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REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT – SIXTH SESSION

SELECT COMMITTEE ON NATIONAL GOVERNMENT CONSTITUENCIES
DEVELOPMENT FUND

.....

REPORT ON THE CONSIDERATION OF THE NATIONAL GOVERNMENT
CONSTITUENCIES DEVELOPMENT FUND (AMENDMENT) BILL (NATIONAL
ASSEMBLY BILL NO. 34 OF 2021) BY HON. TINDI MWALE, MP

THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 09 FEB 2022	DAY: Wed
TABLED BY:	Hon. Wafu Wamonyi Chair, CDF
CLERK-AT THE-TABLE:	S. Kalama

DIRECTORATE OF AUDIT,
APPROPRIATIONS & OTHER SELECT COMMITTEES
PARLIAMENT BUILDINGS
NAIROBI

FEBRUARY, 2022

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14

15

16
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Table of Contents

LIST OF ANNEXTURES	4
ABBREVIATIONS.....	5
CHAIRPERSON'S FOREWORD	6
CHAPTER ONE	7
1.0 PREFACE	7
1.1 Establishment and Mandate of the Committee	7
1.2 Committee Membership.....	8
1.3 Committee Secretariats.....	10
CHAPTER TWO	1
2.0 INTRODUCTION.....	1
2.1 Overview of the Bill.....	1
CHAPTER THREE	4
3.0 STAKEHOLDERS ENGAGEMENT	4
3.1.1 Chief Executive Officer of the National government constituencies development Fund (NG-CDF) Board submission	4
3.1.2 Office of the Attorney General.....	7
3.1.3 Joint memorandum by the institute for social accountability, transparency international Kenya and center for enhancing democracy and good governance	8
3.1.4 Council of Governors	8
3.1.5 The National Treasury and planning.....	9
3.1.6 The National treasury and planning state department for planning.....	9
3.1.7 Nakuru County public opinion consultative initiative	10
3.1.8 Ministry of interior and co-ordination of National Government, State Department for interior & Citizen Services	11

3.1.9 Ministry of Education, Office of the Principal Secretary, State Department of Early Learning and Basic Education	12
--	----

CHAPTER FOUR.....	13
-------------------	----

4.1 PUBLIC HEARINGS HELD IN CONSTITUENCIES.....	13
---	----

CHAPTER FIVE	44
--------------------	----

5.0 COMMITTEE OBSERVATIONS.....	44
---------------------------------	----

CHAPTER SIX	47
-------------------	----

5.0 COMMITTEE RECOMMENDATIONS	47
-------------------------------------	----

LIST OF ANNEXURES

1. Adoption list
2. Minutes
3. Stakeholder's submissions
4. A copy of newspaper adverts inviting submissions of Memoranda.

ABBREVIATIONS

NG-CDF	- National Government Constituencies Development Fund
CDF	- Constituency Development Fund
ICT	- Information Communication and Technology
MP	- Member of Parliament
FY	- Financial Year
KMTC	- Kenya Medical Training College
CBC	- Competency Based Curriculum
TISA	- The Institute for Social Accountability
DCC	- Deputy County Commissioner
NASC	- National Assembly Select Committee

CHAIRPERSON'S FOREWORD

This report contains the proceedings of the Select Committee on National Government Constituencies Development Fund on its consideration of the National Government Constituencies Development Fund (Amendment) Bill (National Assembly Bill, No. 34 of 2021) sponsored by Hon. Tindi Mwale M.P which was published on 13th October, 2021. The Bill went through the First Reading on Wednesday, September 22, 2021 and committed to the Committee for review and report to the House pursuant to Standing Order 127 (2).

The Bill has one clause with the principal objective being to amend the National Government Constituencies Development Fund Act, No. 30 of 2015 to increase the minimum share of the national Government share of revenue appropriated to the National Government constituencies Development Fund from 2.5% (two and a half per centum) to 5% (five per centum). This Bill does not delegate any legislative powers and does not contain provisions that limit any fundamental rights and freedoms.

This Bill does not concern county governments in terms of Articles 110(I) (a) of the Constitution. The enactment of this Bill shall occasion additional expenditure of public funds.

The Committee has complied with the constitutional requirement of public participation and has engaged the public and other stakeholders and their views are contained in the report.

The Committee having considered the National Government Constituencies Development Fund (Amendment) Bill (National Assembly Bill, No. 34 of 2021) by Hon. Tindi Mwale, M.P and taking into consideration the submissions from stakeholders and the public the Committee recommends that, the house passes the Bill proceeds without amendments.

The Committee is grateful to the offices of the Speaker and Clerk of the National Assembly for the logistical and technical support accorded to it during its sittings. The Committee further wishes to thank all the stakeholders who participated in the consideration of the Bill. Finally, I wish to express my appreciation to the Honorable Members of the Committee and the secretariat who made useful contributions towards the preparations and production of this report.

On behalf of the Select Committee on National Government Constituencies Development Fund and pursuant to provisions of Standing Order 199(6), it is my pleasant privilege and honor to present to this House the report of the Committee on its consideration of the National Government Constituencies Development Fund (Amendment) Bill (National Assembly Bill, No. 34 of 2021).

Hon. Wafula Wamunyinyi, CBS, MP

CHAPTER ONE

1.0 PREFACE

1.1 Establishment and Mandate of the Committee

1.0 The Select Committee on National Government Constituencies Development Fund is established in accordance with the provisions of section 50 of the National Government Constituencies Development Fund Act, 2015 and its functions include:

-
- a) ~~To oversee the implementation of this Act and in this respect, shall after every two~~
years submit a report to the National Assembly and where necessary, propose any amendments to this Act with respect to the quantum of funds repayable into the Fund in accordance with section 4 of the Act;
 - b) To oversee the policy framework and legislative matters that may arise in relation to the Fund;
 - c) To continually review the framework set out for the efficient delivery of development programmes financed through the Fund;
 - d) To consider and report to the National Assembly, with recommendations, names of persons required to be approved by the National Assembly under this Act; and
 - e) To carry out any other functions relevant to the work of the Fund.

1.2 Committee Membership

2.0 The current membership is as follows-

Hon. Wafula Wamunyinyi, MP
Kanduyi Constituency
Ford Kenya
Chairperson

Hon. Omar Mohamed Maalim, MP
Mandera East Constituency
Economic Freedom Party
Vice-Chairperson

Hon. Fred Kapondi Chesebe, MP
Mt. Elgon Constituency
Jubilee Party

Hon. Cornelly Serem, MP
Aldai Constituency
Jubilee Party

Hon. Sophia Abdi Noor, MP
Ijara Constituency
Party of Reforms and Development

Hon. Moses Lessonet, MP
Eldama Ravine Constituency
Jubilee Party

Hon. Richard Tongi, MP
Nyaribari Chache Constituency
Jubilee Party

Hon. Kasim Tandaza Sawa, MP
Matuga Constituency
Amani National Congress

Hon. Sharif Athman Ali, MP
Lamu East Constituency
Jubilee Party

Hon. Onesmus Kimani Ngunjiri, MP
Bahati Constituency
Jubilee Party

Hon. Benjamin Gathiru Mwangi, MP
Embakasi Central Constituency
Jubilee Party

Hon. Joseph Oyula, MP
Butula Constituency
ODM Party

Hon. Ferdinand Wanyonyi, MP
Kwanza Constituency
Ford Kenya

Hon. Janet Jepkemboi Sitienei, MP
Turbo Constituency
Independent Member

Hon. Fred Ouda, MP
Kisumu Central Constituency
Orange Democratic Movement

Hon. Joshua Mwalyo, MP
Masinga Constituency
Wiper Party

Hon. Lodepe Nakara, MP
Turkana Central Constituency
ODM Party

Hon. George Kariuki Macharia, MP
Ndia Constituency
Jubilee Party

1.1 Committee Secretariat

3.0 The Committee Secretariat is comprised of;

Mr. Hassan A. Arale

Clerk Assistant II

Head of Secretariat

Ms. Naserian Lotuai

Clerk Assistant II

Mr. Bonnie Mathooka

Chief Research Officer

Ms. John Mungai

Audio Recording Officer

Mr. Jonathan Lemurt

First Fiscal Analyst

Ms. Christine Odhiambo

Legal Counsel

Mr. Joshua Lenambeti

Sergeant at arms

CHAPTER TWO

2.0 INTRODUCTION

2.1 Overview of the Bill

3.0 The principal objective of the Bill is to amend the National Government Constituencies Development Fund Act, No. 30 of 2015 to increase the minimum share of all the National Government share of revenue appropriated to the National Government Constituencies

Development Fund from 2.5% (two and half per centum) to 5% (five per centum). The Bill does not delegate any legislative powers nor does it limit fundamental rights and freedoms.

4.0 The Bill is not a Bill concerning county governments. The enactment of this Bill shall occasion additional expenditure of public funds.

2.1.1 Background

3 The National Government Constituencies Development Fund Act, 2015 under section 4 establishes the Fund which sets the ceilings for the total monies into the fund at not less than 2.5 percent of all the national government share of revenue with the primary objectives of equitable socio-economic development countrywide.

