



LEGAL NOTICE NO.

THE PUBLIC FINANCE MANAGEMENT ACT
(Cap. 412B)

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

**THE PUBLIC FINANCE MANAGEMENT (SPORTS,
ARTS AND SOCIAL DEVELOPMENT FUND)
(AMENDMENT) REGULATIONS, 2024**

1. These Regulations may be cited as the Sports, Arts and Social Development Fund (Amendment) Regulations, 2024.

LN 194/2018

2. Regulation 1 of the Public Finance Management (Sports, Arts and Social Development Fund) Regulations, 2018, hereinafter referred to as the “principal Regulations” is amended by deleting the words “Arts and Social Development” appearing immediately after the word “Sports” and substituting therefor the words “and Arts”.

3. Regulation 2 of the principal Regulations is amended—

- (a) in the definition of the word “Board” by deleting the words “Sports, Arts and Social Development Fund Oversight Board” and substituting therefor the words “Sports and Arts Fund Board”;
- (b) in the definition of the “Fund” by deleting the words “Sports, Arts and Social Development” and substituting therefor the words “Sports and Arts”;
- (c) in the definition of “Government implementing agency” by inserting the words “or any other enabling instrument” immediately after the word “legislation”.

4. Regulation 3 of the principal Regulations is amended by deleting the words “Arts and Social Development” appearing immediately after the word “Sports” and substituting therefor the words “and Arts”.

5. Regulation 4 of the principal Regulations is amended by

deleting subregulation (2) and substituting therefor the following new subregulation—

- (2) The proceeds of the Fund shall be apportioned as follows—
 - (a) an amount not exceeding sixty-five per cent to sports;
 - (b) an amount not exceeding thirty-two per cent to the promotion and development of arts; and
 - (c) an amount not exceeding three per cent to administrative functions.

6. The principal Regulations are amended by deleting Regulation 7 and substituting therefor the following new regulations—

Objects and purpose of the Fund. **7.** (1) The object and purpose of the Fund is to provide funding to support the development and promotion of sports and arts.

- (a) financing the development of sports and recreation arts facilities including stadia, gymnasiums, buildings, theatres, studios, and tracks;
- (b) enhancing support and access to funding for sportspersons and sports organizations to enable their participation in sporting events and competitions;
- (c) facilitation for the acquisition and provision of equipment for sports and arts;
- (d) support for the identification, nurturing and development of talent in sports and arts;
- (e) facilitate training and capacity-building programmes for persons involved in sports and arts;
- (f) facilitation for the identification, development and capacity building of technical personnel involved in sports

and arts;

- (g) facilitation for the development, promotion, marketing, exhibition and linkages with domestic and international markets on matters of sports and arts;
- (h) facilitate innovation research and documentation in sports and arts;
- (i) support linkages with domestic, regional and international markets for sports, artistic productions and contemporary or cultural goods and services;
- (j) facilitation for exhibition and promotion of contemporary or cultural artistic production of goods and services for national identity and pride;
- (k) financing the acquisition, development and preservation of, among others, heritage sites, cultural centres, national monuments, tangible and intangible heritage and culture and heritage equipment and tools; and
- (l) facilitate innovation, research and documentation in arts, culture and the creative industry, sports and social development.

7. Regulation 8 of the principal Regulations is amended—

- (a) in the marginal note by deleting the words “Arts and Social Development” appearing immediately after the word “Sports” and substituting therefor the words “and Arts”;
- (b) in paragraph (1) by deleting the word “Oversight”;
- (c) in paragraph (2) -
 - (i) by deleting paragraph (d);
 - (ii) by deleting paragraph (e);
 - (iii) by deleting paragraph (f) and substituting therefor

the following new paragraph—

- (f) two persons not being public officers with competence in matters relating to sports nominated by the Cabinet Secretary responsible for sports;
- (iv) by deleting paragraph (g) and substituting therefor the following new paragraph—
 - (g) two persons not being public officers nominated by the Paralympics and National Olympics Committee of Kenya;
 - (v) by deleting the word “finance” appearing in paragraph (h) and substituting therefor the word “sports”;
 - (vi) by adding the following new paragraph immediately after paragraph (h)—
 - (i) one representative being a public officer from the Office of the Attorney-General.
 - (vii) in subregulation (5) by deleting the expression “paragraph (2)(a) to (e)” and substituting therefor the expression “paragraph (2)(a) to (c)”;
 - (viii) in subregulation (6) by deleting the expression “paragraph (2)(a) to (e)” and substituting therefor the expression “paragraph (2)(a) to (c)”;

8. Regulation 9 of the principal Regulations is amended in paragraph (b)—

- (a) by deleting the word “knowledge and”.
- (b) by deleting subparagraph (vi) and substituting therefor the following new paragraph—
 - (vi) arts;

9. Regulation 10 of the principal Regulations is amended—

- (a) in paragraph (b) by deleting the words “Arts and Social Development” appearing immediately after the word “Sports” and substituting therefor the words “and Arts”.
- (b) by deleting subregulation (2) and substituting therefor the following new subregulation—

(2) The Board shall prepare and submit a quarterly report to the Cabinet Secretary responsible for finance on the performance of the Fund.

(c) deleting subregulation (3).

10. Regulation 11 of the principal Regulations is amended in subregulation (1) by deleting the words “accounting officer responsible for matters relating to sports” and substituting the words “Chief Executive Officer”.

11. Regulation 12 of the principal Regulations is amended in subregulation (3) by deleting the word “Administrator” and substituting the word “Board”.

12. Regulation 13 of the principal Regulations is amended in paragraph (c) by deleting subparagraph (i).

Made on the....., 2024.

JOHN MBADI NGÓNGO,
Cabinet Secretary for the National Treasury and Economic Planning.