

THE KENYA GAZETTE

Published by Authority of the Republic of Kenya

(Registered as a Newspaper at the G.P.O.)

Vol. CXXII-No. 155

NAIROBI, 21st August, 2020

Price Sh. 60

	CONTENTS		
GAZETTE NOTICES	PAGE	GAZETTE NOTICES CONTD'	
The Energy Act—Appointment	3216	The Co-operative Societies Act—Admission of Claims	3257–3258
The Tasforce on "Keep our Markets Open" The National Crime Research Centre Act—Membership of the Governing Council The Land Registration Act—Issue of Provisional Certificates, etc The Land Act—Deletion and Corrigendum	3216 3216 3217–3230 3230–3235	The Environmental Management and Co-ordination Act— Environmental Impact Assessment Study Reports Loss of Share Certificate Disposal of Uncollected Goods Change of Names	3258–3264 3264 3264
The National Treasury and Planning—Statement of Actual Revenues and Net Exchequer Issues as at 31st July, 2020 The Societies Act—Advisory on the Conduct of Virtual and Hybrid General Meetings by Societies	3235–3238 3238–3239	SUPPLEMENT Nos. 142, 143 and 144 Senate Bills, 2020	Page
County Governments Notices	3239	The Co-operative Societies (Amendment) Bill, 2020	199
The Companies Act—Dissolution, etc The Political Parties Act—Change of Party Constitution The Standards Act—Declaration of Kenya Standards	3239–3241 3241 3241–3255	The Kenya Citizensip and Immigration (Amendment) Bill, 2020 The Copyright (Amendment) Bill, 2020	279 285
The Investment and Financial Analysts Act—Practising Members	3255–3256	SUPPLEMENT No. 145 Acts, 2020	
The Records Disposal (Court) Rules—Intended Disposal of Records The Insolvency Act—Appointment of Receivers	3256–3257 3257	The Public Finance Managemnet (Amendment) (No. 2) Act, 2020	PAGE

respectively. The total of KSh. 353,930,347,510.00 represents allocations to be disbursed directly by National Treasury and excludes Leasing of Medical Equipment KSh. 6,205,000,000.00, Supplement for Construction of County Headquarters KSh. 300,000,000.00 and Road Maintenance Fuel Levy KSh. 9,433,265,625.00. These conditional grants are disbursed directly to county governments by the respective Ministries, Departments and Agencies (MDAs).

Grand Total 2,800,711,622,182.00 89,049,659,730.50

Exchequer Balance as at 31.07.2020 (Note 1)

54,903,174,353.84

- Note 1: Opening and closing balances includes KSh. 21,363,379,436.25 Covid-Funds held in IMF Rapid Credit Facility (RCF) account.
- Note 2: Domestic Borrowing of KSh. 756,931,738,526.00 comprises of Net Domestic Borrowing KSh. 494,976,706,772.00 and Internal Debt Redemptions (Roll-overs) KSh. 261,955,031,754.00.
- Note 3: Estimates for respective National Government MDAs adjusted for conditional grants disbursed directly by National Treasury.

Dated the 18th August, 2020.

UKUR YATANI.

Cabinet Secretary, the National Treasury.

GAZETTE NOTICE No. 5998

THE SOCIETIES ACT

(Cap. 108)

ADVISORY ON THE CONDUCT OF VIRTUAL AND HYBRID GENERAL MEETINGS BY SOCIETIES

IT IS notified for general information that the Registrar-General has issued the Advisory set out in the Schedule hereto for the conduct of Virtual and Hybrid General Meetings by Societies for purposes of the Act.

SCHEDULE

ADVISORY ON THE CONDUCT OF VIRTUAL AND HYBRID GENERAL MEETINGS BY SOCIETIES

PART A - PRELIMINARY PROVISIONS

Objective

- 1. (1) The Advisory seeks to guide registered societies on how to virtually conduct meetings for purposes of section 29 of the Societies Act.
 - (2) Specifically, the Advisory is aimed at-
 - (a) providing clarity on how to conduct a hybrid or virtual meeting for purposes of the Act;
 - (b) ensuring consistency in the conducting of general meetings amongst the different categories of societies registered under the Act;
 - (c) to clarify the responsibilities of office bearers in a meeting.