4 Given the incremental nature of the base revenue base on which the Fund is premised, the allocation to the Fund has immensely risen since its establishment in 2003. The allocation to the Fund has risen from one Billion, two hundred and sixty million (Ksh.1.26) Billion in 2003 to forty-one Billion, seven hundred million (Ksh 41.7 billion) in 2021/22.

5 According to the Act, the fund shall be applied to works and services that fall under the ~~functions of the national government as stipulated under the fourth schedule of the~~ constitution. It also provides that the projects undertaken should be community-based to ensure that the benefits are available to a wide cross-section of the inhabitants of a particular area.

6 The government has put in place various development strategies with the sole purpose of alleviating poverty and improving the well-being of the citizens. Most of these development

strategies failed to address some of the objectives and in 2003 the government launched the Constituency Development Fund (CDF) which has become one of the successful programmes in Kenya.

- 7 Since its inception in 2003, Constituency Development Fund (CDF) has made a great impact with numerous projects throughout the Country which has led to a significant rise in the well-being of the citizens. Among the sectors that have significantly benefited include the education sector, the health sector, the water resources, Security and roads. The specific projects undertaken include construction of classrooms, laboratories, libraries, health facilities, police stations, construction of roads and bridges among others.
- 8 To complement the government's efforts of increasing school enrollment and improving the quality of basic education, the fund has gone towards improving infrastructure in public schools having achieved so far the construction of three thousand eight hundred and thirty (3,830) new classrooms, nine hundred and thirteen (913) modern administration blocks, construction and equipping of two hundred and forty-two (242) modern laboratories, construction of three thousand seven hundred and fifty (3750) modern ablution blocks, construction of one hundred twenty-five (125) modern dining halls construction of two hundred and ten (210) dormitories with a capacity of twenty-five thousand three hundred and seventy (25,370) and Purchase of two hundred and one (201) school buses.
- 9 The fund has also addressed the challenges of unemployment in the Country through supporting technical education institutions and has achieved the construction of forty-five (45) lecture halls in twelve (12) Kenya Medical Training Colleges (KMTC) Construction of two (2) administration blocks in KMTC construction of two (2) administration blocks in TTIs.
- 10 NG-CDF has significantly supported the security sector by allocating 7.9% of the fund to projects in the security sector. The funds were used for the construction or renovation of national government administration offices, police stations, police posts and staff houses.
- 11 These projects helped to create a secure environment for safe living and conducting business. Specifically, the fund has undertaken the following projects in the security sector twenty-one (21) National Government Administration offices, three hundred seventy-nine (379)

Chief's/Assistant Chief's Offices and Camps constructed, one hundred and six (106) Police Posts, construction of five hundred eighteen (518) modern toilets in security facilities and construction of one hundred sixty-two (162) modern police houses.

- 12 To address the emerging challenge of climate change, the CDF funds has supported several projects in the environment sector supporting the restoration of tree cover, solar installation, water harvesting among others.

-
- 13 Further, the fund has supported talent development across the country with several projects initiated in the sports sector, for example, construction of playgrounds, field grading and fencing, Sports uniforms and equipment purchased and sports tournaments conducted.

- 14 Despite the achievements, the implementation of the fund has experienced several challenges due to inadequate funding. The challenges include; -Increase in demand for the CDF funds by constituents on development projects; High population growth; insufficient technical support hence delay in projects implementation and Covid-19 protocols that led to directives that the CDF funds should support schools infrastructure.

CHAPTER THREE

4.0 STAKEHOLDERS ENGAGEMENT

- 15 Following the call for memoranda from the public through the placement of advertisements in the print media on 17th and 18th June, 2021 inviting stakeholders' views. The Committee received oral and written submissions from the following stakeholders;
- a) National Government Constituencies Development Fund Board;
 - b) Office of the Attorney-General;
 - c) The National Treasury;
 - d) State Department for Planning;
 - e) Joint Memorandum: The Institute for Social Accountability: Transparency International Kenya: Centre for Enhancing Democracy and Good Governance;
 - f) Council of Governors;
 - g) Nakuru County Public Opinion Consultative Initiative;
 - h) Ministry of education office of the principal secretary, state department of early Learning and basic education and
 - i) Ministry of Interior and Coordination of National Government.

3.1.1 Chief Executive Officer of the National government constituencies development Fund (NG-CDF) Board submission

- 16 The C.E.O Mr. Yusuf Mbuno submitted that, the proposed amendment is progressive and would lead to high percentage of funds being dedicated to the Constituencies the proposed amendment will guarantee additional funding to constituencies and would generate enormous benefits.
- a) The Government has embraced a "100%" transition from primary to secondary school. This has resulted in increased demand for infrastructure in learning institutions to accommodate an increased number of learners. However out of the current amount allocated to a Constituency (Ksh. 137,088,879, Constituencies spend on average 10% on administration and monitoring & evaluation activities while about 35% is dedicated to bursary which leaves 55% of the fund to be channeled towards all other infrastructure development. About 10% of the Funds is dedicated to Security projects, 4% to sports and environmental projects. Therefore,

about 41% is dedicated towards education infrastructure projects which is not adequate considering the high demand necessitated by the 100% transition;

- b) Increased enrollment of learners translates to increased demand for bursaries for needy cases;
- c) There is an increase in demand for sanitary facilities;
- d) The covid -19 pandemic has brought about unprecedented challenges, which require urgent support, such as infrastructure, water harvesting and storage and attendant requirements;
- e) High population growth with more than 75% aged below 35 years;
- f) Increased funds to cater for ever-rising demands;
- g) Necessary for a shorter period for project implementation to cater for the increased infrastructure demand;
- h) Increased school enrolment as adequate support through bursaries would be guaranteed.;
- i) Reduces insecurities as additional funds would be available to undertake security-related infrastructure

Justification

Capacity for absorption of the funds and ensure effective and efficient utilization

Funds absorption capacity:

17. Over the years, the capacity of constituencies to utilize the allocated funds has steadily grown. There is no doubt therefore that the constituencies can absorb the increased allocation if the proposed amendment is passed into law.

Measures to ensure effective and efficient utilization of the funds:

18. Pursuant to section 16 of the Act, the Board is charged with the solemn responsibility to ensure efficient management of the Fund. Pursuant to the foregoing, the Board has put in place key measures to ensure that funds allocated under the Act are managed effectively and efficiently. Such measures include:

Capacity building of NG-CDF operatives:

19. The Board has in recent period up-scaled capacity building of various players in the management of the Fund, including Officers of the Board, Officers of the National Government

in Sub counties, NG-CDF Committees, Project Management Committees and the Constituency Oversight Committees (COC). This has significantly enhanced effectiveness and efficiency in the management of the Fund and progressively prepared constituencies to handle higher allocations. The Board will continue with the capacity-building programme to ensure that NG-CDF confers even more benefits to the target beneficiaries.

Risk Management:

20. The Board has integrated Risk Management in its operations to ensure that inherent Risks are identified, documented and mitigation measures put in place and regularly monitored to ensure proactive efficacy and efficiency in the management of the Fund.
21. To this effect, the Board has established a Risk Management Division whose mandate is to ensure that Risk Registers at the Headquarters and each constituency are continuously updated, and Risk Mitigation measures are executed.

Risk-based Audit:

22. To ensure compliance with the Risk Management Framework, the Board's Internal Audit Department undertakes annual Risk-Based Audits to sampled constituencies. During the current financial year (2021/2022), the Board plans to undertake a Risk-Based Audit in a minimum of 120 constituencies. Hence, under the current capacity, all the 290 constituencies would be audited within three (3) years. Upon recruitment of additional staff, the Board shall have the capacity to conduct Risk Based audit in all the 290 constituencies annually.

Role of the Auditor-General:

23. Pursuant to Section 11 of the NG-CDF Act, all funds received under the Act are mandatorily audited and reported by the Auditor General. This provides a mechanism to ensure that Parliament through the Special Funds Accounts Committee of the National Assembly exercises effective oversight for proper application of the funds.
24. To facilitate this, the Board has put in place measures to ensure that each Constituency prepares and submits a separate financial Statement to the Auditor General by 30th September every year.

Monitoring and Evaluation

25. The Board has established a functioning Monitoring and Evaluation (M&E) division to ensure effective tracking of progress of programme implementation and ensure that challenges are

identified and addressed on a timely basis. The M&E function also provides the mechanism to measure the output and impact of the NG-CDF financed interventions.

26. Taking cognizance of the foregoing, the Board recommended the proposed amendments to Section 4 of the NG-CDF Act as follows: That,

a) It has never been disputed that the Fund has been changing lives. The proposed amendment is progressive and would lead to a higher percentage of funds being dedicated to the constituencies, and this would generate enormous benefits and

b) Hence from “not less than 2.5%” to “not less than 5%” would guarantee additional funding to constituencies. The Board welcomes the proposed amendment and fully supports the same.

COMMITTEE OBSERVATIONS

27. The proposed amendment is progressive and would lead to a high percentage of funds being dedicated to the constituencies, and would generate enormous benefits.

