

**THE NATIONAL YOUTH EMPLOYMENT AUTHORITY BILL,
2015**

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**SCHEDULE—PROVISIONS RELATING TO THE CONDUCT OF
BUSINESS AND AFFAIRS OF THE BOARD**

**THE NATIONAL YOUTH EMPLOYMENT AUTHORITY BILL,
2015**

A Bill for

**AN ACT of Parliament to give effect to Articles 55(c) and 56(c) of the
Constitution; to provide for the establishment of the National
Youth Employment Authority and for connected purposes**

ENACTED by the Parliament of Kenya, as follows—

PART 1— PRELIMINARY

Short title. **1.** This Act may be cited as the National Youth
Employment Authority Act, 2015.

Interpretation. **2.** In this Act, unless the context otherwise
requires—

“Authority” means the National Youth
Employment Authority” established by section 7;

“Board” means the Board of the Authority
constituted pursuant to section 11;

“Cabinet Secretary” means the Cabinet Secretary of
the ministry for the time being responsible for matters
relating to labour;

“contract of service” means an agreement, whether
oral or in writing, and whether expressed or implied, to
employ or to serve as an employee for a period of time, and
includes a contract of apprenticeship, internship and
indentured learnership;

“disability” means a physical, sensory, mental or
other impairment, including any visual, hearing, learning or

physical incapability, which impacts adversely on a person's social and economic participation;

“employee” means a person employed for wages or a salary and includes an apprentice, intern and indentured learner;

“employer” means any person, public body, firm, corporation or company who or which has entered into a contract of service to employ any individual and includes the agent, foreman, manager or factor of such person, public body, firm, corporation or company;

“job seeker” means a person who is seeking for employment;

“register” mean a register maintained by the Authority under section 25; and

“youth” has the meaning assigned to it in Article 260 of the Constitution.

Object of the Act.

- 3.** The object and purpose of this Act is to—
- (a) give effect to Articles 55(c) and 56(c) of the Constitution;
 - (b) provide for the maintenance of a database of all Kenyan youth seeking employment;
 - (c) provide a framework to facilitate increased employment of the youth in the national government, county government, State organs, and national and county government entities;
 - (d) provide for a framework and facilitation of employment of youth in the private sector;

- (e) facilitate and promote equity and diversity, and eliminate discrimination in the employment of youth;
- (f) to give effect to the constitutional values and principles in so far as employment of the youth is concerned.

Application of the Act.

4. This Act applies to—

- (a) the national and county governments;
- (b) the private sector; and
- (c) the informal sector.

Guiding principles.

5. All persons subject to this Act shall at all times respect, uphold and defend the values and principles enshrined in the Constitution.

Mandatory registration.

6. In order to facilitate access to employment of the youth pursuant to Article 55(c) of the Constitution, any youth seeking employment shall register with the Authority in accordance with this Act.

PART II—ESTABLISHMENT AND COMPOSITION OF THE AUTHORITY

Establishment of the Authority.

7. (1) There is established a body to be known as the National Youth Employment Authority.

(2) The Authority is 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;
- (c) borrowing money or making investments;
- (d) entering into contracts; and
- (e) doing or performing all other acts or things for the proper performance of its functions under this Act which may lawfully be done or performed by a body corporate.

Headquarters and access to services.

8. (1) The headquarters of the Authority shall be in Nairobi.

(2) The Authority shall ensure reasonable access of its services in all parts of Kenya, so far as it is appropriate to do so having regard to the nature of the service.

(3) Notwithstanding subsections (1) and (2), the Authority shall keep and maintain an up-to-date data system and other service delivery mechanisms that are accessible in all parts of Kenya.

Functions of the Authority.

