

THE SIAYA COUNTY WIDOWS PROTECTION REGULATIONS, 2025

In the exercise of the powers conferred by Section 25 of the Act, the County Executive Committee for Education, Youth Affairs, Gender and Social Services makes the following Regulations: -

PART I – PRELIMINARY

1. **Citation:** These Regulations may be cited as the Siaya County Widows Protection Regulations, 2025.

2. **Interpretation:** In these Regulations, unless the context otherwise requires:

"Act" refers to the Siaya County Widows Protection Act, 2024.

"Committee" refers to the Siaya County Widows Welfare Committee established under Section 5 of the Act.

"Ward Committee" refers to the Ward Widows Welfare Committee established under Section 9 of the Act.

“widows welfare plan” means a programme or a scheme designed to provide financial, social and emotional support to widows.

“Fund” means the Siaya County Widows’ Welfare Fund established under section 16 of this Act.

“Stakeholders Forum” means

3. **Purpose of Regulations:**

The Siaya County Widows Protection Regulations, 2025 provides a legal framework for the implementation, enforcement and operationalization of the Act.

4. **Objectives of Regulations:**

a. To protect the widows from harmful cultural practices, discrimination and social exclusion.

- b. To provide safeguards against unlawful eviction, property disinheritance and other forms of exploitation while ensuring access to justice and legal redress in cases of rights violations.
- c. To enhance socio-economic empowerment through access to education, vocational training and economic opportunities.
- d. To strengthen the institutional framework, guide functioning of the Siaya County Widows Welfare Committee and Ward Widows Welfare Committees.
- e. To promote public awareness and sensitization on the rights and freedoms of widows, the harmful effects of discriminatory cultural practices and the importance of gender equality.
- f. To establish procedures for data collection and monitoring at both ward and County levels.
- g. To provide a framework that ensures programme effectiveness and mechanisms for reporting widows rights' violations and facilitate remedial actions.
- h. To promote collaboration and partnerships between the two levels of government, development partners and civil society.

PART II – DATA COLLECTION, MANAGEMENT AND ACCESSABILITY

5. Data Collection:

- (a) The Ward Committee shall collect data on widows using prescribed forms developed by the Directorate of Widows Affairs.
- (b) Data collected shall include demographic information, needs assessments and any incidences of rights violations.
- (c) Ensure that all collected data is stored securely and access is restricted to authorized personnel only. Implement protocols to protect the personal information of widows, adhering to relevant data protection regulations.
- (d) Provide ongoing training sessions for Committee members and data collectors to ensure accurate and sensitive data gathering. Training should cover cultural competencies, ethical considerations and technical skills related to data entry and management.
- (e) Adopt digital platforms such as mobile applications or web-based forms to streamline data collection and reduce errors associated with manual entry.
- (f) Establish a schedule for regular data verification to ensure the information remains accurate and up-to-date.

- (g) Ensure that the collected data is compatible with existing information systems to facilitate seamless data sharing and analysis.
- (h) Implement a feedback system where data collectors and widows can provide input on the data collection process.
- (i) Ensure that all data collection activities are conducted ethically with informed consent obtained from each participant.

6. Data Management:

- (a) All data collected shall be confidential and be used solely for the purposes of this Act.
- (b) The Directorate shall establish measures to protect the privacy of widows in data handling.
- (c) The Directorate shall ensure that all data collected and processed adheres to the Data Protection Act, 2019.
- (d) Personal data collected shall be directly relevant and necessary for the specified purposes of this Act.
- (e) The Directorate shall ensure that personal data collected is safeguarded from unauthorized access or misuse.
- (f) Personal data collected shall be restricted from unauthorized personnel.
- (g) The Directorate shall ensure periodic data audits and protection.

7. Data Accessibility

- a. The Directorate shall inform widows of their rights under the Data Protection Act, 2019.
- b. The Directorate shall implement a protocol for promptly notifying affected individuals and the Office of the Data Protection Commissioner (ODPC) in the event of a data breach that poses a risk to the rights and freedoms of the data subjects.

PART III – MEETINGS AND ADMINISTRATION

8. Constitution of the County Committee and the Ward Committees

The County Executive Committee Member shall, within 6 months after the enactment of the Act, constitute the County Committee and the Ward Committees

9. Conduct of Meetings:

- a. The Committee and Ward Committees shall meet quarterly.
- b. A minimum of fourteen days' notice shall be given for meetings and the quorum for meetings shall be five members for the County Committee and four members for the Ward Committee.
- c. Special meetings may be convened upon written request by at least five members for the County Committee and four members for the Ward Committee.
- d. A minimum of seven days' notice shall be given for a special meeting and quorum for special meetings shall be seven members for the County Committee and five members for the Ward Committee.

10. Election of Chairperson and Vice-Chairperson:

Upon appointment, the Committee shall elect a chairperson and vice-chairperson from among its members in accordance to Section 5(2)(b) of the Act.