3.1.2 Office of the Attorney General

28. The Committee held a meeting on 8th November 2021 with Mr. Fred Mwachi, the Deputy Chief Parliamentary Counsel Office of the Attorney General and submitted the following -

29. From a legal perspective, the amendment is sound and does not in any way offend the law or the Constitution. The office of the Attorney general sought policy direction from the National Treasury, the custodian of all public funds and their advice was that:

a) Since the emergence of the covid-19 pandemic, the economy has negatively been affected leading to underperformance of the projected revenue and

b) The Government is required to service debt and implement programs in education, health and social protection.

~~30. Therefore, after consulting the National Treasury, it is of the view that it is not feasible to accommodate the proposed amendment.~~

COMMITTEE OBSERVATIONS

31. The legislative mandate of Parliament is a constitutional mandate which may not be curtailed based on lack of money.

3.1.3 Joint memorandum by the Institute for Social Accountability, Transparency International Kenya and Center for Enhancing Democracy and Good Governance

32. On the Tuesday 8th November 2021, the meeting held a meeting with The Institute for Social Accountability (TISA) submitted that the Bill should be Withdrawn and await the decision of the court on the following reasons that;

- a) There is currently pending before the courts 3 cases challenging the constitutionality of the CDF Act;
- b) The cases have a huge bearing on the NG-CDF Act including the possibility of it being rendered unconstitutional and invalid;
- c) It is neither economical nor efficient to engage in a legislative amendment process for an Act whose validity is challenged through a legitimate process unless the amendment is intended to cure a defect;
- d) The proposed amendment is arbitrary and in contravention of Article 201 of the Constitution- there is no reasonable explanation for the proposed amendment, thus violating the constitutional requirement for openness and accountability and
- e) The increased quantum in the proposed Bill is insensitive to the plight of Kenyans as the government is currently cash strapped due to debt repayment and this will result in an even heavier burden in terms of taxation.

COMMITTEE OBSERVATIONS

33. The Courts have not issued any specific orders directed at Parliament and stopped Parliament from amendments.

3.1.3 Council of Governors

34. The Committee received submissions from the Council of Governors and also issued an invitation for a meeting vide a letter dated 3rd November 2021, and they responded through a letter dated 9th November 2021 which they said they could not attend the meeting. However, through written proposals, they stated that the Bill be withdrawn awaiting the decision of the Court.

Justification

- a) The National Government Constituencies Development Fund was declared unconstitutional. The appeal against the decision is currently pending before the courts.

- b) The increase of the minimum share to the Fund will result in a decrease of the equitable share of the revenue for county governments and consequently undermine service provision and devolution.

COMMITTEE OBSERVATIONS

35. The legislative mandate of Parliament is a constitutional mandate which may not be curtailed.

3.1.5 The National Treasury and Planning

36. Through their written submissions the National Treasury did not support the Bill because of the following reasons:

Justification

- a) The passage of the proposed amendment will constrain the resources going to other National Government programmes and
- b) The proposed additional funding is not feasible and sustainable as it will occasion additional expenditure from the Exchequer.

Committee Observation

37. The legislative mandate of Parliament is a constitutional mandate which may not be curtailed based on lack of money.

3.1.6 The National Treasury and Planning State Department for Planning

38. The Committee on Wednesday 10th November 2021, held a meeting with the Principal Secretary of the State Department for Planning and submitted that State Department for Planning is in support of the amendment due to the following: that,

Justifications:

- a) Increased funding to NG-CDF would result in more benefits to the people of Kenya by channeling more resources to meet the ever-increasing needs;
- b) Considering that NG-CDF is budgeted for under the vote of the State Department for Planning, the upward adjustment of the threshold for allocation to the Fund would require an increase of allocation in the relevant sector and to the State Department for planning in particular and

- c) The National Government Constituencies Development Fund should fund the development of education-based projects for a smooth transition from the 8:4:4 system to a competency-based curriculum (CBC).

COMMITTEE OBSERVATIONS

- 39. **The legislative mandate of Parliament is a constitutional mandate which may not be curtailed based on lack of money.**

3.1.7 Nakuru County public opinion consultative initiative

- 40. Written submission on the amendment was submitted electronically through an email to clerk@parliament.go.ke. The consultative initiative indicated that they are in support of the Bill:

Justifications

- a) The statement of objects and reasons in the Bill are convincing;
- b) To save on sitting allowance;
- c) To ensure that only the most deserving students benefit from the bursary;
- d) This will ensure Members of Parliament will strive to ensure among others the prudent use of funds and
- e) To allow as many people as possible to be elected as Members of Parliament, and will ensure the Fund will be better utilized.

Proposed Further amendments

- a) Fully capacitate project management committees in project prioritization, designing, budgeting and monitoring and evaluation;
- b) Only men and women of integrity be appointed in the constituency development committees, reduce committee meetings by half;
- c) Increase bursary allocation from 35% to 45%, conduct vetting on applications;
- d) Fund managers to serve at one particular constituency only for 3 years and later deployed elsewhere;
- e) All Members of Parliament to convene one annual public forum to discuss the state of projects and good use of funds;
- f) Three-tier proposal on role of Members of Parliament as follows-
 - i) Patron- for Members serving the first term upon election;
 - ii) Patron/Promoter- for Members serving two terms;
 - iii) Patron/Promoter/Overseer- for Members serving three terms
- a) Limit the term of Members of Parliament to three terms and

- b) The NGCDF Board to undertake the following-
 - i) Capacity builds all Committee members;
 - ii) Work closely with other government agencies and
 - iii) Collaborate with civil society organizations

COMMITTEE OBSERVATION

41. The proposed further amendments would unreasonably and unduly expand the subject matter of the Bill.

3.1.8 Ministry of interior and co-ordination of National Government, State Department for interior & Citizen Services

42. In a letter Ref: MICNG/SEC.1/27/1 dated 3rd December, 2021 the Ministry noted that, article 201 of the constitution sets out several principles that guide the utilization of public finances and among these are equitable sharing of resources, equitable development and use of money prudently and responsibly. These principles are reiterated in the Public Finance Management Act.

43. The main purpose of the National Government Constituencies Development Fund Act, 2015 is to address the socio-economic development of the people at the Constituency level. The government is therefore obligated to disburse funds to all the constituencies in the country to achieve this goal.

Justification

44. Among the key projects supported by the fund is the infrastructure development of police stations hence the improvements of national security in general. In most constituencies, police stations have dilapidated and inadequate structures not conducive for police work.

45. In the police stations that have benefited from the fund, there is a remarkable improvement in their general conditions. With the increase in the funds sought many police stations are likely to benefit.

46. The Bill is a noble initiative and should be supported.

COMMITTEE OBSERVATION

47. The security sector is vital has immensely benefited and will continue to benefit
- 3.1.9 Ministry of Education, Office of the Principal Secretary, State Department of Early Learning and Basic Education
48. In a letter Ref: MOE.GEN/3IL/8/VOL.XIV (L) (33) dated 1st December, 2021, the Ministry stated that, the National Government constituencies Development Fund (NG-CDF) plays an important role in enhancing socio-economic development at the grassroots level to reduce poverty through the support of key projects such as issuance of bursaries to needy learners in institutions of basic education and infrastructural development in schools.
49. Therefore, an amendment to the National Government constituencies Development Fund (NG-CDF) Act, No. 30 of 2015 to increase the revenue appropriated to the NG-CDF from 2.5% to 5% will go a long way in: -

Justification.

- a) Promoting every child's right to free and compulsory basic education;
- b) Enhancing access to schools for special needs learners and learners from minority and marginalized groups;
- c) Improving entry and retention in schools;
- d) Securing the 100 percent transition rate from primary to secondary schools;
- e) Ensuring there is adequate infrastructure in schools aimed at improving the quality of education; and
- f) Reducing the cost of education for parents.

COMMITTEE OBSERVATION

50. It is evident this Fund has benefited and will continue to benefit in improving the education sector if increased.

CHAPTER FOUR

4.1 PUBLIC HEARINGS HELD IN CONSTITUENCIES

51. The law and the standing orders also provide for public participation during the legislation process. Public hearings in Kenya is based on openness and accountability, including public participation in financial matters and ensuring that public finances promote an equitable society.
-
52. The Committee identified twenty-seven regions based on the former provinces and selected counties per region where public hearings were to be conducted. The Committee held public hearings in twenty-four counties intended at collecting views from the members of the public on the proposal to increase the allocation to the National Government Constituencies Development Fund from 2.5% of the national government share of revenue to 5 %.
53. In this regard, the Committee undertook public hearings on the Bill in the following counties: Nakuru, Uasin Ngishu, Nandi, Turkana, Isiolo, Meru, Machakos, Nyeri, Muranga, Kirinyaga, Lamu, Mombasa, Kwale, Kisumu, Bungoma, Garissa, Taita Taveta, Kitui, Kiambu, Nairobi, Bomet and Narok.
54. In preparation for the engagement, notices were put on the Daily Nation and the Standard newspapers.
55. During the public hearings, the public was encouraged to provide comments through either Verbal comment/s with regards to the proposed increment of the fund from 2.5% to 5%. Or submit a written comment to the Chairperson of the delegation and finally Submit a comment on the Parliament website
56. The hearings provided an opportunity for members of the public to briefly scrutinize the benefits brought about by the constituencies Development Funds (CDF), the public mentioned a number of projects and programs undertaken in various constituencies. In the process, some general issues arose. These included stalling of NG-CDF projects, increase in projects costs, non-sufficient bursary allocations among others. In conclusion, the members of the public supported the proposed increment to the Fund since this will go a long way in solving the challenges brought about by the relatively low allocation to NG-CDF.
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4.1.1 PUBLIC HEARING IN NYERI TOWN CONSTITUENCY (NYERI COUNTY)

57. The Committee held its public hearing on 12th October, 2021 and the Public highlighted the importance of the Fund and how it has improved their lives. The youth unanimously supported the proposal to increase the fund from 2.5% to 5% and were in support with the following justifications.

