LEGAL NOTICE NO.

THE PUBLIC FINANCE MANAGEMENT ACT (No. 18 of 2012)

IN EXERCISE of the powers conferred by section 24(8) of the Public Finance Management Act, 2012, the Cabinet Secretary for the National Treasury and Planning makes the following Regulations—

THE PUBLIC FINANCE MANAGEMENT (WOMEN ENTERPRISE FUND) (REVOCATION) REGULATIONS, 2020

Citation.

1. These Regulations may be cited as the Public Finance Management (Women Enterprise Fund) (Revocation) Regulations, 2020.

Winding up. LN 147 of 2007

2. The Women Enterprise Fund established under the Government Financial Management (Women Enterprise Fund) Regulations, 2007 is wound up.

Transfer of outstanding amounts.

- **3.**(1) Any amounts remaining in the Women Enterprise Fund shall be paid into the National Exchequer Account for the credit of the national government.
- (2) The Cabinet Secretary shall, with the approval of the National Assembly, pay any deficit in the Fund from funds of the national government in the National Exchequer Account.
- (3) Any outstanding loan between the Women Enterprise Fund and a beneficiary shall on the commencement of these Regulations, become a loan between the Biashara Kenya Fund established under regulation 3 of the Public Finance Management (Biashara Kenya Fund) Regulations, 2020 and the same beneficiary, with the same rights and subject to the same obligations and the loan shall be deemed to be a single continuing loan.

Transition of staff.

4.(1) In this Regulation, unless the context otherwise requires—

"Administrator" means the Principal Secretary of the State Department for the time being responsible for gender affairs or any other person designated by the Cabinet Secretary, in writing for that purpose;

"Biashara Kenya Fund" means the Biashara Kenya Fund established under regulation 3 of the Public Finance Management (Biashara Kenya Fund) Regulations, 2020;

- (2) Subject to paragraph (5), a person who, immediately before the commencement of these Regulations, was serving on contract in the Women Enterprise Fund shall, at the commencement of these Regulations, serve in the Biashara Kenya Fund for the unexpired period, if any, of the term.
- (3) Subject to paragraph (5), every person who, immediately before the commencement of these Regulations, was an employee of the Government

serving in the Women Enterprise Fund shall serve in the Biashara Kenya Fund.

- (4) Despite paragraph (5), employees of the Government in the Women Enterprise Fund immediately before the commencement of these Regulations shall, upon the commencement of these Regulations, be given an option to in serve the Biashara Kenya Fund and if not appointed by the Administrator be redeployed in the Public Service.
- (5) Before appointing a person to whom paragraph (2) or (3) apply, the Administrator, in consultation with the Public Service Commission, shall—
 - (a) require such person to make an application for employment or appointment to the Biashara Kenya Fund; and
 - (b) using the criteria determined by the Public Service Commission, vet such a person to ensure that he or she is fit and proper to serve in the position applied for in the Biashara Kenya Fund.
- (6) An applicant who was serving on contract under paragraph (2) who fails to meet the vetting criteria set under paragraph (5), shall be allowed to serve for the remaining period of the contract or his or her services terminated in accordance with the terms and conditions of his contract.
- (7) A person who, immediately before the commencement of this Regulations, was an employee of the Government serving in the Women Enterprise Fund immediately before the commencement of these Regulations who fails to meet the vetting criteria set under paragraph (5), may deployed in the public service.
- (8) Notwithstanding the provisions of this regulation, and for as long as the Administrator has not appointed staff to serve in the Biashara Kenya Fund, the staff of the Women Enterprise Fund shall continue to perform those functions and their acts shall be deemed to be those of the Biashara Kenya Fund.

Revocation.
LN 147 of 2007

5. The Government Financial Management (Women Enterprise Fund)
Regulations, 2007 are revoked.

Made on the	Made on the
-------------	-------------

UKUR YATANI,

Cabinet Secretary for the National Treasury and Planning.