- 9.** The functions of the Authority shall be to—
- (a) register all youth who are seeking employment;
 - (b) maintain and publish online an up-

- to-date database of all youth seeking employment;
- (c) facilitate the employment and placement of youth in formal, informal or any other form of employment, locally and internationally;
 - (d) circulate in a timely manner job vacancies advertised by the Government to youth throughout Kenya through appropriate means, including use of social media, internet, and publication of materials;
 - (e) ensure easy access to any information pertaining to job vacancies for the youth;
 - (f) continuously liaise with both the national and county governments, private sector and other categories of employers to facilitate absorption of youth in employment;
 - (g) through established State mechanisms, facilitate cooperation with the private sector, informal sector and foreign governments and institutions with a view of facilitating employment of the youth;
 - (h) facilitate, through continuous training and other activities of education of youth on possible improvement of their employment chances and work skills;
 - (i) facilitate counselling of the youth

and similar activities to improve the absorption of youth in employment and undertake activities to promote the development of youth in so far as employment of the youth is concerned;

- (j) advise both the national and county governments on any policy matter touching on employment of the youth;
- (k) facilitate the implementation of national government policies and county government policies on employment of youth;
- (l) encourage and promote efficiency and responsibility in the employment of the youth;
- (m) encourage equal opportunity employment practices for the benefit of the youth; and
- (n) perform such other function as may be assigned to it by any other written law.

Powers of the Authority.

10. The Authority shall take steps to achieve its objects with the means at its disposal and may, subject to this Act and any other written law, for the purpose of achieving its objects—

- (a) exercise such powers and perform such duties as may be given or assigned to the Authority by this Act or any other written law;
- (b) enquire into and report to the Cabinet Secretary on any matter

- concerning the objects and functions of the Authority;
- (c) advise the Cabinet Secretary on any matter deemed by the Authority to be necessary or expedient to be considered by the State in connection with the provisions of this Act or the application thereof, and on any other matter relating to employment of youth which has been referred by the Cabinet Secretary to the Authority for the advice and recommendations of the Authority;
 - (d) conduct a study on any matter relating to its mandate;
 - (e) through the relevant State authorities, gather information relevant to the discharge of its functions;
 - (f) take the necessary steps to protect the youth against any form of abuse or exploitation;
 - (g) subject to the provisions of this Act, cause its work to be performed by persons employed or appointed by it in terms of this Act;
 - (h) develop, maintain and publish, online or otherwise, a computerized data base with information required for the proper performance of its functions;
 - (i) provide or disseminate information promoting and encouraging

compliance with this Act;

- (j) in the prescribed manner, establish a complaints office to receive, process, refer or deal with complaints regarding any matter pertaining to its mandate;
- (k) furnish information required by any department or any organ of State for the purposes of its functions;
- (l) become a member of an association or organisation which seeks to promote any matter in which the Authority has an interest;
- (m) establish relations with or enter into co-operation agreements with bodies or offices offering similar services in other countries.

The Board of
the Authority.

11. (1) The Authority shall be governed by a Board consisting of—

- (a) a chairperson appointed by the President;
- (b) the Principal Secretary of the Ministry for the time being responsible for matters relating to finance;
- (c) the Principal Secretary of the Ministry for the time being responsible for matters relating to labour;
- (d) the Principal Secretary of the Ministry for the time being responsible for foreign affairs;

- (e) the Secretary of the Public Service Commission;
- (f) the Secretary of the Commission on University Education;
- (g) two youths, one man and one woman, nominated by the National Youth Council and appointed by the Cabinet Secretary;
- (h) one youth nominated by the Federation of Kenya Employers;
- (i) two youths, one man and one woman, nominated by the Council of Governors; and
- (j) the Director-General, who shall be the secretary.

(2) A person shall be qualified for appointment as the chairperson of the Board if that person—

- (a) is a citizen of Kenya;
- (b) meets the requirements of Chapter Six of the Constitution; and
- (c) has at least five years experience in labour matters.

Remuneration
of Board
members.

12. Members of the Board shall be paid such remuneration and allowances as the Salaries and Remuneration Commission shall determine.