- a) Bursary plays a vital role in the completion of school by the students since most parents cannot afford to cater for school fees to the required levels. Therefore, the increment would allow more students to access education through bursaries;
- b) The transition of students to a higher level of education has been achieved due to the disbursement of bursaries to the neediest students. The Population is growing rapidly hence the need for extra school infrastructure and this can only be achieved through increasing the said fund to cover the larger population;
- c) Insecurity was rampant in Majengo area in Nyeri town due to the lack of proper amenities that would prevent vandalism and robbery. Using the NG-CDF street lights were constructed which improved the security in the area. However, more projects of this kind are required and it can only be achieved through increment of the fund as proposed in the Bill;
- d) Sports is a vital activity in talent development and keeping the youth active so as to refrain from engaging in unwanted activities such as drug abuse. NG-CDF has played a big role in ensuring that the youth have access to equipment necessary for sporting activities. Increment of the fund would ensure majority of the youth have access to sports and other sporting activities hence talent development;
- e) Unemployment is one of the major setbacks to the youth but the NG-CDF Projects have given the young people opportunities to work in construction sites and the Information Communication Technology (ICT) hubs hence providing the youth with short term employment. Therefore, increment of the said fund would create more jobs for the youth thus the Youth of Nyeri County are in support of the said amendment and
- f) The NG-CDF Act supports construction of many projects especially in the education sector, but there has been challenges in making sure these projects are functional to transform the lives of the people in the society. This is due to incompleteness of the said projects due to limited Funds allocated by the National

Government. It is important to increase the funds to 5% as proposed by the Bill to allow for completion of projects hence benefitting communities.

4.1.2 PUBLIC HEARING IN SEME CONSTITUENCY (KISUMU COUNTY)

58. The Committee held its public hearing on 12th October, 2021 and the Public highlighted the importance of the Fund and how it has improved their lives. The youth unanimously supported the proposal to increase the fund from 2.5% to 5%.

59. The following made submissions

- a) Mr. Henry Ochuenye Oko from North Seme Sub-County who worked as an untrained teacher, Judiciary officer up to the level of Chief Executive Officer, served in the Goldenberg Commission and is currently the chairman of Luo council of elders in Seme.
 - b) Mr. Odipo Boniface – Kenya Secondary Schools heads association Chairman- Seme Branch
 - c) Mr. Ogola Board representing the Churches who is also a board member of three schools
 - d) Ms. Margret Owuor representing women in Seme
 - e) Ms. Margret Athiambo from seme North;
 - f) Mr. Dedan Otieno representing Boda Boda and also the chairman of the Boda Boda association in seme;
 - g) Mr. Cosmas Seme sub-County sports coordinator.;
 - h) Mr. Joseph Odhiambo Jumba- Board Member Seme Kenya medical training College and Mr. Edwin Gor (Board of management member Seme teachers' college) representative of Technical Training Colleges – Seme Teachers College;
 - i) Mr. Oguda- assistant chief North Alungo supported the amendments for increment from the current 2.5% to 5% and
-
- j) Mr. Ben Othiambo is a retired health officer.

60. The summary of verbal submissions made to the Committee during the public hearing undertaken in Seme Constituency in Kisumu County was as follows; -.

- a) There is a shortfall of CDF money due to the topography of the land, high population hence bursary is not sufficient. Schools Laboratory is not Modern hence the need to modernize therefore 2.5% is not sufficient;
- b) Suggest CDF allow sinking of boreholes in schools generated by solar panels since due to the Covid-19 pandemic more water is needed. Security for fishermen, swimming pools in our schools for training and hence natural sports competition. More police line. Disabled are not taken care of and therefore support the amendments for increment from the current 2.5% to 5%.
- c) There is a need to have at least two laboratories in each school, the new CBC curriculum needs to take into consideration in the funding of schools, therefore, more funding is essential, Water harvesting through the roof catchment, Schools' buses at least 30 buses in the sub-County and Bursary and scholarships need to be improved.
- d) Members of the churches are introduced in the sharing of the resources at least a small portion;
- e) CDF funds help in the construction of access roads to schools.;
- f) Security lights in the homestead or Police stations in the homestead;
- g) Construction of markets.
- h) There are 7000 membership and have so far trained 1000 members and requested more shades to be constructed for the Boda Boda operators and therefore supports the amendments for increment from the current 2.5% to 5%.
- i) The proposed increment of the funds will mean more money for sports, music, martial arts need to be harmonized;
- j) Training of referees and coaches could be made easier through funding from CDF could also be used for sponsoring a tournaments boat raising can be organized and players can also be NHIF cards;
- k) For the construction of more Dining halls, resource centers for learning, buying of college buses so far only one MTC has a bus and
- l) The drafting of constituency development focus policy.

4.1.2 PUBLIC HEARING IN NAVAKHOLO CONSTITUENCY (KAKAMEGA COUNTY)

61. The Committee held its public hearing on 12th October, 2021 to get the public views and thereafter the Public highlighted the importance of the Fund and how it has improved their lives. The youth unanimously supported the proposal to increase the fund from 2.5% to 5% citing the following reasons.

62. Mr. Walter Mwanga Nasokho- Kenya Primary Schools Headteachers (KEPSHA) chairman, Navakholo Sub- County said the KEPSHA fraternity is geared towards the improvement of access, equity, and governance of education in Navakholo Sub County. A mission is to exit poverty in the sub-County through education to fulfill development goals as agreed in global and national forums including Education for all (EFA), The Millennium Development Goals, and Vision 2030.

63. The Motto is “Only good teaching will deliver good education”. We have discovered that Navakholo Sub County has a highly stimulating academic environment that can be put into use but have been affected by: Untapped manpower, Lack of role model’s maximum use, Parents meeting their obligations, Rate of drop outs, Lack of facilities , Harsh weather conditions, Rewarding of performance, Benchmarking, Condemned classrooms, No roof catching, Sanitary facilities, Scholarships, Lack of electricity, Lack of internet, Lack of proper administration offices, Lack of adequate classrooms, Feeding programs and Sanitary towels

64. If the CDF kitty is increased from 2.5% to 5%, then if not all, some of the needs can be accomplished.

THE RATIONALE BEHIND THE JUSTIFICATION OF INCREASING NG-CDF FUND FROM 2.5% TO 5%; VIEWS FROM PUBLIC HEALTH BY MATIKHO JOSEPHAT & LIBINA SEWAMBANI- HEALTH SERVICES

HEALTH SERVICES

65. As much as health is a devolved function, it’s the responsibility of the government to protect and advance health care services to its population. The county governments alone cannot coexist and more so ensure that its people have access to quality health care on their own hence needs a supplement in terms of resources from the national government. The following thematic areas will be attended to fully if there are more resource allocations:

- a) **Prepare and respond to emergencies:** There should be an emergency Kitty/fund which will help the constituency to respond whenever a disaster strikes. Increased funding will provide an operational plan for developing and maintaining a system of public health workforce readiness, deployment and response.

- b) **Improve infrastructure and preventive maintenance of health facilities:** Increased NG. CDF allocation will help the MP to add more health facilities to match the demand in his/her area of jurisdiction in relation to the grievances forwarded to the office. The public will not understand that a health department is a devolved unit hence they will present their grievances to MP and expect him/her to offer solutions/ alternatives.
- c) **Employment of staff:** Increased fund allocation will help the NG.CDF office to engage staffs on a short term basis which will reduce staff shortage. For instance, this reduces staff ratio shortage hence effective service delivery. Initially, CDF used to employment in health care services.
- d) **Training and capacity building of stakeholders to reduce skill gap:** If funds are available, staff will be given technical advice to enhance their skills. In addition, training and specialized workshop will be planned to provide updates and alert the staff on current affairs. The office of MP will also plan for distance coaching and mentoring of staff. Also benchmarking would be factored among stakeholders.
- e) **Staff houses:** If funds are available, staff houses will be constructed hence staff will have to stay within health facility compounds. If staff will be staying within the compound, then there will be minimal inconveniences. The opening and closing hours will be affected positively. Also, night emergencies will be attended to because staff will be reached whenever there is an emergency.
- f) **World health calendar days:** if funds would be available, the office of the MP will have to engage the electorates during special days in celebrating various days with special themes across the year e.g., world TB Day, world cancer awareness and communicable and non-communicable diseases
- g) **NHIF Cover:** If the allocation will be increased the office of the MP shall have the ability to cover needy cases that can't access or afford health care on NHIF. The needy families will be identified and be paid NHIF premiums
- h) **Medical camps and social Behavior change programs:** An increased allocation will help the office plan for medical camps especially in addressing medical conditions e.g., eye medical camps to address ophthalmic infections, cancer and

diabetic medical camps. Also, Youths will be reached with HIV-related programs if funds are available.

