



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

NATIONAL ASSEMBLY BILLS, 2018

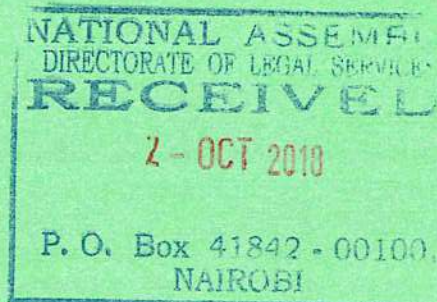
NAIROBI, 25th September, 2018

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THE SPORTS (AMENDMENT) BILL, 2018

A Bill for

AN ACT of Parliament to amend the Sports Act, 2013

ENACTED by the Parliament of Kenya, as follows—

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|---|--|
| <p>1. This Act may be cited as the Sports (Amendment) Act, 2018.</p> | <p>Short title.</p> |
| <p>2. The Sports Act, in this Act referred to as “the principal Act”, is amended in section 2 by—</p> <p>(a) deleting the definition of “Board of Trustees”;</p> <p>(b) deleting the words “the National Sports Fund Board of Trustees,” appearing in the definition of “sports institutions”.</p> | <p>Amendment of section 2 of No.25 of 2013.</p> |
| <p>3. Section 6 of the principal Act is amended in subsection (1) by deleting paragraph (g).</p> | |
| <p>4. Section 11 of the principal Act is amended by deleting paragraph (c).</p> | |
| <p>5. The principal Act is amended repealing Part III.</p> | <p>Repeal of Part III of No.25 of 2013.</p> |
| <p>6. Section 40 of the principal Act is amended by—</p> <p>(a) in subsection (3) by deleting the words “comprising estimates of expected maintenance, development and capital expenditure of the respective institution in the said financial year to be financed by the National Sports Fund” appearing immediately after the words “financial year”;</p> <p>(b) in subsection (4) by deleting the words “Board of Trustees” appearing immediately after the words “Sports Kenya”.</p> | <p>Amendment of section 40 of No.25 of 2013.</p> |
| <p>7. Section 44 of the principal Act is amended by deleting the words “Board of Trustees” appearing immediately after the word Board”.</p> | <p>Amendment of section 44 of No.25 of 2013.</p> |
| <p>8. Section 62 of the principal Act is amended—</p> <p>(a) in subsection (1) by deleting the words “Board of Trustees” appearing immediately after the word Board”;</p> | <p>Amendment of section 62 of No.25 of 2013.</p> |

(b) in subsection (2) by deleting the words “Board of Trustees” appearing immediately after the word “Board”;

9. Section 70 of the principal Act is amended by deleting paragraph (c).

Amendment of section 70 of No.25 of 2013.

10. The Third Schedule to the principal Act is amended—

Amendment to section 40 of No.25 of 2013.

(a) by deleting the words “Board of Trustees” appearing in the heading of the Third Schedule;

(b) in paragraph 1—

(i) by deleting the words “Board of Trustees” whenever they occur in subparagraph (1);

(ii) deleting the words “Board of Trustees” appearing immediately after the word “Board” in subparagraph (2);

(iii) deleting the words “Board of Trustees” appearing immediately after the word “Board” in subparagraph (3);

(iv) deleting the words “Board of Trustees” appearing immediately after the word “Board” in subparagraph (4);

(c) in paragraph 2—

(i) deleting the words “Board of Trustees” appearing immediately after the word “Board” in subparagraph (1);

(ii) deleting the words “Board of Trustees” appearing immediately after the word “Board” in subparagraph (2);

(d) in paragraph 3—

(i) deleting the words “Board of Trustees” appearing immediately after the word “Board” in subparagraph (1);

(ii) by deleting the words “Board of Trustees” whenever they occur in subparagraph (2);

(e) in paragraph 4—

(i) by deleting the words “Board of Trustees” whenever they occur in subparagraph (1);

- (ii) by deleting the words "Board of Trustees" whenever they occur in subparagraph (2);
- (f) in paragraph 5 by deleting the words "Board of Trustees" appearing immediately after the word "Board";
- (g) in paragraph 6—
 - (i) by deleting the words "Board of Trustees" whenever they occur in subparagraph (1);
 - (ii) by deleting the words "Board of Trustees" whenever they occur in subparagraph (2);
 - (iii) deleting the words "Board of Trustees" appearing immediately after the word "Board" in subparagraph (3)
 - (iv) deleting the words "Board of Trustees" appearing immediately after the word "Board" in subparagraph (4).
 - (v) deleting the words "Board of Trustees" appearing immediately after the word "Board" in subparagraph (5).
- (h) in paragraph 7 by deleting the words "Board of Trustees" appearing immediately after the word "Board".

