

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 (UWEZO FUND) REGULATIONS,  
(REVOCATION) REGULATIONS, 2020**

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

Winding up.  
LN 21 of 2014       2. The Uwezo Fund established under the Public Finance Management (Uwezo Fund) Regulations, 2014 is wound up.

Transfer of  
outstanding  
amounts.           3.(1) Any amounts remaining in the Uwezo 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 Uwezo 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, 2018 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 (4), a person who, immediately before the commencement of these Regulations, was an employee of the Government serving in the Uwezo Fund shall serve in the Biashara Kenya Fund.

(3) Despite Regulation (2), employees of the Government serving in the Uwezo Fund immediately before the commencement of these Regulations shall, upon the commencement of these Regulations, be given an option to serve in the Biashara Kenya Fund and if not appointed be redeployed in the

Public Service.

(4) Before appointing a person to whom paragraph (2) applies, the Administrator, in consultation with the Public Service Commission, shall—

- (a) require such person to make an application for employment or appointment to the 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.

(5) A person who, immediately before the commencement of these Regulations, was an employee of the Government serving in the Uwezo Fund immediately before the commencement of these Regulations, who fails to meet the vetting criteria set under paragraph (4), may be deployed in the public service.

(6) 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 Uwezo Fund shall continue to perform those functions and their acts shall be deemed to be those of the Biashara Kenya Fund.

Revocation.  
LN 21 of 2014

**5.** The Government Financial Management (Uwezo Fund) Regulations, 2014 are revoked.

Made on the ....., 2020

**UKUR YATANI,**  
*Cabinet Secretary for the National Treasury and Planning.*