- i) **Environment and Water:** Clean water and a clean environment have a direct link to good health. If funds are available, markets can be provided with sanitary facilities, Proper storage water tanks to public places, Protection of springs and other water sources. Also, markets will be kept clean by providing wastes bins or receptacles to addressed solid waste disposal.
- j) **Bridges and Road network:** There is a need to increase allocation to improve road network that has immensely affected service delivery of essential services e.g., Out reaches services, ambulances services, etc.
- k) **Community Health Strategy-** There's a need to increase the allocation to enhance community health units by supporting them with financial resources to initiate Income Generating Activities (IGA). For instance, the current allocation under Uwezo Fund was only able to cater for 10 community unit groups which were not enough to cater for all. Hence, if the allocation is increased, all the groups would be considered. This will increase the service delivery across the community unit groups.

VIEWS OF RELIGIOUS LEADERS BY: BISHOP COSMAS OKUMU AND SHEIKH OMAR WEKULO

The church/mosque plays a great **role in the governance of the Country**. They are always consulted at all times, both trying moments and moments of laughter. For instance, recently we had the Covid-19 Menace hit us, the nation had to organize a prayer day for the whole nation to seek intervention with God. In all functions, religious leaders are requested to offer the prayer, to link us with God, and seek His mercy, as well as guide and protect those involved in addressing the subject at hand.

At times of conflicts amongst National leaders (both political and non-political), the church plays ~~a key role in bridging the gap, and mediate. The church/ mosque thus plays a major role in the~~ promotion of peace and stable governance of this country.

66. The church/mosque as well serves as a home for orphans, widows, widowers, those displaced by floods, those displaced at times of conflicts. The church too serves as a rehabilitation center for corrective actions.
67. Churches/mosques are the key sponsors of learning institutions. As such, they offer space for the establishment of schools, colleges, universities and other learning institutions. In all these, the church needs to contribute towards upkeep and well-being of such.
68. Church/mosque plays a pivotal role in straightening morals amongst citizens. The church/mosque teachings to youths help the country curb immoral activities like drug and substance abuse, sexual immoralities, and even respect amongst the community members.
69. However, the government at some point attempts to sideline the worship centers in terms of empowerment. There are several things we believe can be supported by the government. These include:
- a) Support to organize and facilitate sub-county prayer session
 - b) Support to buy equipment for use in worship centers
 - c) Support for expansion
 - d) Support to handle emergencies, for example, and collapse of church/mosque would need the support of it to be reinstated.
 - e) Capacity building of religious leaders
 - f) Training of religious leaders, to improve on their knowledge to fit their congregations.
 - g) Electricity connection, just like the government helps schools to get connected.
 - h) Financial support to run the rehabilitations, just like the rehab centers get supported.
70. We believe the government through local leadership can be in a greater position to offer this support to the religious institutions within their jurisdictions.
71. An increase in CDF allocation thus we believe would increase the CDF scope on the support geared towards religious organizations.

VIEWS OF THE PEOPLE WITH DISABILITIES (PWDs) BY: RAMADHAN NYONGESA AND BARTHEZ WECHULI

72. Students living with disabilities should be given a full scholarship by CDF to special schools, colleges and universities.
73. In schools, special toilets be constructed for students with disabilities and a special school in each sub County which will cater for students with disabilities, Wheelchairs, white canes, hearing aids and drugs for epileptic and mental challenges at the sub County facilities, Special

fund (Empowerment) in all constituencies so that PWDS can do small businesses, Disability awareness kitty in all constituencies, A special vehicle for PWD in every constituency, Special beds for people with disabilities in hospitals, Sports fund for PWD.

74. These are some of the things that the government can deal with in regards to PWDs. We think, this can be well addressed by our local leaders, as they are so close to us. Unfortunately, with limited resources in terms of budgeting, PWDs are subjected to a bit of inconvenience while in these areas, stated above.

75. Increased funding so that the challenges can be addressed, with aid of the government.

VIEWS OF THE YOUTHS BY MAKARIOS MASAKHA, CALYSTUS WANJALA, FAITH NANYAMA SIKANGA, ASHIM MULIKA, SCHOLASTICAH OTUYA

Education:

76. Most parents in the western region were relying on farming, i.e., cane farming, maize farming, dairy farming, as a major source of income, considering the employment rate. Thus, supporting the school-going children was out of the proceeds. However, with climate changes, the downsizing of industries like sugar industries, paper mills, the sources of income have narrowed down. The burden of school fees, socioeconomic and other aspects have gone up. There is thus a need for the National government to come in and support these low-lying families, and that can be affected through CDF.

77. With the 100% transition, we are having more enrollment to secondary schools, and equally impacting on the intakes into universities, colleges and tertiary institutions. There is thus a visible increment in the reliance on government support.

a) Bursaries:

78. One way in which CDF supports education is through Bursaries. However, the amount disbursed as a bursary to these students is peanut in most constituencies. Take a case of a student joining the KMTC in Navakholo. Assuming they pay fees of Ksh. 60,000 every year, and the CDF awards the student Ksh. 8,000. Kshs. 8,000 against Ksh. 60,000 tuition fees may not be properly thought out.

79. Further, the establishment of vocational colleges in every Constituency may increase enrollment into post-secondary institutions. There would soon be pressure mounted on the Bursary vote head in the CDF kitty, and the implications being lowering the amount awarded.

This can however be rectified in advance by raising the amount allocated to the constituencies for development.

80. We need to support even the church leaders/pastors/other learning programs in capacity building. For instance, the church leaders go for further training and get partial sponsorship of the church, whereas some sponsor themselves to cater for the training costs.
81. The Boda Boda sector is one major sector contributing to the development of the country economically but ends up in brush with the government over driving licenses. CDF could take up and support these youths, as most of them end up in the industry due to economic constraints back home. By offering them driving classes and catering for their DLs, they would have boosted their operations.
82. An increment in the allocations to the CDF may necessitate widening the scope for support of education by the Government
 - b) *Scholarships:*
 83. An increase in funding to CDF would have an impact on the support the constituency gives the needy students. It would be easy and of value, if CDF identified a bright student(s) but from a needy family, and take them through secondary education, through to post-secondary education. With such, the value added to the student using the funds would be worth it.
 - c) *School feeding programs*
 84. The government has played a major role in ensuring children are kept in school, with directives to School heads not to send home the children. However, the challenge that hinders performance is when these school-going kids end up spending a day without a meal. Their concentration would automatically be distracted.
 85. Increasing CDF allocation would expand the scope of support by the leaders, including supporting school-going kids to have meals at school. This would promote the performance at long last.
 - d) *Interns/BOM teachers.*
 86. CDF can as well pay them, while they are still waiting for formal employment, to reduce the brain drain. What would be the essence of supporting a child through secondary and post-secondary education, then leaving them for ages roaming in the constituency without work? To get value from these investments, CDF kitty can be used to keep them engaged in Constituency development activities like teaching, supporting work in National departments within the constituency, while they wait for the calling letters.

INFORMATION COMMUNICATION TECHNOLOGY (ICT)

- a) Schools need to be equipped with ICT facilities since we are moving into a tech-advanced era. We have seen from the Covid-19 experience in online learning has been paramount. This has the disadvantaged majority of Kenyans, owing to the fact that most schools are not IT- Equipped and
- b) Establish and equip an ICT Hub, equip and accord it a conducive environment to support the users. For research, create jobs, internships.

SPORTING AND ENTERTAINMENT ACTIVITIES

87. In the current era, it's evident that sporting entertainment activities/talent utilization is a key source of income for the participants. Maximum exploration of talents would help us reduce the unemployment rate. Sadly, we are likely not to identify these talents in remote areas due to the fact that the resources to nurture and expose are limited. Some of the facilities/resources needed to explore these talents include:

- a) Sporting complex; this would help nurture talents, as well as exposure of the residents. Recently, we had the Olympics and Paralympics in Kenya. It's through such that faces like Omanyala Ferdinand popped out. Having working sports complex can give more of such opportunities to identify, train and develop their talents. This can only be achieved if we support the leadership in the Mashinani.
- b) Attires and other sporting equipment in schools, and the public. That's through sponsorship of tournaments in the constituency, have scouts picking the better participants. Recording studios to promote music, comedy, video productions.
- c) Support/acquisition of musical instruments for the artists, as well as exposure to the outside arena, Sporting and entertainment activities promote cohesion and integration.

88. Sadly, we are likely not to realize these considering the resources channeled to it. We believe, a considerable allocation from the CDF to the parties would support them explore their talents, ~~and end result being creation of employment. Should we consider to adjust upwards the~~ allocations to constituencies, then there is an expected injection by the CDFs into these unexplored areas of sports and entertainment.