11. The Fourth Schedule of the principal Act is amended—

Amendment to the
Fourth Schedule
of No.25 of 2013.

- (a) by inserting the phrase "PART I" immediately after the words "TRANSITIONAL PROVISIONS";
- (b) by inserting the following part immediately after paragraph 9—

PART II

Transfer of assets and liabilities.

10. On the coming into operation of this Act all property, assets, rights, liabilities, obligations, agreements and other arrangements existing at the commencement of this Act and vested in, acquired, incurred or entered into by or on behalf of the National Sports Fund Board of Trustees existing immediately before the commencement of this Act,

shall upon the commencement of this Act be deemed to have vested in or to have been acquired, incurred or entered into by or on behalf of the Government to the same extent as they were enforceable by or against the National Sports Fund Board of Trustees before the commencement this Act.

Transition of staff.

11. (1) Subject to paragraph (4), a person who, immediately before the commencement of this Act, was an employee of the Government serving in the National Sports Fund Board of Trustees shall serve in the Sports, Arts and Social Development Fund.

(2) Subject to paragraph (4), a person who, immediately before the commencement of this Act, was serving on contract in the National Sports Fund Board of Trustees shall, at the commencement of this Act, serve in the Sports, Arts and Social Development Fund for the unexpired period, if any, of the term.

(3) Despite Regulation (1), employees of the Government in the National Sports Fund Board of Trustees immediately before the commencement of this Act shall, upon the commencement of this Act, be given an option to serve the Sports, Arts and Social Development Fund and if not appointed by the Administrator be redeployed in the Public Service.

(4) Before appointing a person to whom paragraph (1) 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 Sports, Arts and Social Development 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 as a member of staff of the Sports, Arts and Social Development Fund.

(5) An applicant who was serving on contract under paragraph (1) who fails to meet the vetting criteria under paragraph (4), 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.

(6) A person who, immediately before the commencement of this Act, was an employee of the Government in the National Sports Fund Board of Trustees immediately before the commencement of this Act who fails to meet the vetting criteria under paragraph (4), may be deployed in the public service.

(7) Notwithstanding the provisions of this Act, and for as long as the Administrator has not appointed staff to perform the functions of the Sports, Arts and Social Development Fund, the staff of the National Sports Fund Board of Trustees shall continue to perform those functions and their acts shall be deemed to be those of the Sports, Arts and Social Development Fund.

MEMORANDUM OF OBJECTS AND REASONS

The principal object of this Bill is to amend the Sports Act, 2013 to repeal the provisions relating to the establishment and operation of the National Sports Fund and the National Sports Fund Board of Trustees in order to provide a comprehensive approach to financing of the sports sector through a fund established and managed in accordance with the Public Finance Management Act, 2012.

Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms

The Bill does not limit fundamental rights and freedoms.

Statement that the Bill concerns county governments

The Bill does not concern County Governments in terms of Article 109 (4) (a) of the Constitution as it does not contain provisions that affect the powers of the County Government set out in the Fourth Schedule.

Statement that the Bill is a money Bill within the meaning of Article 114 of the Constitution

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

Dated the 10th August, 2018.

ADEN DUALE,
Leader of Majority.

Section 2 of No. 25 of 2013 which it is intended to amend—

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

“sports institutions” means the Sports Kenya, the National Sports Fund Board of Trustees, the Kenya Academy of Sports and the Sports Disputes Tribunal established under this Act;

Part III of No. 25 of 2013 which it is intended to amend—

**PART III – ESTABLISHMENT OF THE NATIONAL SPORTS
FUND**

Establishment of the National Sports Fund

12. (1) There is established a Fund to be known as the National Sports Fund, which shall vest in and be operated and managed by the Board of Trustees.