Term of office.

13. Members of the Board, other than the *ex-officio* members, shall hold office for a term of three years and shall be eligible for reappointment for one further and final term of three years.

Committees of
the Board.

14. (1) The Board may establish such committees as may be necessary for the proper discharge of its functions under this Act or any other written law.

(2) The Board may co-opt into the membership of the committees established under subsection (1) any person whose knowledge and expertise may be required.

Delegation by
the Board.

15. (1) The Authority may, by resolution generally of the Board or in any particular case, delegate in writing, to a committee or any officer, member of staff or agent of the Authority, the exercise of any of the powers or the performance of any of the functions or duties of the Authority under this Act.

(2) A delegation under subsection (1) shall not prevent the Authority from exercising the power in question.

(3) A delegation under this section—

- (a) shall be subject to such conditions as the Board may impose;
- (b) shall not divest the Authority of the responsibility concerning the exercise of the powers or the performance of the duty delegated; and
- (c) may be withdrawn, and any decision made by the person to whom the delegation is made may be withdrawn or varied by the Authority.

Conduct of
business and
affairs of the
Board.

16. (1) The conduct of business and affairs of the Board shall be as set out in the Schedule.

(2) Except as provided in the Schedule, the Board may regulate its own procedure.

Powers of the
Cabinet
Secretary.

17. (1) The Authority shall operate under the supervision of the Cabinet Secretary.

(2) Where the Authority fails to maintain any prescribed standard in the fulfilment of its functions under this Act, the Cabinet Secretary may give general or special directions to the Authority describing the extent of the failure and stating the steps required to remedy the situation.

Director-
General.

18. (1) There shall be a Director-General of the Authority who shall be appointed competitively by the Board.

(2) A person shall be qualified to be appointed as a Director-General if that person—

- (a) holds a degree from a university recognized in Kenya;
- (b) meets the requirements of Chapter Six of the Constitution;
- (c) has at least five years experience, two of which shall be in a management level; and
- (d) has not attained the age of thirty-five years at the time of appointment.

(3) The Director-General shall hold office for a period of three years, on such terms and conditions of employment as the Board may determine, and shall be eligible for re-appointment.

(4) The Director-General may be removed from office by the Board in accordance with the terms and

conditions of service for—

- (a) inability to perform the functions of the office of the Director-General arising out of physical or mental incapacity;
- (b) gross misconduct or misbehaviour;
- (c) incompetence or neglect of duty;
- (d) violation of the Constitution; or
- (e) any other ground that would justify removal from office under the terms and conditions of service.

(5) Prior to removal under subsection (4), the Director-General shall be given—

- (a) sufficient notice of the allegations made against him or her; and
- (b) an opportunity to present a defence against the allegations.

(6) The Director-General shall—

- (a) subject to the direction of the Board, be responsible for the day to day management of the Authority;
- (b) in consultation with the Board, be responsible for the direction of the affairs and transactions of the Authority, the exercise, discharge and performance of its objectives, functions and duties, and the general administration of the Authority;
- (c) be the secretary of the Board.

Staff of the Authority.

19. (1) The Board shall competitively appoint suitably qualified staff as may be necessary for the efficient performance of the functions of the Authority.

(2) In the appointment of staff of the Authority, the Board shall comply with the values and principles set out in the Constitution and in particular—

- (a) afford adequate and equal opportunities for appointment and advancement at all levels, of youth, men and women, members of all ethnic groups, gender and persons with disabilities;
- (b) exercise transparency in the recruitment process;
- (c) ensure competitive recruitment and selection on the basis of personal integrity, competence and suitability.

Terms and conditions of service.

20. The staff of the Authority shall serve the Authority on such conditions of service as the Board may, in consultation with the Public Service Commission and the Salaries and Remuneration Commission, determine.

PART III—REGISTRATION

Registration of youth.

21. (1) A person seeking employment may register with the Authority.