ELECTRICITY;

89. One of the SDGs being clean energy, and the vision 2030 having a majority of households connected to affordable sources of energy, empowering the constituency patrons could be a

better way to achieve this. Currently, the national government has managed to connect households to power. However, some transformers referenced are unused, and yet they are in the constituency. Other regions within the country could be completely unattended, owing to political rifts. These gaps could be sealed if the costs of connecting the people to electricity are decentralized, and the Constituency leadership mandated. Assuming there was allocation by CDF to ensure connectivity to completion, they would honestly implement.

CONSTITUENCY EMERGENCY VEHICLES

90. There is need for constituency vehicles to help address some cases within the constituency, as well as necessitate mobility of the staff. An increase in allocation to Constituencies would enable them procure and maintain office vehicles that would aid in operations. Some constituencies might have bought, but this has a certain impact on other parameters of the vote head.

4.1.4 PUBLIC HEARING IN NDIA CONSTITUENCY (KIRINYAGA COUNTY)

91. The Committee held its public hearing on 13th October, 2021 in Baricho Hall and the Public highlighted the importance of the Fund and how it has improved their lives. The youth unanimously supported the proposal to increase the fund from 2.5% to 5% citing the following reasons.

- a) The elders of Kirinyaga County are in support of the NG-CDF Bill due to bursary allocation that has enhanced education in the area and has given opportunities to most needy students to complete school and transition to the next level;
- b) Having represented the Churches of Kirinyaga, the gathering was informed that NG-CDF has brought an immense contribution to the development of school infrastructure. Also, for orphans and the neediest students have been given equal opportunities to access education and achieve the desired dreams in their lives. On behalf of churches and all religious leaders, they are in support of the proposed amendment as indicated in the Bill;
- c) From the impromptu meeting held by the Nyumba -Kumi representative on the said bill, it was evident that the increment of NG-CDF allocation forms the National Shareable revenue from 2.5% to 5% will further ensure that the education sector in terms of infrastructure and bursary allocation has been improved. More so the security infrastructure will be increased hence improving security in most villages.

Therefore, the representative of Nyumba-Kumi agrees with the proposed amendment as it is in the Bill;

- d) Since the initiation of NG-CDF in 2003, the education sector has been well catered for, more so after the enactment of the new Act of 2015 which gives NG-CDF a mandate to support education-based projects mostly. The fund has brought about the following changes in the education sector: It has decongested classrooms due to construction of new classrooms in schools: The performance of students has improved due to conducive learning environment I school: Transition of students of students to higher learning has increased as well as increased enrolment to schools due to bursary allocation and Other school amenities such as dining halls and multipurpose halls have been constructed in learning institutions. Therefore, there is a need for more projects in schools and other learning institutions, therefore it's important for the said fund to be increased to 5% as proposed in the Bill;
- e) The Youth of Kirinyaga have immensely benefitted from the ICT Hubs that were supported by the NG-CDF, through the ICT Hubs the youth can access employment through the AJIRA Program. Also, the youth are now able to learn the use of ICT and access internet services freely. The Government needs to increase the number of ICT hubs in constituencies to provide access to a larger number of youths in the area;
- f) On sports, there is evidence of youths joining National teams to participate in sports as well as earn a living through sports and this has been achieved by the provision of sports equipment and items that has enhanced the development of talents in various categories. Therefore, the youth of Kirinyaga are in agreement on the increment of the NG-CDF from 2.5% to 5% as proposed in the Bill and
- g) Special needs schools in the Country at large are very few and do not cater for the needs of all kinds of disabilities. It is therefore the wish of people with special needs to have more special schools and amenities that would allow them to access education easily and live life like any other normal person. The NG-CDF should also relook into the matter of increasing the said schools and are in support of the amendment.

4.1.5 PUBLIC HEARING IN KIHARU CONSTITUENCY (MURANGA COUNTY)

92. The Committee held its public hearing on 14th October, 2021 and the Public highlighted the importance of the Fund and how it has improved their lives. The youth unanimously supported the proposal to increase the fund from 2.5% to 5% citing the following reasons.

- a) Allocation of NG-CDF has positively impacted the lives of people in Kiharu through the following efforts: Improvement of school's infrastructure and allocation of bursary to needy students: Housing of Administrators such as Chief's, County Commissioners has been improved therefore providing conducive living environment.: Enhancement of Security through construction of security infrastructure such as offices and housing: Increased enrolment of students in schools: However, there are challenges in completion of the said projects especially at the end of a Parliamentary term this is usually due to scarcity of funds to complete the said projects;
- b) Increment of NG-CDF to 5% is a positive move, however the demystification of the fund by the public that the fund is for Members of Parliament (MP) has led to disbelief that the fund does not support development but only enriches those close to the MP. It is therefore important for civic education to be conducted to create awareness to the public on how the fund operates and the channels of accessing funds such as bursaries by the public;
- c) The said fund has transformed lives in many aspects, especially equal access to education by students be it a needy or able ones. The fund has also enabled police gazettement of police stations and this due to continuous construction of the security facilities and realization of the dream that police sector would be reformed;
- d) It is evident that the fund has brought immense development especially in the education and security sectors. But more needs to be achieved since the population in villages is increasing hence need for more services and therefore increment of the fund would ensure services are rendered to the growing population and
- e) The proposal to double the allocation has come at the right time when the people of Kiharu need it most. Covid-19 has affected most business and there are many children loitering around without attending schools. The increase in funding would ensure that bursaries are given to the majority of students and in every ward.

4.1.6 PUBLIC HEARING IN BAHATI CONSTITUENCY (NAKURU COUNTY)

93. The Committee held its public hearing on 14th October, 2021 and the Public highlighted the importance of the Fund and how it has improved their lives. The youth unanimously supported the proposal to increase the fund from 2.5% to 5% citing the following reasons.

- a) The Fund has sponsored sporting activities which have brought on board more youth. Increasing the fund will increase allocation to sports and other talents and hence create more employment;
- b) The Fund has been very instrumental in sponsoring poor learners to complete education through the issuance of bursary. However, the amount of bursary allocated per term is small due to the increasing number of needy learners. This has led to learners dropping out of school. The youth therefore support the proposed increment to the fund since bursary allocation per learner shall increase;
- c) The NG-CDF has substantially improved infrastructure in schools with the construction of classrooms, toilets and dormitories. Despite the efforts a number of projects have stalled due to lack of funding. According to the youth, increasing the fund will ensure timely completion of projects and prevent the stall of these crucial projects;
- d) The youth in their submission also highlighted the increased cost of education particularly the Competency Based Curriculum as a reason for supporting the proposed increase. The increment will subsidize the cost of competency-based curriculum (CBC);
- e) The ICT hubs constructed by the NG-CDF fund is also an important factor why the youth supported the increase. The hubs have facilitated online learning and working particularly during the Covid-19 period and are projected to be game changers in the local economies. Increasing the NG-CDF fund will avail funds for the construction more of such hubs further contributing to youth empowerment;
- f) Support to talents for example artists, fashion and design, tailoring among other have not received substantial support from the fund and therefore the public supported the proposed increment to bring on board talent support programs at the constituencies. This will reduce crime, drug abuse and other vices associated with unemployment;

- g) The 100% enrollment to primary schools and subsequent transition to secondary school has increased the demand for classrooms and other school infrastructure in public schools. The efforts to meet the demand have proven futile in the current allocation of 2.5% as submitted by the public and therefore the proposed increase is welcomed;
- h) The public supported the proposed increment due to the increasing number of needy learners who require bursary support since the fund currently cannot match the demand for bursaries and
- i) The NG-CDF has also supported development and improvement of infrastructure for public administration officers. This has enhanced access to justice and better living and working conditions for the officers. The increasing population requires more provincial administration offices and thus the public supports the proposal to increase the fund from 2.5% to 5%.

4.1.7 PUBLIC HEARING IN ALDAI CONSTITUENCY (NANDI COUNTY)

94. The Committee held its public hearing on 15th October, 2021 and the Public highlighted the importance of the Fund and how it has improved their lives. All but supported the proposed increment of the fund from 2.5% to 5% citing the following reasons.

- a) The fund has positively impacted the lives of needy learners who would have gone without education if the fund was not available. The number of needy learners who require bursary allocation has increased and therefore the fund should be increased;
- b) The increased population has brought about the need for more school infrastructure and with limited land for expansion has led to increased cost of infrastructure in schools due to the need to develop modern buildings for instance, stored structures. Increasing the fund will match the rising cost of infrastructure in schools;
- c) The public in their submissions that the NGCDF is felt more than any other devolved fund and some suggested its increment to even more than 5%;
- d) The public supported the proposed increment of the fund and recommended that the mandate of the fund be expanded to include water, electricity and roads to compliment the efforts of other government agencies;

- e) The public also cited the increased cost of learning as a result of CBC and hence supported the proposed increment since it will enable allocation of more bursary to needy learners relieving parents of the big cost of the curriculum;
- f) The fund has sponsored sporting activities which have brought on board more youth. Increasing the fund will increase allocation to sports and other talents and hence create more employment and
- g) The fund has been very instrumental in sponsoring poor learners to complete education through the issuance of bursary. However, the amount of bursary allocated per term is small due to the increasing number of needy learners. This has led to learners dropping out of school. The public therefore support the proposed increment to the fund since bursary allocation per learner shall increase.

