



LEGAL NOTICE NO.

THE PUBLIC FINANCE MANAGEMENT ACT
(Cap. 412A)

**THE PUBLIC FINANCE MANAGEMENT (VETERINARY
SERVICES DEVELOPMENT FUND) REGULATIONS, 2024**

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THE PUBLIC FINANCE MANAGEMENT ACT
(*Cap. 412A*)

IN EXERCISE of the powers conferred by section 24(4) of the Public Finance Management Act, 2012, the Cabinet Secretary for the National Treasury and Economic Planning makes the following Regulations—

THE PUBLIC FINANCE MANAGEMENT (VETERINARY SERVICES DEVELOPMENT FUND) REGULATIONS, 2024

PART I—PRELIMINARY

- Citation. **1.** These Regulations may be cited as the Public Finance Management (Veterinary Services Development Fund) Regulations, 2024.
- Interpretation. **2.** In these Regulations, unless the context otherwise requires—
- Cap. 412A. “Act” means the Public Finance Management Act;
- “Administrator of the Fund” means a person designated as such under regulation 17(1);
- “Cabinet Secretary” has the meaning assigned to it under section 2 of the Act;
- “financial year” means the period of twelve months ending on the 30th June in each year;
- “Fund” means the Veterinary Services Development Fund established under regulation 3; and
- “veterinary services” means services rendered by the Director of Veterinary Services.
- Establishment of the Fund. **3.** The Veterinary Services Development Fund established under the Exchequer and Audit Act (Veterinary Services Development Fund) Regulations, 1996 established under the Exchequer Audit Act (now repealed) is continued.
- Object and purpose. **4.** The object and purpose of the Fund is to provide for the development and delivery of veterinary services including to—
- (a) protect animal health;
- (b) ensure an adequate supply of good quality and safe food of animal origin;

- (c) safeguard public health;
- (d) protect consumers from food-related health risks;
- (e) promote animal production;
- (f) facilitate domestic and international trade of animals, animal products and animal by products; and
- (g) promote animal welfare.

Sources of the Fund.

- 5.** The sources of the Fund shall be —
- (a) such monies appropriated by Parliament for the purpose of the Fund;
 - (b) grants, donations, bequests or gifts made to the Fund;
 - (c) income that may accrue to the Fund including income from provision of national veterinary laboratory services, licences, inspection, fees or certification of veterinary imports and exports; and
 - (d) any monies accruing to or received by the Fund from any other lawful source.

PART II – ADMINISTRATION OF THE FUND

Administration of the Fund.

- 6.** (1) The Administrator of the Fund shall be the Principal Secretary in the Ministry responsible for veterinary services.

(2) In administering the Fund, the Administrator of the Fund shall—

- (a) open and operate a bank account at the Central Bank of Kenya or a bank approved by the National Treasury for the purposes of the Fund;
- (b) supervise and control the administration of the Fund;
- (c) consult with the Cabinet Secretary responsible for veterinary services on matters relating to the administration of the Fund;
- (d) cause to be kept books of accounts and other books and records in relation to the Fund of all activities and undertakings by the Fund;

- (e) prepare in the manner that the Public Sector Accounting Standards Board may prescribe, sign and submit to the Auditor-General, in respect of each financial year and within three months after the end of each financial year, a statement of accounts relating to the Fund and submit a copy to the National Treasury;
- (f) furnish such additional information which is proper and sufficient for the purpose of examination and audit by the Auditor-General of the statement of accounts relating to the Fund in accordance with the provisions of the Public Audit Act; and
- (g) prepare a quarterly report on the receipts into and disbursements out of the Fund and submit it to the Cabinet Secretary responsible for veterinary services.

Fund Manager.

- 7. (1) There shall be a Fund Manager appointed by the Administrator of the Fund.
- (2) The Fund Manager shall be responsible for day to day administration of the Fund.
- (3) The Fund Manager appointed under sub-regulation (1) shall be a technical officer from a department responsible for veterinary services within the Ministry responsible for veterinary services.

Fund Steering Committee.