Definitions

- 2. In this Advisory, unless the context otherwise requires—
- "Act" means the Societies Act;

"constitution" means the constitution and rules of the society developed in accordance with the Act;

"chairperson" means the chairperson of the society;

"hybrid meeting" means a meeting where some of participants are in the same physical location while other participants join the meeting through electronic means including videoconference, audio conference, web conference, or such other electronic method;

"meeting" means -

- (a) a hybrid annual general meeting;
- (b) a hybrid special general meeting;
- (c) a virtual annual general meeting; or
- (d) a virtual annual general meeting;
 - "secretary" means the secretary of the society; and

"virtual meeting" means a meeting where all the members join and participate in the meeting through electronic means including video conference, audio conference, web conference, or such other electronic method.

General Obligations

3. (1) A society seeking to hold a meeting must ensure that—

- (a) it complies with its obligations provided in its rules or constitution relating to convening and procedure at meetings;
- (b) the members are duly notified of the type and mode of conducting the meeting; and
- (c) the technology used to conduct the meeting—
 - (i) can accommodate the expected number of meeting participants;
 - (ii) is accessible to the members of the society;
 - (iii) is secure and free from interference or access by unauthorised persons.
- (2) A member of a society attending a meeting must ensure that he or she $\,$
 - (a) complies with the obligation of members specified in the rules and constitution of the society relating to attendance of meetings;
 - (b) exercises proper conduct and etiquette when attending the meeting; and
 - (c) maintains the security and confidentiality of the meeting.

PART B-PREPARATION AND PLANNING

Notice of Meeting

- 4. (1) A notice for an annual general meeting shall be at least twenty-one days and at least seven days for a special general meeting.
- (2) The secretary shall submit a copy of the notice of the meeting to the Registrar of Societies.

Contents of Notice

- 5. (1) The form of a notice for a meeting shall be as set out in the Act and the constitution or rules of the society.
- (2) Without prejudice to paragraph (1), the notice shall specify— $\,$
 - (a) the agenda of the meeting;
 - (b) the type of meeting, that is, whether it is an annual general meeting or special general meeting;
 - (c) whether the meeting shall be a virtual meeting or a hybrid meeting;
 - (d) the selected software or technology to be used in holding the meeting;
 - (e) the location in the case of a hybrid meeting; and
 - (f) any other relevant information.

Pre-meeting Co-ordination

- $6. \ In \ preparation$ for the meeting, the Secretary in consultation with the chairperson shall ensure that—
 - (a) any technological requirements for participating in the meeting are communicated to the members before the meeting;
 - (b) any facilitator or co-ordinator of the meeting is properly identified to the members;

- (c) any meeting procedures are communicated to the members including —
 - how the participants will be expected to interact with the officials and other members in the meeting;
 - (ii) the process of voting or polling on any resolution; and
 - (iii) whether any recordings of the sessions shall be made or distributed.

PART C - PROCEDURE AT MEETING

Ouorum

- 7. Unless otherwise provided, the quorum for a meeting shall be at least—
 - (a) two-thirds of the registered members for an annual general meeting; and
 - (b) one-third of the registered members for a special general meeting.

Procedure

- 8. (1) The chairperson shall preside over any meeting of the society but in his absence, the vice-chairperson shall preside over the meeting or any member elected by the members present to preside.
- (2) The Secretary shall confirm the attendance and guide members on how to register their attendance in the meeting.
- (3) The quorum for the meeting shall be confirmed in accordance with the Act and the rules or constitution of the society.
- (4) The Secretary shall guide the members on how the meeting shall be moderated and how they shall participate in the deliberations and voting.
- (5) In accordance with the rules or constitution of the society relating to the procedure at meetings, the chairperson shall guide the meeting through each agenda item.

Motions and Resolutions

9. Any matter or motions requiring resolution of the society shall be passed in accordance with the rules or constitution of the society.