(2) The Authority shall not charge a fee or any form of charges to a youth for registration under this Act.

Eligibility for registration.

22. A person shall be eligible for registration under this Act if the person—

- (a) is a citizen of Kenya or a person who

is ordinarily resident in Kenya;

(b) is a youth; and

(c) is of sound mind.

Continuous
update of data.

23. It shall be the responsibility of the applicant to continuously update or communicate to the Authority any changes on their bio-data as and when they arise.

Factual
information to
be given.

24. (1) An applicant shall at all times ensure that all information given to the Authority is factual.

(2) The Authority shall not be responsible for false or inaccurate information submitted by an applicant.

(3) An applicant who offers false or inaccurate information to the Authority commits an offence and shall be liable, on conviction, to a fine not exceeding fifty thousand shillings, or to imprisonment for a term not exceeding three months, or both.

Register.

25. (1) The Authority shall keep and maintain an up-to-date register of all youth seeking employment.

(2) The register referred to under subsection (1) shall contain—

(a) particulars of the youth seeking employment;

(b) academic qualifications of the youth;

(c) work experience, if any, of the youth;

(d) contact details of the youth;

(e) the county from which the youth comes from;

- (f) ethnicity and tribe of the youth, if known;
- (g) details of whether the youth is living with any form of disability or challenge;
- (h) gender;
- (i) area of specialization, interest or qualifications;
- (j) such other detail as the Authority may consider necessary.

Authorization
for use of data.

26. (1) The Authority shall seek authorization from each particular youth seeking employment to share with prospective employers all or any particular details of the youth seeking employment contained in the register.

(2) The consent and authorization obtained under subsection (1) shall be given to the Authority at the registration of the youth under section 21.

(3) The Authority shall use the data obtained under this Act for—

- (a) securing employment and internship opportunities for the youth; and
- (b) informing the national government, county governments and the private sector on policies on matters affecting employment of the youth.

(4) Where the Authority wishes to use the data for any other purpose other than the purposes authorized under this Act, the Authority shall seek individual consent from the respective or affected youth.

Protection of information.

27. (1) The Authority shall, at all times, take measures to ensure protection of data on the youth in its possession against abuse or any other adverse consequences.

(2) The right to privacy and other constitutional and statutory rights of the youth shall not be compromised.

Prohibition from unauthorized use of data.

28. (1) The Authority shall not use the data obtained under this Act for any other purpose other than the purpose authorized under this Act.

(2) A person who contravenes subsection (1) commits an offence and shall be liable on conviction to a fine not exceeding one million shillings.

Information on vacancies.

29. (1) Whenever a vacancy arises in a public or State office at the national or county government level, the concerned State office, public office or national or county entity shall convey details of the vacancy to the Authority.

(2) Whenever a vacancy occurs, the appointing office shall give priority to the youth registered by the Authority who possess the qualifications or skills sought.

(3) Where the qualifications or skills sought are not available in the Authority's database, the appointing office shall invite applications from qualified applicants through advertisements.

(4) The Authority shall, immediately upon receipt of the notification under subsection (1), circulate the vacancy information to all youth who have subscribed to and registered themselves with the Authority.

Private sector etc vacancies.

30. (1) The Authority shall, on its own motion or through other means, establish the vacancies available in the private sector, informal sector or any other sector.

(2) Where the Authority establishes the existence of such vacancies, it shall—

(a) upload such information to its website; and

(b) convey such information to the youth with qualifications that fit the specifications and qualifications required by the prospective employers.

Applications.

31. (1) A youth registered under this Act may apply directly to a prospective employer.

(2) The Authority may forward applications or details of any qualified candidates to any prospective employer for their consideration and employment of the youth registered under this Act.

(3) A State entity, county entity, public office or State office may request for data of qualified youth from the Authority for purposes of considering them for employment.

(4) It shall be the responsibility of the applicant to make and tender their application upon receipt of the notification of a vacancy under this Act.

