprise of the following—

- (a) the Village Administrator who shall be the Chairperson of the Village Council; and
- (b) not less than three and not more than five people competitively appointed by the CPSB taking into account gender balance and persons living with disabilities.
- (c) a secretary elected from among the members of the village council.

Qualifications for appointment into the village council

17. (1) A person shall be eligible for appointment to the Village Council if the person—

- (a) is a citizen of Kenya;
- (b) is age 30 years and above;
- (c) has been a resident of the respective Village Unit for a period of not less than ten years prior to the appointment date; and
- (d) the requirements of Chapter Six of the Constitution of Kenya 2010.

Allowances for members of the village council

18. A member of Village Council shall be paid such allowance as shall be determined by the Salaries and Remuneration Commission.

Duties and Responsibilities of the Village Council

19. A Village Council shall be responsible for—

- (a) ensuring and coordinating the participation of the Village Unit in governance;
- (b) assisting the Village Unit to develop the administrative capacity for the effective exercise of the functions and participation in governance at the local level;
- (c) monitoring the implementation of policies at the village unit;

- (d) advising the village administrator on matters pertaining the Village; and
- (e) any other function necessary for better administration of the Village Unit.

Term of service of the Village Councils

20. The members of the Village Council shall serve for a 3-year term renewable once.

Vacancy in the Village Council

21. The position of Village Council member shall become vacant upon —

- (a) Death;
- (b) Insanity;
- (c) Resignation; and
- (d) Removal from office due to gross misconduct.

Procedure for Restructuring of Village Units

22. If and when the need for restructuring of the existing village units arises, the following procedure shall be followed —

- (a) any party proposing any restructuring shall present his or her proposal to the County Executive Committee Member in charge of Decentralized Units;
- (b) the County Executive Committee Member shall conduct public consultations and participation on the said proposals; and
- (c) the County Assembly shall approve the change of the number of village units.

Complaints and dispute resolutions

23. (a) Every resident of the county has a right to present any complaint against the Village Administrator or Village Council;
- (b) a complaint must be made in writing;
 - (c) a complaint box shall be made available at each office of the Village Administrator; and
 - (d) the county executive committee member responsible for decentralized units in consultation with the county assembly

may make regulations to better the resolutions of disputes at the village unit.

Rationale for Village Administration Units

24. The County Assembly shall approve the adoption of restructured existing boundaries in the establishment of village administration units. Such restructure meets basic requirements of section 48 (3) (a), (b), (c) and (d) of County Governments Act, 2012.

PART III—MISCELLANEOUS PROVISIONS

Transfer of staff

25. Sub-County Administrator, Ward Administrator and Village Administrator shall be a county public service officer and may serve in any part of the County.

Regulations

26. The County Executive Committee Member may make regulations to give effect to the provisions of this Act.

Act to be Complementary

27. This Act shall be complementary to the County Governments Act, 2012 in relation to the establishment and administration of the village units within the County.

Uniforms for Village Administrators and Village Council Members

28. For identification, visibility and distinctiveness the County Executive Committee shall prescribe official attire of the Sub-County Administrators, Ward Administrators and Village Administrators and Village Council Members.

Village Administration units - Schedule

29. (1) For the purpose of this Act, Sub-locations shall be submitted for adoption as Village Units, and the same shall be reviewed in the event the National Government creates new Sub-locations.

(2) For the purpose of this Act, there shall be established new Village Units Namely Racecourse for Racecourse Ward and Limyomoi for Kuinet/Kapsuswa Ward.

LIST OF VILLAGE ADMINISTRATION UNITS IN UASIN GISHU COUNTY

SUB COUNTY CODE	SUB COUNTY NAME	WARD CODE	WARD NAME	NAMES OF THE VILLAGE UNITS
141	SOY	0701	MOI'S BRIDGE	MOI'S BRIDGE KWENET KILIMA JABALI
		0702	KAPKURES	KAPKURES CHEBARUS MATUNDA SIGAON
		0703	ZIWA	ZIWA LEGBET SIRIKWA KAPSANG KEROTET LOLKINYEI LEMORU
		0704	SEGERO/ BARSOMBE	BARSOMBE CHEPTERIT KOISAGAT KAPTICH KAPNGETUNY SEGERO
		0705	KIPSOMBA	MOBET CHEPLALAIBEI KIPSOMBA CHEMOSET
		0706	SOY	KIPSANGUI SOY SINONIN