(2) There shall be paid—

- (a) into the Fund all the proceeds of any sports lottery, taxes levied under the Betting, Lotteries and Gaming Act, investments and any other payments required by this Act to be paid into the Fund; and
- (b) out of the Fund, financial support for sports persons and sports organizations and any other payments required under the provisions of this Act to be paid out of the Fund.

Establishment of a Board of Trustees

13. (1) There is established a Board of trustees of the Fund to be known as the National Sports Fund Board of Trustees, which shall consist of—

- (a) a chairperson, who shall be a person knowledgeable in finance, commerce or sports, appointed by the President;
- (b) the Principal Secretary in the Ministry for the time being responsible for sports or his representative;
- (c) the Principal Secretary in the Ministry for the time being responsible for finance or his representative;
- (d) the Attorney-General or his representative;
- (e) the Director General of Sports Kenya;
- (f) the Chief Executive Officer of the Kenya Academy of Sports;
- (g) the secretary to the Sports Disputes Tribunal;

(h) four trustees appointed by the Cabinet Secretary on nomination by—

(i) the sports organizations recognized as the national co-ordinating bodies for the promotion and development of high performance Olympic, Paralympic and Deaflympics sports in Kenya; and

(ii) the national multi-sport sports organization that is responsible for all sports disciplines or recreational bodies;

(i) two other persons with experience in sports marketing, management of national sports organization, or the corporate sector, appointed by the Cabinet Secretary, taking into consideration gender balance;

(j) the Chief Executive Officer appointed under section 25, who shall be the Secretary to the Board of Trustees.

(2) The Board of Trustees shall be 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; and

(c) doing or performing all such other things or acts necessary for the proper performance of its functions under this Act, which may lawfully be done by a body corporate.

(3) The appointment of Trustees under subsection (1)(h) and (i) shall be by notice in the Gazette.

(4) A Trustee appointed under this section shall, in relation to the Fund, have the duties and obligations of a trustee, and be accountable in accordance with the provisions of the Trustee Act (Cap. 167).

(5) The headquarters of the Board of Trustees shall be in Nairobi, but the Board of Trustees may establish offices at any other place in Kenya.

(6) The Board of Trustees shall ensure access to its services in all parts of the Republic in accordance with Article 6(3) of the Constitution.

Qualification for appointment

14. (1) A person shall not be qualified for appointment as a trustee if the person—

(a) whether personally, through a spouse, immediate family member, business partner or associate has or has had a direct or indirect

financial interest in any lottery or gambling or associated activity, in the three years immediately preceding the time of appointment;

- (b) has any interest in a business or enterprise that may conflict or interfere with the proper performance of that person's functions as a trustee;
- (c) holds a political office;
- (d) has been declared bankrupt or has committed an act of bankruptcy;
- (e) has at any time been, or is, removed from an office of trust on account of misconduct; or
- (f) has at any time been convicted, whether in Kenya or any other country, of theft, fraud, forgery or uttering a forged document, perjury, an offence under the Anti-Corruption and Economic Crimes Act, (No. 3 of 2003) or an offence involving dishonesty.

Term of office

15. (1) The chairperson and trustees appointed under section 13(1)(h) and (i) shall, subject to the provisions of this Act, hold office for a term of three years, on such terms as may be specified in the instrument of appointment, and shall be eligible for reappointment for a final term of three years.

(2) The chairperson or a trustee, other than an ex officio member, may—

- (a) at any time resign from office by notice, in writing, to the Cabinet Secretary;
- (b) be removed from office by the Cabinet Secretary if the trustee—
 - (i) has been absent from three consecutive meetings of the Board of Trustees without the permission of the chairperson;
 - (ii) is adjudged bankrupt or enters into a composition scheme or arrangement with his creditors;
 - (iii) is convicted of fraud, forgery, uttering a forged document, or for any offence under the Anti-Corruption and Economic Crimes Act (No. 3 of 2003);
 - (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 or is otherwise unable to discharge his duties as a trustee; or

- (vi) fails to comply with the provisions of this Act relating to disclosure.

Filling of Vacancy

16. Whenever the office of a trustee appointed under section 13(1)(h) becomes vacant before the expiry of the trustee's term of office, the Cabinet Secretary Shall, on the recommendation of the nominating body, appoint a person similarly qualified to fill the vacant position for the remainder of the term.