4.1.8 PUBLIC HEARING IN TURBO CONSTITUENCY (UASINGISHU)

95. The Committee held its public hearing on 15th October, 2021 and the Public highlighted the importance of the fund and how it has improved their lives. All contributors supported the proposed increment of the fund from 2.5% to 5% or more citing the following reasons.

- a) The cost of school infrastructure has gone up while the Ministry of Education has issued guidelines prohibiting parents from contributing towards school infrastructure. Increasing the NGCDF will therefore help in improving infrastructure in schools;
- b) The NGCDF has been supporting other core curriculum activities for example purchasing of school buses to transport learners to sports and music events. Despite this, few schools have buses due to lack of funds and therefore increasing the fund is welcomed;
- c) The demand for bursary has increased tremendously due to the increasing population of poor learners. Increasing the fund will subsequently increase the allocation for bursaries;
- d) The fund should be increased and more mandate given to it to provide other services to the vulnerable members of society for example purchase of sanitary pads for female students and purchase of assistive devices for those living with disabilities;

- e) There is no more room for expansion of existing schools and for construction of new schools despite the increasing demand. The public therefore supported the proposed increase of the fund to 5% or more so as to avail resources to purchase land for school expansion and construction of new schools;
- f) Increasing the fund shall reduce the time for project completion and also reduce project stalling and therefore guaranteeing value for money to the citizens;
- g) There is need for modern centres for persons with disabilities which cannot be developed at the current level of allocation to the fund and thus the need for the proposed increment;
- h) There is need to increase support to the elderly for example paying for them the NHIF programs will alleviate the burden of medical costs and
- i) The Public also highlighted the increased cost of learning as a result of the new CBC curriculum and therefore support the proposed increment since more resources shall be availed to subsidize the co

4.1.9 PUBLIC HEARING IN TURKANA CENTRAL CONSTITUENCY (TURKANA COUNTY)

96. The Committee held its public hearing on 16th October, 2021 and the Public highlighted the importance of the fund and how it has improved their lives. All contributors supported the proposed increment of the fund from 2.5% to 5% or more citing the following reasons.

- a) The fund has greatly impacted positively on the local Mwananchi it has supported the purchase of school buses that transport learners to schools which promoted enrollment in schools particularly in Turkana County where there is a major challenge of insecurity. Increasing the fund will lead to the purchase of more school buses hence encouraging education in Turkana and other ASAL regions.
- b) Infrastructure for public administration is very crucial in reducing insecurity in areas prone to security threats. The NGCDF has supported infrastructure for public administration officers however the demand cannot be met due to vastness of some areas. Increasing the fund will avail resources to help in devolving security to the smallest unit in the community.
- c) The public also supported the increase and recommended equitable distribution as opposed to equal allocation per constituency.

- d) The allocation should be increased and given additional mandates for example the fund should support the school feeding programme in areas prone to drought.
 - e) The emergency fund is not enough particularly in areas with security threats like Turkana.
 - f) The fund should be increased to support development of modern infrastructure in schools for instance schools in Turkana and other areas needs to be fitted with temperature regulating facilities due to extreme weather.
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4.1.9: PUBLIC HEARINGS IN ISIOLO NORTH CONSTITUENCY (ISIOLO COUNTY)

97. The Committee held its public hearing on 18th October, 2021 and the Public highlighted the importance of the fund and how it has improved their lives. All contributors supported the proposed increment of the fund from 2.5% to 5% or more citing the following reasons.

- a) The proposed increment shall lead to increased bursary allocation to needy learners which is currently not enough;
 - b) Some of the NGCDF projects have stalled due to lack of funding. The proposed increment will ensure that all projects are completed;
 - c) Some regions like Isiolo County are vast and require more schools which cannot be developed at the current level of funding;
 - d) The NGCDF has proven to be the best run devolved fund with few audit queries and therefore the more the funds the more the benefits;
 - e) The fund should be increased and the given an additional mandate to support the school feeding programme and
 - f) The fund should be increased and an additional mandate of drilling boreholes in arid and semi-arid areas which face perennial water challenges.
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4.1.10: PUBLIC HEARING IN GARISSA TOWNSHIP CONSTITUENCY (GARISSA COUNTY)

98. The Committee held public hearing on 19th October, 2021 in Garissa National Library Hall and following members of the Public made their submissions: -

- a) Mr. Mohamed Khalif – a member of civil societies, a chairman of fifty CBO’S and a retired teacher, Mr. Hassan Osman, Mr. Harun Mohamed Ali- from Dadaab Constituency and the chairman of Dadaab Constituency Development Committee, Ms. Maryan Bundid- from Fafi Constituency, Mr. Bashir Dahiye- from Ijara Constituency, Mr. Aden Bile- Chairman Disability Garissa County, Mr. Mohamed Abey Mohamed from Lagdera Constituency a former speaker of Garissa County Assembly, Mr. Mohamed Ahmed – Representative of the disability, Mr. Noor Mowlid- youth representative, Mr. Somane Gedi- Youth from Garissa Township Constituency, Mr. Noor Daud- Fafi Constituency, Mr. Hussein Mathobe from Ijara Constituency a youth Representative, Mr. Siyat Abdullahi from Balambala Constituency, Ms. Fatuma Ahmed from Garissa Township Constituency, Mr. Abdullahi Samey, Ms. Halima Aden Mohamed from Ijara Constituency, Mr. Gabow weirah , Mr. Mohamed Kathiye chairman of the six fund managers of the six constituencies of Garissa County namely, Garissa Township, Ijara, Balambala, Fafi Dadaab and Lagdera Constituency, Mr. Noor Bashir from Ijara Constituency, Mr. Aden Abdullahi a teacher and Mr. Bulhan Yusuf a teacher in Fafi Constituency highlighted the importance of the fund and how it has improved their lives.

99. All contributors supported the proposed increment of the fund from 2.5% to 5% or more citing the following reasons.

- a) CDF eradicated poverty and removed social imbalances from 2003 since CDF funds commenced so is an idea whose time has come therefore if it is humanly possible 15% of total allocation be allocated for bursary;
- b) CDF is a good and particularly Garissa Township development same as the rest of the Country and therefore the increment from the current 2.5% to 5% has our approval. Since inception of the funds, it has helped people of north eastern from security, scholarship and infrastructure development so therefore I support the Bill

and I believe nobody who understand importance of the Fund can threaten with a court order if passed;

- c) During the drought CDF it is the only fund that has assisted the people a lot through water tracking to remote areas of the Country so drilling of boreholes Health should be included in the acceptable projects under CDF funds and make passing this Bill a priority in their business and include as acceptable projects;
- d) CDF is the only government funds that considers and includes disable persons in their programs and contracts;
- e) Proposed the constructions of Madrasas classrooms mosques and churches be funded from CDF Funds be part of the programs sponsored by the CDF funds as it is the most accessible government funds in the Country;
- f) Fees payment through bursaries and scholarships and construction of classrooms both Madrassa and schools should be priority;
- g) School dropout has reduced since the inception of CDF, there was a boy who got 398 marks in KCPE who could not get sponsored but due to the Courtesy of Garissa Township Constituency CDF he is now studying in Garissa High School. Animal feeds should be included in the program allowed in CDF funding since animal rearing is economic backbone of the people in this region it will be an economic stimulus;
- h) Since independence CDF is the best managed funds that reaches all the corners of this Country and water needs to be put as the priority need in future, if possible, raise it to 7.5% to 10% and therefore supports the amendments for increment from the current 2.5% to 5%;
- i) In order to advance our development in areas like Bursaries, social amenities and security and based on our need assessment the current amount is not proportional to our needs CDF funds are easily accessible to the people and are the best example of Bottom-up approach economic model and will support triple the increase;
- j) The pain of schools drop out is most felt by the parents and teachers so I urge the committee to go and pass the proposed amendments to save the poor families form agony of their children dropping out of school. Wildlife conservation as also very important to be considered in the CDF programs;

- k) CDF has so far helped in the construction of classes, Toilets in schools and also hiring of teachers where needed and currently 15 teachers are teaching in local secondary schools in Fafi Constituency sponsored by CDF;

Conclusions

- a) CDF has promoted the welfare of the marginalized groups in the Country
- b) Is a stimulant of economic growth
- c) Has reached all corners of Kenya and is the most easily accessed funds
- d) Improved education through Bursaries and sponsorship particularly to the most remote areas of the Country.

4.1.11: PUBLIC HEARING IN TIGANIA EAST CONSTITUENCY (MERU COUNTY)

100. **The Committee held public hearing on 19th October, 2021 and the members of the public hearing highlighted the importance of the Fund and how it has improved their lives. All contributors supported the proposed increment of the fund from 2.5% to 5% or more citing the following reasons. That;**

- a) The current allocation to NGCDF is little to construct modern school infrastructure particularly in densely populated parts of the country that do not have land for expansion. These regions require construction of stored buildings which are relatively expensive;
- b) The fund should be increased and given the additional mandate of supporting electrification in rural areas. The public cited the case of the Mount Kenya region which is heavily forested and require lighting to reduce insecurity;
- c) The allocation to bursary per student is no longer sensible since some constituencies allocate as low as Ksh.2000 for a secondary student. This is brought about by the increasing population of needy learners who depend on the same kitty;
- d) The fund has proven to be the best performing among the devolved resources. The citizens can see and feel the impact of the fund despite it being relatively less and therefore will exemplarily impact if it is increased to 5% or more;
- e) The one hundred per cent school enrollment and the Competency based curriculum has increased the cost of education. The rising enrollment requires expansion of school infrastructure and the cost of CBC may be subsidized through NGCDF bursaries but cannot be achieved under the current allocation of 2.5%. and

- f) Persons with disability need learning facilities that meet modern standards but cannot be achieved under the current allocation of 2.5%.