Voting

- 10. (1) The Secretary shall utilise the tools available on the virtual platform, to facilitate the electronic voting process for all members.
- (2) The results of the electronic vote shall be verified and announced in accordance with the rules or constitution of the society

PART D-PROCEDURE AFTER MEETING

Minutes of Meeting

- 11. (1) The secretary shall ensure that the minutes of the meeting are properly recorded and thereafter reduced into writing.
- (2) The minutes of the meeting under paragraph (1) shall be duly executed by the officials of the society in accordance with the constitution or rules of the society.

Records

12. The society must maintain a proper record of the meeting including keeping a video recording of the meeting.

Reporting to the Registrar of Societies

- 13. Where the society passes a resolution that requires the consent of or notification to the Registrar of Societies, the society shall—
 - (a) submit its application or notification in accordance with the Act:
 - (b) provided sufficient proof of its resolution including visual recordings of its decision and a list of members who attended; and
 - (c) pay the requisite fee where applicable.

PART E - MISCELLANEOUS PROVISIONS

Guidance

14. Any person may seek guidance from the Registrar of Societies on any matter provided in this Advisory.

Review of Advisory

15. This Advisory may be reviewed from time to time to account for changes in government policy and the relevant law.

Dated the 12th August, 2020.

MARY NJUYA, Registrar-General.

GAZETTE NOTICE NO. 5999

THE CONSTITUTION OF KENYA THE COUNTY GOVERNMENTS ACT

(No. 17 of 2012)

THE NYANDARUA COUNTY ASSEMBLY STANDING ORDERS

SPECIAL SITTINGS OF THE COUNTY ASSEMBLY

NOTICE is given to all members of the County Assembly and the public that pursuant to Standing Order 30 (1), (2) and (3) of the County Assembly Standing Orders, the County Assembly shall hold special sittings in the County Assembly Chamber, Ol Kalou, on Tuesday, 25th August, 2020, at 9.30 a.m. and 2.30 p.m.

The business to be transacted shall be-

- (a) review of the Assembly Legislative Calendar;
- (b) consideration of the Report of the Committee on Implementation on the Utilization of Funds Allocated for the County Preparedness to Fight Covid-19; and
- (c) consideration of the Report of the Committee on Transport, Energy and Public Works on the Petition on Inquiry into the Procurement of County Roads Machinery and Equipment.

Dated the 20th August, 2020.

J. N. WAHOME,

MR/0767433

Speaker, Nyandarua County Assembly.

GAZETTE NOTICE No. 6000

THE COUNTY GOVERNMENTS ACT

(No. 17 of 2012)

COUNTY ASSEMBLY OF NAROK

THE NAROK COUNTY ASSEMBLY STANDING ORDERS

SPECIAL SITTING OF THE COUNTY ASSEMBLY

PURSUANT to Standing Order No. 26 (3) of the Narok County Assembly Standing Orders, it is notified for the information of the Members of County Assembly of Narok County and the general public that a special sitting of the County Assembly shall be held in the Assembly Chambers, Narok, on Friday, 21st August, 2020 and on Wednesday, 26th August, 2020, at 9.30 a.m., for purposes of tabling of a Memorandum of Understanding for short term borrowing, tabling of the Annual Development Plan 2020/2021 and consideration of the Maasai Mara Community Development Fund (Amendment) Bill, 2020, respectively.

Dated the 18th August, 2020.

NKOIDILLA OLE LANKAS, Speaker, Narok County Assembly.

GAZETTE NOTICE NO. 6001

THE COMPANIES ACT

 $(No.\ 17\ of\ 2015)$

DISSOLUTION

PURSUANT to section 991 (3) of the Companies Act, it is notified for general information that the under-mentioned companies are dissolved

Number

Name of Company

F. 93/2006 Fuel Africa Logistics Solutions (PTY) Limited CF/2013/115627 Power Trac Engineers Private Limited

Dated the 11th August, 2020.

ALICE MWENDWA, for Registrar of Companies.