Functions of the Board of Trustees

17. (1) The functions of the Board of Trustees shall be to—

- (a) manage, control and administer the assets of the Fund in such manner and for such purposes as to best promote the purpose for which the Fund is established;
- (b) receive any gifts, grants, donation or endowments made to the Fund or any other moneys lent in respect of the Fund and make disbursements therefrom in accordance with the provisions of this Act;
- (c) enter into contracts on behalf of the Board of Trustees;
- (d) raise funds through sports lotteries, investments and any other means and disburse the funds for the development of sports and recreation;
- (e) make recommendations relating to the provision of financial grants to national sports organizations;
- (f) in relation to the national sports lottery, ensure that any lottery carried out for the purposes of the Fund complies with the relevant law;
- (g) indicate to all the sports agencies at the beginning of its financial year-
 - (i) the amount of money likely to be available to the Board for allocation in that year;
 - (ii) the priorities of the Board in monies allocated in that year; and
 - (iii) the criteria to be applied in making allocations;
- (h) receive from sports agencies, at least six months before the commencement of every financial year, an annual sports programme in such form as it shall specify, outlining a comprehensive plan of action for the development, rehabilitation

and maintenance of sports projects or programmes of the sports agency and the estimated costs of every activity;

- (i) required to implement the plan of action;
- (j) advise the Cabinet Secretary on the establishment and implementation of a social responsibility programme in respect of the national sports lottery and any other matter relating to the national sports lottery which the Cabinet Secretary may require advice; and
- (k) perform such other functions as the Cabinet Secretary may assign.

(2) The Board of Trustees of the Fund shall with the approval of the Cabinet Secretary set a ceiling of the amount of money that may be spent from the Fund on administrative expenses, which shall not exceed three per cent of the total collections in any year.

(3) The Board of Trustees of the Fund shall ensure that in any financial year, expenditure and commitments from the Fund shall not exceed the annual income of the Fund and any surplus income brought forward from the previous year.

(4) If, in exceptional circumstances, the income from the Fund or other funds together with any surplus income brought forward from the previous year is insufficient to meet the actual or estimated liabilities of the Board of Trustees and the Fund, the Cabinet Secretary of Finance may, with the approval of Parliament, make advances to the Board of Trustees on such terms and conditions, whether as to repayment or otherwise, as the Cabinet Secretary for Finance may determine, provided that any such advance shall be repaid from the income of the Fund.

(5) The Board of Trustees shall, through regular publications, inform the public of its activities and operations and ensure that such activities and operations shall be accessible to the public.

Powers of the Board of Trustees

18. (1) The Board of Trustees shall have all the powers necessary for the proper performance of its functions under this Act and, in particular, the Board of Trustees shall have the power to—

- (a) enter into partnerships with such other bodies or organizations within or outside Kenya as it may consider desirable or appropriate and in furtherance of the purposes for which it is established;
- (b) where it considers it necessary or desirable, become a member of, or associate with corporations or other bodies or associations for

the purposes of assisting or promoting sporting projects, programmes and activities.

(2) The Board of Trustees may, from time to time, delegate any of its functions to a committee, trustee or an employee, but the exercise of such powers shall, to the extent required by the Board of Trustees, be reported within the specified time to a meeting of the Board of Trustees.

Remuneration of the Trustees

19. The trustees shall be paid such remuneration, allowances and disbursements for expenses as may be approved by the Cabinet Secretary in consultation with the Treasury.

Common seal of the Fund

20. (1) The common seal of the Board of Trustees shall be kept in the custody of the Chief Executive Officer or of such other person as the Board of Trustees may direct, and shall not be used except upon the order of the Board of Trustees.

(2) The common seal of the Board of Trustees, when affixed to a document and duly authenticated, shall be judicially and officially noticed, and unless the contrary is proved, any necessary order or authorization by the Board of Trustees under this section shall be presumed to have been given.

(3) The common seal of the Board of Trustees shall be authenticated by the signature of the chairperson of the Board of Trustees and the Chief Executive Officer:

Provided that the Board of Trustees shall, in the absence of either the chairperson or the Chief Executive Officer, in any particular matter, nominate one member of the Board of Trustees to authenticate the seal of the Fund on behalf of either the chairperson or the Chief Executive Officer.