- 8. (1) There is established a Fund Steering Committee, which shall consist of—
 - (a) Director of Veterinary Services who shall be the Chairperson;
 - (b) Secretary responsible for Administration in the Ministry responsible for Veterinary Services;
 - (c) the head of accounting in the Ministry responsible for Veterinary Services;
 - (d) the head of finance in the Ministry responsible for Veterinary Services;

- (e) Fund Manager who shall be the secretary to the Fund Committee;
 - (f) Chief Executive Officer of the Veterinary Medicines Directorate;
 - (g) Chief Executive Officer of the Kenya Veterinary Vaccines Production Institute; and
 - (h) a person assigned principal administrative responsibility on Veterinary Public Health in the Ministry responsible for Veterinary Services.
- (2) The Fund Steering Committee shall make recommendations for proper administration of the Fund and shall make recommendations on—
- (a) policies for proper regulation and management of the Fund;
 - (b) operational guidelines for the proper management of the Fund; and
 - (c) perform such any other duties as may be necessary to achieve the objectives for which the Fund is established.
- 9.** The members of the Fund Steering Committee shall be appointed by the Cabinet Secretary by notice in the *Gazette*.
- 10.** The meetings of the Fund Committee shall be convened by the chairperson or in the absence of the chairperson by a member designated by the chairperson and shall be convened at such times as may be necessary for the discharge of the Fund Committee's functions.
- 11.** The quorum for a meeting of the Fund Committee shall be the chairperson and any four members.
- 12.** The Fund Committee shall meet at least four times in a calendar year.

PART III – GENERAL PROVISIONS

- Bank accounts.
- 13.** (1) The Administrator of the Fund shall open the main bank account at the Central Bank of Kenya with the approval of the National Treasury.
- (2) The Administrator may open such other bank accounts in the Central Bank of Kenya or commercial banks with the approval of the National Treasury to further the objects and purpose of this Fund.
- Administration Costs.
- 14.** The Administrative costs of the Fund shall be met through appropriations of the State Department responsible for matters relating to Livestock Development.
- Government financial Regulations.
- 15.** The existing government financial and procurement Regulations shall, to the extent they relate to the administration of public funds established under the Act, apply in the administration of the Fund.
- Investment of funds.
- 16.** (1) The Administrator of the Fund may invest any of its funds which are not immediately required for their purposes in such securities as the Cabinet Secretary for the National Treasury may, from time to time, approve for that purpose.
- (2) The Administrator of the Fund may, place on deposit with such banks as it may determine, any monies not immediately required for the purposes of the Fund.
- Financial year.
- 17.** The financial year of the Fund shall be a period of twelve months commencing on the first of July and ending on the thirtieth June in the following year.
- Annual estimates.
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- 18.** The annual estimates of the Fund shall be prepared in accordance with the Public Finance Management Act.
- Accounts and audit.
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- 19.** The books of account of the Fund shall be audited in accordance with the Public Audit Act.
- Annual report.
- 20.** The Fund shall, within three months after the end of each financial year, prepare and submit to the Cabinet Secretary a report on its functions under these Regulations.

Offences and penalties.

- 21.** A public officer who—
- (a) takes possession of the funds or assets of the Fund without lawful authority;
 - (b) misappropriates funds or assets of the Fund;
 - (c) causes any person to misappropriate or apply the funds otherwise than in the manner provided in these Regulations;
 - (d) conceals information on finances of the Fund to obtain a financial benefit either for the officer or another person; or
 - (e) engages in a corrupt act,

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commits an offence and shall on conviction be liable to the penalty provided for under section 199 of the Act.

Winding up.

22. In the event of winding up of the Fund, the cash balances shall be transferred to the National Exchequer while other assets of the Fund shall be transferred to the Ministry for the time being responsible for matters relating to veterinary services.

Saving and transfer of staff of the Fund.

23. The staff currently serving in the Fund shall on the commencement of these Regulations be deemed to be the staff of the new Fund.

Revocation of L.N. 109/1996

24. The Exchequer and Audit (Veterinary Services Development Fund) Regulations, 1996 are revoked.

Made on the, 2024.

FCPA JOHN MBADI NG'ONGO, EGH
Cabinet Secretary for the National Treasury and Economic Planning.