



THE KENYA SCHOOL OF LAW

COURSE: **DEVOLUTION, INFRASTRUCTURE FINANCE & THE LAW (3 LSK CPD Points)**
DATE: **AUGUST 16TH – 20TH, 2021**
VENUE: **NORTH COAST, MOMBASA, KENYA**

1. SAFETY AND HEALTH OF THE PARTICIPANTS

The Kenya School of Law (the School) is cognizant of the risk posed by the Covid-19 pandemic and has taken all measures to comply with Government directives on the handling of the pandemic, including the requirements to keep social distance, wear masks, sanitize and wash hands, do temperature checks, amongst others. We assure our participants of their safety and health during the training.

2. ABOUT KENYA SCHOOL OF LAW

The Kenya School of Law (the School) is a training institution established under the Kenya School of Law Act, No. 26 of 2012. The mandate of the School includes undertaking practical training in law, policy and related disciplines for the professional development of persons in the legal and related fields. The School is an agent of the Government for legal training, research and consultancies.

3. ABOUT THE COURSE

Despite the recent global market volatility associated with *Covid-19* pandemic, there remains a pressing need throughout the world for sustained investment in municipal infrastructure across a broad spectrum of industries, especially in the emerging markets of Africa, including Kenya, where historical infrastructure deficit remains a big development challenge.

Indeed, in jurisdictions like Kenya, where municipal power in critical economic, social and cultural sectors are constitutionally devolved, the need for diversification of infrastructure financing cannot be gainsaid. Municipally devolved sectors in Kenya specifically include **healthcare, agriculture, transport, trade & development (markets, licensing & cooperative societies), education (pre-primary), cultural activities (including sports, museums and libraries), water & sanitation services** amongst others.

In fact, this position is further augmented in the National Government policy on BIG 4 AGENDA which has prioritised the following growth sectors: **affordable housing, universal health care, manufacturing and food security**. This reinforces the need for diversified infrastructure financing for counties because the prioritised sectors have cross-cutting devolved mandates.

However, the increase in global competition for resources has led to a corresponding increase in the size and complexity of targeted municipal infrastructure projects.

Thus, today's governments, institutional investors and the private sectors are unable to shoulder the burden of financing infrastructure alone despite high appetite for participation and engagement. For example, in Africa, ***Infrastructure Consortium for Africa (ICA)*** provides infrastructure financing trends annually on how financial resources are being mobilized to facilitate the development of the continent's transport, education, agriculture, water and sanitation, energy, ICT sectors and other social amenities.

The counties thus need to necessarily mobilize the private sector and local currency to finance infrastructure needs. The local currency financing from institutional investors through, for example, the capital markets and creation of fiscally sustainable way to finance infrastructure related to devolve functions is going to be a priority going forward.

This course is designed to respond to the increasing need for diversification of financing for counties. It aims to build the capacity of County Government officers, officials from the National Treasury and Devolution departments, County Assemblies & Parliament, financial regulators, pension funds and insurance companies to work hand in hand with the government using long term liabilities and green/ climate finance since the long-term liabilities of institutional investors match the life span of such projects. This could also be an eye opener to regional economic blocs by counties and county project financing in the 47 counties of Kenya. At the outset of infrastructure financing the project lenders will require legal expertise for a comprehensive legal due diligence report identifying the key legal risks to the future success of the project, hence interest of legal practitioners in this course.

It is designed to be a practical course focusing on the law, policy and practice of infrastructure finance in Kenya from *Project Initiation; Negotiations; Governance; Risk Assessment and Allocation, Security, Foreign Investment and Ownership Restrictions Government Approvals, Environmental and Social Issues Infrastructure financing trends, Sustainability and Quality of Infrastructure, Hard and Soft infrastructure Commitments and Disbursements ICT infrastructure, Road infrastructure, Water and Sanitation Infrastructure* among others.

4. FACULTY:

The Kenya School of Law has assembled a highly experienced faculty comprising of seasoned PPP practitioners, government officials, and professors to deliver this course.

5. INTENDED PARTICIPANTS:

This course is specially designed to meet institutional objectives of the following participants:

- a) County Governors & Deputy Governors
- b) Members of Parliament and the Senate
- c) County CEC Members, Chief Officers, County Attorneys & Legal Officers
- d) County Speakers, Committee Chairpersons and MCAs
- e) Members of County Public Service Boards & Assembly Boards
- f) Senior Officers of County Governments and County Assemblies
- g) Officials of County Assemblies Forum and related Associations

- h) Officials from National Treasury, Central Bank of Kenya & other Finance Sector Regulators
- i) Officers from Parliament and Senate, especially those deputized to relevant Committees over-sighting devolved functions.
- j) Civil Servants and Officers of State Corporations, especially those supervising or partnering with Counties in their core functions.
- k) Corporation Secretaries & Legal Officers, and Legal Officers in Ministries
- l) Officials of Pension Funds, Insurance and Re-Insurance Companies
- m) Private Practitioners working on Devolution
- n) International Development/Intergovernmental Bodies and Non-Profits

6. CERTIFICATION:

Certificates of participation will be issued at the end of the training.

7. YOUR INVESTMENT: The course is offered at **Kshs. 95,000.00 (East Africans) + 25% (non East Africans)** (includes tuition fees, taxes, registration fees, course materials, stationery, lunch and refreshments).

8. APPLICATION PROCESS: Application forms may be obtained from the CPD department at Gate A, Mutula Hall, Ground Floor the Kenya School of Law or downloaded from KSL website here: https://www.ksl.ac.ke/wp-content/uploads/2018/04/CPD_REGISTRATION_FORM.pdf

9. APPLICATION DEADLINE: AUGUST 6TH, 2021

10. PAYMENT DETAILS: Cash payments should be deposited in the **Kenya School of Law (Account No. 202 2029 110 ABSA Bank of Kenya, Barclays Plaza Branch, Nairobi, Kenya)** and banking slips presented to the Finance Office of the Kenya School of Law.

11. ENQUIRIES: For Registration and general information please contact KSL CPD Department: **Jacqueline** (jacqueline@ksl.ac.ke)/**Christine** (cmwanza@ksl.ac.ke) ,and **cc: cpd@ksl.ac.ke** / Tel Wireless +254(020) 2699581/6
Course Coordinator: **Dr. Erick Komolo** (ekomolo@ksl.ac.ke)



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For DIRECTOR/CHIEF EXECUTIVE OFFICER



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