Protection of fund from liability

21. (1) The Board of Trustees, trustees or members of staff shall not be liable for loss or damage sustained by any person as a result of any act or omission done or made in good faith and without negligence in the performance or exercise of any duty or power conferred by this Act.

(2) Any expenses incurred by any person in any suit or prosecution brought against that person in any court in respect of any act which is done or purported to be done by that person under the direction of the Board of Trustees shall, if the court holds that such act was done in good faith, be paid out of the general funds of the Board of Trustees unless such expenses are recovered by him in such suit or prosecution.

Liability of Fund for damages

22. The provisions of section 21 shall not relieve the Fund of liability to pay compensation or damages to any person for any injury to that person, property or any of that person's interests caused by the exercise of any power conferred by this Act or by any other written law or by the failure, whether wholly or partially, of any works.

Delegation by the Board of Trustees

23. The Board of Trustees may, by resolution either generally or the Board of Trustees in any particular case, delegate to any committee of the Board of Trustees or to any officer, member of staff or agent of the Board of Trustees, the exercise of any of the powers or the performance of any of the functions or duties of the Board of Trustees under this Act.

Consultation by the Board of Trustees

24. (1) The Board of Trustees may, in order to perform its functions effectively, consult any person, organization or institution with regard to any matter it deems necessary.

(2) The Board of Trustees may invite any person to attend any of its meetings and to participate in its deliberations but such a person shall not have a vote in any decision of the Board of Trustees.

Chief Executive Officer of the Board of Trustees

25. (1) There shall be a Chief Executive Officer of the Board of Trustees who shall be appointed by the Board of Trustees, through a competitive recruitment process.

(2) The Chief Executive Officer shall hold office for such period and on such terms and conditions of employment as the Board of Trustees may determine.

(3) The Chief Executive Officer shall be an ex officio member of the Board of Trustees and shall not have the right to vote at a meeting of the Board of Trustees.

Functions of the Chief Executive Officer

26. (1) The Chief Executive Officer shall, in consultation with the Board of Trustees, be responsible for the management of the affairs and transactions of the Board of Trustees and the exercise, discharge and performance of the objectives, functions and duties of the Board of Trustees.

(2) The Chief Executive Officer shall—

- (a) ensure the maintenance of efficiency and discipline by all staff of the Board of Trustees;
- (b) manage the budget of the Fund and ensure that its funds are properly expended and accounted for; and
- (c) perform such other duties as the Board of Trustees may, from time to time, assign.

Staff of the Fund

27. The Board of Trustees may employ such staff as may be necessary for the proper and efficient discharge of the functions of the Board of Trustees under this Act, upon such terms and conditions of service as the Board of Trustees may determine and specify in their instruments of appointment.

Funds of the Board of Trustees

28. The funds of the Board of Trustees shall comprise—

- (a) such moneys as may be appropriated by Parliament for purposes of the Board of Trustees;
- (b) such moneys, revenue or assets as may accrue to or vest in the Board of Trustees in the course of the exercise of its powers or the performance of its functions under this Act or under any other written law;
- (c) funds accruing from investments made by the Board of Trustees;
- (d) such gifts, grants, loans or donations, made with the approval of the Cabinet Secretary and the Cabinet Secretary responsible for finance to the Board of Trustees; and
- (e) money from any other source received by the Board of Trustees in the performance of its functions under this Act.

Administrative expenses of the Fund

29. The Board of Trustees shall establish an account into which shall be paid—

- (a) the initial grants provided by the Government for the expenditure incurred by the Board of Trustees in the exercise of its powers or the performance of its functions under this Act;
- (b) the annual administrative fee deducted from the investment income of the Fund at the rate approved from time to time by the Cabinet Secretary but subject to a maximum of three per cent of such investment income;

- (c) such monies as may accrue or vest in the Board of Trustees in the course of the exercise of its powers;
- (d) income from the investment of the monies held in the account; and
- (e) all monies from any other source provided for or donated or lent to the Board of Trustees.

Investment of surplus funds

30. (1) The Board of Trustees may invest any surplus funds held in the account established under section 29 in securities approved by the Cabinet Secretary for the time being responsible for matters relating to finance.