Notification of employment.

32. Upon successful interview and securing of employment by a person registered under this Act, the successful applicant shall communicate the same to the Authority in the prescribed manner.

(2) The Authority shall maintain a record of all successful applicants who have secured employment through the Authority.

(3) The Authority shall update its records accordingly and remove an applicant who obtains employment from the register kept under section 25.

PART IV—PROVISIONS ON DUE DILIGENCE AND COOPERATION

Co-operation
with employers.

33. (1) The Authority shall take all steps necessary to foster and maintain a good working relationship and cooperation with all prospective employers including those in the private and informal sectors.

(2) The Authority shall take measures necessary to ensure that demands of the sectors referred to in subsection (1) are addressed to the greatest extent possible.

Authority to
undertake due
diligence.

34. (1) The Authority shall, on its own motion, or using other state machineries, undertake due diligence on private companies seeking its services under this Act.

(2) The Authority shall not partner with any prospective employer where the Authority or any national security organ has, upon due diligence, established possible employment malpractices or violation of laws of Kenya.

(3) Notwithstanding subsection (1) and (2), the Authority shall take necessary measures to ensure that the youth are not denied access to employment unreasonably.

PART V—PROVISIONS ON TRAINING, COUNSELLING, ETC

Facilitation of
training.

35. The Authority shall, through community initiative and similar fora, facilitate training on any matter relating to employment to youth seeking employment.

Counselling.

36. (1) The Authority shall provide counselling services to youth seeking employment on general matters relating to employment, including career progression, choice of careers, among others.

(2) The Authority may offer such counselling in its

offices, at institutions of higher learning, schools and other fora, to educate and disseminate information with regard to trends of employment and other factors that influence the labour market.

PART VI—INTERNSHIPS

Placement for
internship.

37. (1) The Authority shall facilitate placement of students at tertiary institutions in positions of internship or attachment during and after completion of their study.

(2) The Authority shall, during or after successful completion of a person's undergraduate, diploma or certificate studies, make efforts to find paid internship for that person in a Government institution or any other sector, as the person seeks employment individually or through the Authority.

(3) A student at a tertiary institution or institution of higher learning who wishes to be placed on internship or attachment by the Authority shall furnish the Authority, in a manner provided by the Authority, with personal and academic details to facilitate such placement.

(4) The Authority shall maintain a record of—

- (a) all students seeking internship or attachment; and
- (b) all students who successfully attain positions of internship or attachment.

(5) The Authority shall monitor all placements to ensure that youth are not exploited or their rights violated by any employer or institution in which they are undertaking an internship or attachment.

(6) The Cabinet Secretary may, in consultation with the Authority, make regulations generally to give further effect to this section.

PART VII—AFFIRMATIVE ACTION

Encouragement to employ the youth.

38. (1) The State shall, through the Authority, encourage private and public institutions to employ youth in all positions, including positions of leadership and management.

(2) The State shall come up with incentives to reward any private institution that employs the youth within six months of completion of their certificate or undergraduate studies, and who do not possess more than five years work experience.

(3) The Government shall take affirmative action measures and actions designed to promote the employment of youth in management and other levels of employment regardless of their years of experience.

PART VIII—FINANCIAL PROVISIONS

Funds of the Authority.

39. The funds of the Authority shall comprise—

- (a) such funds as may be appropriated by the National Assembly for purposes of the Authority;
- (b) such moneys or assets as may accrue to or vest in the Authority in the course of the exercise of its powers or the performance of its functions under this Act or any other written law; and
- (c) all moneys from any other source provided for, donated or lent to the Authority.

(2) Notwithstanding subsection (1)(c), the Authority shall not accept funds, gifts or other donations from any person it regulates.

(3) Any moneys donated to the Authority shall be declared at the end of each financial year.

(4) There shall be paid out of the funds of the Authority all sums required to defray the expenditure incurred by the Authority in the exercise of its powers and the performance of its functions under this Act.