SUB COUNTY CODE	SUB COUNTY NAME	WARD CODE	WARD NAME	NAMES OF THE VILLAGE UNITS
				KONGASIS RIPMOI CHOBOSTA
		0707	KUINET/ KAPSUSWA	KUINET CHEPSIRIA KAMUKUNJI BLOCK 10 KIDIWA BERUR LIMYOMOI
142	TURBO	0708	NG'ENYILEL	NGENYILEL MURGUSI CHEPSAITA OSORONGAI CHEKEMEL
		0709	TAPSAGOI	CHEPLASKEI BESIEBOR TURBO KAPTEBEE TIRET SUGOI KOSACHEI KAPKONG TAPSAGOI
		0710	KAMAGUT	SOSIANI KAMAGUT LESERU CHEMALAL AINAB - NGETIK CHEPTABACH

SUB COUNTY CODE	SUB COUNTY NAME	WARD CODE	WARD NAME	NAMES OF THE VILLAGE UNITS
				SAMBUT CHERAMEI
		0711	KIPLOMBE	KIPLOMBE TEBESWET KAPCHUMBA EMKWEN KIHUNGA SQUARE
		0712	KAPSAOS	KAPKOROS KAPYEMIT KAPSAOS KAPKEBEN EMKOIN
		0713	HURUMA	WEST INDIES/KOKWAS SHAURI MARKET KING'ONG'O
143	MOIBEN	0714	TEMBELIO	CHEBURBUR KAMAUA KIMONING KAPTULI KAPKEI ELGEYO BORDER TUYOLUK KAPTUKTUK CHEPKOSOM MUYENGWET SORNGETUNY
		0715	SERGOIT	CHEPKOILEL

SUB COUNTY CODE	SUB COUNTY NAME	WARD CODE	WARD NAME	NAMES OF THE VILLAGE UNITS
				SERGOIT KELJI CHARAR
		0716	KARUNA/ MEIBEKI	LOWER KAPSILIOT UPPER KAPSILIOT TANGISIR KABAMOI KAPTIK CHEBONET USWO CHEPLASKEI KAPLOLO SOSIYO MEIBEKI EMBARAA
		0717	MOIBEN	KIMOGOCH KABATU SIMOTWO MOIBEN KAPSUBERE MEREWET CHEBARUS TOLOITA
		0718	KIMUMU	AINAPTICH KOIBARAK SIGOT KIMUMU
144	AINABKOI	0719	KAPSOYA	MUNYAKA

SUB COUNTY CODE	SUB COUNTY NAME	WARD CODE	WARD NAME	NAMES OF THE VILLAGE UNITS
				BELIOMO KOIBARAK CHEBOIN KAPSOYA SOSIANI
		0720	KAPTAGAT	TENDWO NGELEL TARIT LOTONYOK SUMBEIYWO KAPSUNDEI KILEGES NGATIT KATUIYO CHEPKONGONY KONGASIS KIPSINENDE CHESOGOR SONGICH CHEPTIGIT UHURU CHEBARUS
		0721	AINABKOI/ OLARE	BURNT FOREST TOWNSHIP KEWET KAPKENO KOILONG'ET KOILUGET TILOL TINGWO NDANAI

SUB COUNTY CODE	SUB COUNTY NAME	WARD CODE	WARD NAME	NAMES OF THE VILLAGE UNITS
				KAPSENGWET KIMURUK KAPNG'ETUNY KAPLELACHI CHEPNG'OROR SAITO
145	KAPSERET	0722	KAPSERET	SIMAT CHEPKATET KAPTELDON MOSOMBOR TUIYO KISOR INDER MALEL KABONGO KAPNG'ETUNY LEMOOK
		0723	KIPKENYO	PIONEER KIPKAREN TACHASI KIMOSOP
		0724	NGERIA	KABONGO KAPLELACH NGARA-FALLS NAIRIRI
		0725	MEGUN	SONGOLIET MEGUN MOMONIAT LEGETET
		0726	LANGAS	YAMUMBI

SUB COUNTY CODE	SUB COUNTY NAME	WARD CODE	WARD NAME	NAMES OF THE VILLAGE UNITS
				LANGAS MARKET LANGAS PRIMARY KAPKENDUIYWO/ GREEN PARK
146	KESSES	0727	RACE COURSE	RACE COURSE SUGUNANGA OASIS ELGON VIEW
		0728	CHEPTIRET/ KIPCHAMO	CHEPTIRET MUGUNDOI LENGUT SAROIYOT KAPTUMO EMKWEN KAPKOI SOSIOT KAMUNGEI
		0729	TULWET/ CHUIYAT	BINDURA CHEBOIYWO ASURSURIET LELMOLOK CHUIYAT TUMOGE TULWET KAPRANGA LINGWAI RUKUINI
		0730	TARAKWA	CHAGAIYA KAPKOI

SUB COUNTY CODE	SUB COUNTY NAME	WARD CODE	WARD NAME	NAMES OF THE VILLAGE UNITS
				BURET KIPTEGA OLEINGUSE CHEBOROR CHEMARE KOIWORUSEN KORIOMAT
	6 SUB COUNTIES		30 WARDS	208 VILLAGE UNITS