(2) The Board of Trustees may place on deposit with such bank or banks as it may determine any monies held in the account established under section 29 that are not immediately required for the purposes of the administration of the Fund.

Reserve Account

31. There shall be maintained a reserve account of the Fund into which shall be deposited—

- (a) any special contribution paid into the Fund by the Government for the purposes of facilitating sportspersons; and
- (b) any income of the Fund that the Board of Trustees determines should be set aside to support national sports organisations subject to a maximum of ten per cent of such income:

Provided that no money shall be drawn out of the reserve account without the authority of the Board.

Actuarial evaluation of the Fund

32. (1) The Fund shall be valued at intervals not exceeding five years by an actuary appointed by the Board of Trustees.

(2) The actuary appointed under subsection (1) shall—

- (a) prepare a report on the state of the Fund; and
- (b) recommend any necessary action to be taken.

(3) The actuary shall submit the report prepared under subsection (2) to the Board of trustees.

(4) The Board of Trustees shall within six months of the receipt of such report pay due regard to any recommendations made by the actuary and in so doing, may —

- (a) increase or decrease the rates of contribution payable in respect of sports agencies; or
- (b) take any other action recommended by the actuary.

Section 40 of No. 25 of 2013 which it is intended to amend—

(3) Every sports institution shall not later than six months before the end of each financial year, cause to be prepared and submitted to the Cabinet Secretary for approval an annual sports program based on the five-year sports investment program in respect of the ensuing financial year, comprising estimates of expected maintenance, development and capital expenditure of the respective institution in the said financial year to be financed by the National Sports Fund.

(4) The annual work programmes prepared or implemented by Sports Kenya, Board of Trustees, Academy, Sports Disputes Tribunal, the Registrar and the sports organizations shall be based on the approved five-year sports investment programme.

Section 44 of No. 25 of 2013 which it is intended to amend—

44. Any funds of the sports institutions that are not immediately required for any purpose under this Act may be invested in a manner which the Board, Board of Trustees or Council may, with the approval of the Cabinet Secretary and the Cabinet Secretary responsible for finance, determine.

Section 62 of No. 25 of 2013 which it is intended to amend—

62. (1) The business and affairs of the Board, Board of Trustees and Council shall be conducted in accordance with the Third Schedule.

(2) Except as provided in the Third Schedule, the Board, Board of Trustees and Council may regulate their own procedures.

Section 70 of No. 25 of 2013 which it is intended to amend—

70. Any person who, without the written approval of the sports institution, assumes for the purposes of business, or registers in terms of any written law relating to companies or business names under the names—

- (a) “Sports Kenya”;
- (b) “Academy of Sports” or “Kenya Academy of Sports”; or
- (c) “Sports Fund”, or “National Sports Fund”,

commits an offence and shall be liable on conviction to imprisonment for a term not exceeding six months or a fine not exceeding one hundred thousand shillings. or to both.

The heading of the Third Schedule to No. 25 of 2013 which it is intended to amend—

**THE CONDUCT OF BUSINESS AND AFFAIRS OF THE BOARD,
BOARD OF TRUSTEES AND COUNCIL**

Paragraph 1 of the Third Schedule to No. 25 of 2013 which it is intended to amend—

1. (1) The first meeting of the Board, Board of Trustees or Council, shall be convened by the chairperson and, subsequently, the Board, Board of Trustees or Council shall meet as often as necessary for the transaction of business at such places and at such times as may be decided upon by the Board, Board of Trustees or Council, but it shall meet at least once every three months.

(2) The chairperson shall preside at every meeting of the Board, Board of Trustees or Council, and in the absence of the chairperson, the deputy chairperson and in the absence of the deputy chairperson, the members present may appoint a member from among themselves to preside at that meeting.

(3) The chairperson or in the absence of the chairperson, the deputy chairperson and in the absence of the deputy chairperson, a member appointed by the Board, Board of Trustees or Council, may at any time call a special meeting upon a written request by a majority of the members.

(4) Notice of every meeting of the Board, Board of Trustees or Council shall be given in writing to each member at least five days before the day of the meeting.