Financial year.

40. The financial year of the Authority shall be the period of twelve months ending on the thirtieth day of June in each year.

Annual estimates.

41. (1) At least three months before the commencement of each financial year, the Authority shall cause to be prepared estimates of revenue and expenditure of the Authority for that year.

(2) The annual estimates shall make provision for the estimated expenditure of the Authority for the financial year, and in particular, the estimates shall provide for—

- (a) the payment of salaries, allowances, pensions, gratuities and other charges in respect of the staff of the Authority;
- (b) the proper maintenance of the buildings and grounds of the Authority;
- (c) the maintenance, repair and replacement of the equipment and other property of the Authority;
- (d) the creation of such reserve funds as the Authority may consider appropriate to meet the recurrent

expenditure and contingent liabilities of the Authority.

(3) The annual estimates shall be approved by the Authority before the commencement of the financial year to which they relate and shall be submitted to the Cabinet Secretary for approval with the concurrence of the Treasury, and thereafter the Authority shall not increase the annual estimates without the consent of the Cabinet Secretary.

Accounts and audit.

42. (1) The Authority shall cause to be kept all proper books and other records of accounts of the income, expenditure, assets and liabilities of the Authority.

No. 12 of 2003.

(2) The accounts of the Authority shall be audited and reported upon in accordance with the provisions of the Public Audit Act, 2003.

PART IX—MISCELLANEOUS PROVISIONS

Annual reports.

43. (1) At the end of each financial year or upon request by the Cabinet Secretary, the Authority shall submit an annual report on the discharge of its functions under this Act or any other written law.

(2) The report referred to under subsection (1) shall include—

- (a) number of youth registered in the period under review;
- (b) number of youth who have secured employment during the period under review;
- (c) any impediment encountered in the discharge of the functions of the Authority;

- (d) any policy matters that the Authority may require to be addressed by the Cabinet Secretary, national or county governments;
- (e) any other matter pertinent to the discharge of its functions under this Act.

(3) An annual report referred to under this section shall be published and publicized.

Offences.

44. A person who contravenes any provision of this Act to which no penalty has been prescribed commits an offence and shall be liable, on conviction, to a fine not exceeding five hundred thousand shillings in the case of a natural person, and two million shilling in the case of a firm or body corporate, or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment.

Regulations.

45. (1) The Cabinet Secretary may, in consultation with the Authority, make regulations for the better carrying into effect the provisions of this Act

(2) For the purposes of Article 94(6) of the Constitution—

- (a) the authority of the Cabinet Secretary to make regulations under this Act shall be limited to bringing into effect the provisions of this Act and for the fulfillment of the objectives of this Act;
- (b) the principles and standards applicable to the regulations made under this section are those set out in the Interpretation and General Provisions Act and the Statutory Instruments Act, 2013.

Cap. 2
No. 23 of 2013

SCHEDULE

**PROVISIONS RELATING TO THE CONDUCT OF
BUSINESS AND AFFAIRS OF THE BOARD**

Tenure of
office.

1. The chairperson and members of the Board, other than *ex-officio* members, shall hold office for a term of three years and shall be eligible for re-appointment for one further and final term of three years.

Appointment.

2. Members of the Board, other than *ex-officio* members, shall be appointed in such a manner that the respective expiry dates of their terms of office fall at different times.

Vacation of
office.

3. A member of the Board, other than an *ex-officio* member, may—

- (a) at any time resign from office by notice in writing, in the case of the chairperson, to the President, and in the case of any other member, to the Cabinet Secretary;
- (b) be removed from office by the President or the Cabinet Secretary, as the case may be, if the member—
 - (i) has been absent from three consecutive meetings of the Board without the permission of the Board;
 - (ii) is adjudged bankrupt or enters into a composition scheme or arrangement with his or her creditors;
 - (iii) is convicted of an offence

involving dishonesty or fraud;

- (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;
- (vi) is found to have acted in a manner inconsistent with the aim and objectives of this Act;
- (vii) fails to comply with the provisions of this Act relating to disclosure; or
- (viii) is otherwise unable or unfit to discharge his or her functions as member of the Board.