11. Initial Meeting

- a. The Secretary shall schedule the initial meeting within seven days of the Committees constitution. In the case of County Committee, the election will be conducted by secret ballot.

b. Scheduling the Initial Meeting:

The Secretary shall determine a venue, date and time for the initial meeting of the Committees within seven days of its constitution.

c. Notice of Meeting:

Members shall receive notice of the meeting at least three days prior to the scheduled date.

d. Quorum:

The quorum for the initial meeting shall be five members for the County Committee and four members for the Ward Committee.

e. Presiding Officer:

In the case of the County Committee, the Secretary shall preside over the meeting until the election of the chairperson is concluded.

f. Nomination Process:

The Secretary shall call for the nominations for the position of chairperson. Each nomination must be seconded by another member to be valid. A member may nominate themselves or another member.

g. Unopposed Candidate:

If only one candidate is nominated and seconded, that candidate shall be declared elected unopposed.

h. Voting Procedure:

If multiple candidates are nominated, a secret ballot shall be conducted. Each member shall cast one vote for their preferred candidate. The Secretary shall tally the votes and announce the results immediately.

i. Majority Requirement:

The candidate receiving the majority of votes shall be declared elected. In the event of a tie, a runoff election between the tied candidates shall be held immediately during the same meeting.

j. Election of Vice-Chairperson:

Following the election of the chairperson, the Committee shall proceed to elect the vice-chairperson using the same nomination and voting procedures.

12. Filling Vacancies:

In the event of a vacancy in the office of the chairperson, the vice chair shall assume office of the chairperson for the remainder of the term.

In the event of vacancy in the office of the vice chairperson, another member shall be elected during the next quarterly meeting to fill the position.

13. Agenda Setting:

The chairperson, in consultation with Committee members, shall prepare the agenda for each meeting. Members may propose items for inclusion by submitting them to the chairperson at least

seven days prior to the meeting. The final agenda, along with relevant documents shall be circulated to all members at least three days before the meeting.

14. Meeting Venue and Mode:

Meetings shall be held as communicated by the Secretary.

15. Decision-Making and Voting:

Decisions shall be made by consensus where possible. If a vote is necessary, each member shall have one vote and a simple majority shall carry the decision. In the event of a tie, the chairperson shall have a casting vote.

16. Minutes of Meetings:

The secretary shall ensure that accurate minutes of each meeting are maintained, capturing key discussions, decisions made and action items. These minutes shall be circulated to all members promptly after the meeting and approved at the subsequent meeting.

17. Attendance and Apologies:

Members are expected to attend all scheduled meetings pursuant to Section 3 (1) of the Schedule.

18. Procedure for Appointment

The procedure for appointment of County Committee members and Ward Committee members shall adhere to the following steps;

a. Appointment

- i. The County Executive Committee Member responsible for matters related to widows shall appoint individuals for the County Committee and Ward Committee positions.
- ii. The appointment shall be based on eligibility, qualifications, experience and relevance to widow affairs.

Commented [RN1]: Let the member organisations nominate and forward the names to the CECM.

b. Consultation

The County Executive Committee Member, while appointing Committee members, shall consult with the respective forums for the relevant organizations in Siaya County.

PART IV – MANAGEMENT OF THE FUND

19. Establishment of the Fund

Pursuant to Section 16 (1) of the Act, there is established a Fund to be known as the Siaya County Widows Welfare Fund.

20. Usage of the Fund

The Fund shall be used for the benefit of widows in Siaya County.

21. Sources of the Fund

Pursuant to Section 17 (1) of the Act, the Fund shall consist of –

- a. monies as appropriated by the County Assembly;
- b. sums received as contributions, donations, donations-in-kind, gifts or grants from any lawful source;
- c. monies earned or arising from any investment of the Fund; and,
- d. any money that may be payable or vested in the Fund.

22. Banking Arrangements

- a. The County Treasury shall open a bank account into which monies prescribed under Regulation 21 shall be retained.
- b. The bank account shall have three signatories. The three signatories shall be the Fund Administrator, the Director responsible for Widows Affairs and the Chief Officer responsible for the matter related to widows.
- c. The person appointed as a fund administrator pursuant to Section 18 of the Act shall not cause the Fund bank account to be overdrawn or issue an advance or loan for official purposes beyond the limit authorized by the County Treasury or the Committee established under Section 5(1) of the Act.
- d. Subject to Regulation 22(c), a fund administrator who authorizes the Fund account to be overdrawn shall be liable for the full cost of the overdrawn amount in addition to any other disciplinary measures that;

- i. the County Executive Committee Member for Finance may impose under Section 156 of the PFM Act, 2012; or,
 - ii. any other relevant authority may impose under the provisions of any other legislation.
- e. The County Treasury shall keep complete and current records of the Fund account.
- f. Pursuant to regulation 82(8) of the PFM Regulations, personal cheques shall not be deposited in the fund bank account.
- g. The County Executive Committee Member for Finance may request bank statements for the Fund Account without any reference to the authorized bank signatories of the Fund account.
- h. The County Executive Committee Member for Finance may suspend the operations of the Fund account or impose certain conditions if he/she reasonably believes that the purpose of that account no longer exists or that fraud or fraudulent transactions are being undertaken in the account and shall institute investigations immediately and share the report of the investigation with the Auditor General and the Controller of Budget.

23. Fund Administration Activities

Pursuant to Section 17 (5)(f) of the Act, the Fund may be used for the following administrative activities and support services;

- a. Payment of allowances to the County Committee and Ward Committee members.
- b. Meeting expenditure related to printing and photocopying services.
- c. Conducting monitoring and evaluation.
- d. Expenditure related to communication.
- e. Banking expenses.
- f. Any other activity relevant to the furtherance of administration of the Fund.