Paragraph 2 of the Third Schedule to No. 25 of 2013 which it is intended to amend—

2. (1) Subject to subparagraph (2), five members, excluding the ex-officio members shall constitute a quorum for the conduct of business at any meeting of the Board, Board of Trustees or Council.

(2) When there is no quorum at, or for the continuation of, a meeting of the Board, Board of Trustees or Council, due to the exclusion of a member from the deliberations on a matter in which the member has disclosed a personal interest, the other members present may if they deem it expedient so to do—

- (a) postpone the consideration of that matter until there is a quorum without that member; or
- (b) proceed to consider and decide the matter as if there was a quorum.

Paragraph 3 of the Third Schedule to No. 25 of 2013 which it is intended to amend—

3. (1) All questions proposed at a meeting of the Decisions of the Board, Board of Board, Board of Trustees or Council shall be decided by a majority of the votes of the members present and voting, and in the event of an equality of votes, the person presiding at the meeting shall have a casting vote in addition to the deliberative vote.

(2) A decision may be made by the Board, Board of Trustees or Council without a meeting by circulation of the relevant papers among the members of the Board, Board of Trustees or Council, and by the expression of the views of the majority of the members in writing but any member shall be entitled to require that the decision be deferred and the matter on which a decision is sought be considered at a meeting of the Board, Board of Trustees or Council.

Paragraph 4 of the Third Schedule to No. 25 of 2013 which it is intended to amend—

4. (1) The Board, Board of Trustees or Council, shall cause the minutes of all proceedings of its meetings to be recorded and kept, and the minutes of each meeting shall be confirmed by the Board, Board of Trustees or Council at the next meeting of the Board, Board of Trustees or Council and signed by the chairperson or the person presiding at the meeting.

(2) The chairperson of the Board, Board of Trustees or Council shall submit to the Cabinet Secretary a copy of the minutes of each meeting of the Board, Board of Trustees or Council as soon as the minutes have been confirmed.

Paragraph 5 of the Third Schedule to No. 25 of 2013 which it is intended to amend—

5. The Board, Board of Trustees or Council may co-opt any person to participate in its deliberations, but a person so co-opted shall have no right to vote.

Paragraph 6 of the Third Schedule to No. 25 of 2013 which it is intended to amend—

6. (1) The Board, Board of Trustees or Council may establish committees of the Board, Board of Trustees or Council—

(a) to inquire into and advise the Board, Board of Trustees or Council, on any matter concerning the functions of the Authority as the Board, Board of Trustees or Council may refer to the committee; and

(b) to exercise such powers or perform such functions as the Board, Board of Trustees or Council may delegate or refer to the committee

(2) A committee appointed under subparagraph (1) shall consist of a chairperson and other persons, whether members of the Board, Board of Trustees or Council or not, as the Board, Board of Trustees or Council may determine.

(3) The Board, Board of Trustees or Council may require a committee appointed under this section to act jointly or in co-operation with any other committee.

(4) Members of a committee appointed under this section may be paid such allowances as the Board, Board of Trustees or Council may, with the approval of the Cabinet Secretary, determine.

(5) Subject to any direction given by the Board, Board of Trustees or Council, a committee appointed under this section may regulate its own procedure.

Paragraph 7 of the Third Schedule to No. 25 of 2013 which it is intended to amend—

7. Subject to the provisions of this Schedule, the Board, Board of Trustees or Council, of Sports Kenya, the Fund or the Academy may regulate its own procedure.

The first part of the paper discusses the importance of the research and the objectives of the study. It then proceeds to describe the methodology used, including the data sources and the statistical techniques employed. The results of the study are presented in the following section, followed by a discussion of the implications and conclusions. The paper concludes with a summary of the findings and a list of references.

The study was conducted using a combination of primary and secondary data. The primary data was collected through a series of interviews and focus groups with experts in the field. The secondary data was obtained from a review of the literature and other sources. The data was analyzed using a range of statistical techniques, including regression analysis and factor analysis. The results of the study are presented in the following section, followed by a discussion of the implications and conclusions. The paper concludes with a summary of the findings and a list of references.

The findings of the study indicate that there is a strong relationship between the variables studied. The results suggest that the factors identified in the study are significant in explaining the variation in the dependent variable. The implications of these findings are discussed in the following section, and the paper concludes with a summary of the findings and a list of references.