Vice-chairperson.

4. At the first meeting of the Board, the members shall elect a vice-chairperson, from among the members appointed under this Act.

Meetings.

5. (1) The Board shall meet at least four times in every financial year and not more than four months shall elapse between the date of one meeting and the date of the next meeting.

(2) Notwithstanding the provisions of subparagraph (1), the chairperson may, and upon requisition in writing by at least five members shall, convene a special meeting of the Board at any time for the transaction of the business of the Board.

Notice of meeting.

6. Other than in the case of a special meeting or unless three quarters of members agree, every member of the Board shall be given at least fourteen days written notice of every meeting of the Board.

Quorum.

7. The quorum for the conduct of business of the Board shall be half of the members, and unless a unanimous decision is reached, decisions shall be by a majority vote of the members present, and in the case of an equality of votes, the chairperson or the person presiding shall have a casting vote.

Chairperson to preside.

8. The chairperson shall preside over all meetings of the Board in which he or she is present, but in his or her absence, the vice-chairperson shall preside and in the absence of the vice-chairperson, the members present shall elect one of their members who shall, with respect to that meeting and the business transacted thereat, have all the powers of the chairperson

Disclosure of interest.

9. (1) If a member is directly or indirectly interested in any matter before the Board, and is present at the meeting of the Board at which the matter is the subject of consideration, he or she shall, at the meeting and as soon as practicable after the commencement, disclose that fact and shall be excluded at the meeting at which the matter is being considered.

(2) A disclosure of interest made under this section shall be recorded in the minutes of the meeting at which it is made.

Board may regulate own procedure.

10. Subject to the provisions of this Schedule, the Board may regulate its own procedure.

MEMORANDUM OF OBJECTS AND REASONS

The principal objective of this Bill is to give effect to Articles 55(c) and 56(b) of the Constitution which requires the State to take measures to

ensure that the youth access employment. Additionally, the Constitution requires the State to take legislative, administrative and affirmative measures to ensure that youth are afforded adequate opportunities in employment.

The Bill thus seeks to establish a legal framework to facilitate access by the youth to employment opportunities. It provides for the establishment of an Authority whose core mandate is to maintain a database of all youth seeking employment and facilitate their employment. The management of the Authority is vested in a Board.

Part I contains preliminary provisions.

Part II provides for the establishment, functions and powers of the Authority. It vests the management of the Authority on a Board constituted in accordance with this Part. The Part further provides for access to services of the Authority in all parts of Kenya to ensure that all youth including those residing in marginalized areas are served.

Part III provides for matters relating to registration of youth seeking employment. It makes its mandatory for all youth seeking employment to register themselves with the Authority and the Authority is tasked to convey relevant information on jobs opportunities to the youth in the database and facilitate their absorption in the job market.

Part IV provides for matters relating to cooperation with prospective employers. It requires the Authority to foster a good working relationship with prospective employers by providing requisite information to facilitate employment of the youth.

Part V provides for training and counselling of youth seeking employment.

Part VI provides for internship and requires the Authority to provide for regulations on matters relating to placement of youth as interns or on attachment in public institutions. The Authority is further required to formulate and implement mechanisms to ensure that youth on internship, mentorships, attachments or placements are not exposed to unfair labour practices or abuse.

Part VII provides for affirmative action programmes in order to facilitate the absorption of the youth in the job market.

Part VIII contains financial provisions

Part IX contains miscellaneous provisions.

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

The Bill delegates the power to make regulations to the Cabinet Secretary and the Authority.

This Bill concerns county governments and is an ordinary Bill.

Dated the, 2015.

JOHNSON SAKAJA,
Member of Parliament.