4.1.12: PUBLIC HEARING IN LAMU EAST CONSTITUENCY (LAMU COUNTY)

101. The Committee held their public hearing on 18th October, 2021 at Mwana-Arafa Hall and the Members of Kizingitini sector submitted: that;

- a) Since development footprints by the Fund has been witnessed the proposed increment of the Funds to 5% is a noble idea. It should be noted that NG-CDF has funded construction of many projects compared to the County Government. This is because of its transparent process of implementing the use of the Fund. Therefore, members of the Kizingitini sector supported increment to even 10% instead of 5% as proposed in the Bill;
 - b) Many jobs have been adversely affected by the effects of Covid-19 and many families have been rendered poor and are struggling to feed their families especially in Lamu being a tourist dependent area. This has led to drop out of school by many students due to lack of school fees since the kitty cannot cover all families. It is therefore important for the fund to be increased as proposed to allow students to return to school and fulfil their dreams;
 - c) Most of the youth in Lamu County depend on Fisheries as source of income, but to effects of climate change there has been a drastic drop in fish in the high seas. This outcome has affected many families source of income that has led to drop out of school by many students. Increment of the fund would be increased as proposed in the bill, it would ensure the said student's complete schools and full transition to other institutions and
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- d) From the cultural perspective of people of Lamu County, many underage girls are married off young which is unacceptable by all means. It is therefore important to have rescue centers constructed by NG-CDF, to allow the girls to complete their education and provide for their families as well. This was submitted by the Chairperson of Lamu Child protection Initiative.

4.1.13: PUBLIC HEARING HELD IN MATUGA CONSTITUENCY (KWALE COUNTY)

102. The Committee held its public hearing on 20th October, 2021 and the public were requested to give their views on the increment on NG-CDF to 5%. The residents gave their views as follows, that

- a) County Government in ward level is allocated Ksh.20 million per Financial Year to cater for developmental infrastructure. But NG-CDF only gets 6 million in each ward if the amount is divided amongst the number of wards. From the above analysis it's important for NG-CDF to be increased as proposed in the Bill to cater for the needs of the people;
- b) The biggest responsibility is usually left with women, especially provision of school fees and other important needs. If the fund is increased as proposed in the Bill, then these responsibilities would reduce and most students will be able to complete school with ease;
- c) The people with disability are the most affected when it comes to access to education this is because most the funds are not enough to cater for all required infrastructures. Given a chance that the funds are increased as it is indicated in the proposal, it's important to have a special school in Kwale that would give an opportunity to the PWDs to study and achieve their desired dreams and
- d) The increase should be tripled not doubled as proposed in the Bill, this is because bursary allocation does not cater for all needy students and to allow the said students to complete their studies without disruption.

4.1.14: PUBLIC HEARING IN NYALI CONSTITUENCY (MOMBASA COUNTY)

103. The Committee held its public hearing on 21st October, 2021 in Nyali Constituency and the following was submitted; that,

- a) Bursary allocation should be increased to give opportunity to every family for purposes equity. There are many projects in the County especially education-based projects and a lot more is required and this can only be achieved through increasing the fund to 5% as proposed in the amendment Bill;

- b) Some parts of Nyali area were not accessible due to insecurity especially from the people that had been affected by use of drugs. But the NG-CDF has built facilities such as street lights which has improved the security in the area and therefore increasing the fund to 5% would give room to more infrastructure;
 - c) The challenges experienced by the residents of Nyali constituency is few or no land for construction of classrooms and other school developments, increasing the fund to 5% would allow the community to purchase land for those purposes;
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- d) Increasing education-based projects would decongest schools and give an opportunity to teachers to handle fewer students per class. This can only be achieved through construction of more schools in the area and
 - e) Building materials in Nyali is expensive since most projects are in form of stored-buildings, therefore increasing the fund would pave way for many projects to be implemented and give opportunity to most needy students to attend school.

4.1.15: PUBLIC HEARING IN MASINGA CONSTITUENCY (MACHAKOS COUNTY)

104. The public hearing was held on 21st October, 2021 and the Public highlighted the importance of the fund and how it has improved their lives. All contributors supported the proposed increment of the fund from 2.5% to 5% or more citing the following reasons. That;

- a) The NGCDF bursary is supporting a very big portion of the population, however the amount allocated per student is becoming relatively small compared to the cost of living. The fund should therefore be increased in order to scale up bursary allocation;
- b) The fund should be increased and given an additional mandate of supporting startups to empower the local communities;
- c) The public also supported the proposed increment and recommended that an additional mandate be given to the fund of supporting small scale irrigation projects in arid and semi areas for example Machakos County;

- d) The fund should be increased and given an additional mandate of supporting the school feeding programme in public schools in arid areas since learners drop out of schools due to hunger and
- e) The ICT hubs done by the NG-CDF should include libraries and youth counselling centers to address the challenges facing the youth, however this cannot be achieved at the current level of allocation and hence the fund should be doubled.

4.1.16: PUBLIC HEARING IN THIKA TOWN CONSTITUENCY (KIAMBU COUNTY)

The Committee held public hearing on 18th October, 2021 and the Public highlighted the importance of the fund and how it has improved their lives. The public unanimously supported the proposal to increase the fund from 2.5% to 5% citing the following reasons. That;

- a) The fund should be increased and consequently given additional mandate of supporting other activities in schools apart from construction of classrooms. The other activities include; capacity building for school Boards of management;
- b) The current allocation for bursaries is very little given the increasing population of needy learners and the increased costs of education;
- c) The fund should be increased to avoid stalling of projects. Most projects have stalled due to inadequate funding;
- d) The fund should be increased to enable provision of full scholarships to poor learners in the slum areas who cannot raise any amounts towards their education;
- e) The fund should be increased and given a mandate to sponsor mental wellness activities in learning institutions with an aim of addressing the mental health challenges being experienced by learners and
- f) The fund has supported infrastructure development for the security officers and should be increased to since more infrastructure is needed for example construction of strong rooms to avoid loss of firearms.

4.1.17: PUBLIC HEARING IN NAROK NORTH CONSTITUENCY (NAROK COUNTY)

105. **The Committee held its public hearing on 19th October, 2021 and the Public highlighted the importance of the fund and how it has improved their lives. All**

contributors supported the proposed increment of the fund from 2.5% to 5% citing the following reasons. That;

- a) The fund has sponsored sporting activities which have brought on board more youth. Increasing the fund will increase allocation to sports and other talents and hence create more employment;
- b) The fund has been very instrumental in sponsoring poor learners to complete education through the issuance of bursary. However, the amount of bursary allocated per term is small due to the increasing number of needy learners. This has led to learners dropping out of school. The public therefore support the proposed increment to the fund since bursary allocation per learner shall increase;
- c) The increased cost of learning as a result of CBC and hence supported the proposed increment since it will enable allocation of more bursary to needy learners relieving parents of the big cost of the curriculum;
- d) The fund has positively impacted the lives of needy learners who would have gone without education if the fund was not available. The number of needy learners who require bursary allocation has increased and therefore the fund should be increased;
- e) The increased population has brought about the need for more school infrastructure and with limited land for expansion has led to increased cost of infrastructure in schools due to the need to develop modern buildings for instance, storey structures. Increasing the fund will match the rising cost of infrastructure in schools;
- f) The NG-CDF is felt more than any other devolved fund and some suggested its increment to even more than 5% and
- g) The proposed increment of the fund and recommended that the mandate of the fund be expanded to include the provision of water, electricity and construction of roads to compliment the efforts of other government agencies.

4.1.18: PUBLIC HEARING IN BOMET CENTRAL CONSTITUENCY (BOMET COUNTY)

106. The Committee held its public hearing on 15th October, 2021 and the Public highlighted the importance of the fund and how it has improved their lives. All

contributors supported the proposed increment of the fund from 2.5% to 5% or more citing the following reasons.

- a) There is no more room for expansion of existing schools and for construction of new schools despite the increasing demand. The public therefore supported the proposed increase of the fund to 5% or more so as to avail resources to purchase land for school expansion and construction of new schools;
- b) The cost of school infrastructure has gone up while the Ministry of Education has issued guidelines prohibiting parents from contributing towards school infrastructure. Increasing the NGCDF will therefore help in improving infrastructure in schools;
- c) The NGCDF has been supporting other core curriculum activities for example purchasing of school buses to transport learners to sports and music events. Despite this, few schools have buses due to lack of funds and therefore increasing the fund is welcomed;
- d) The fund should be increased and more mandate given to it to provide other services to the vulnerable members of society for example purchase of sanitary pads for female students and purchase of assistive devices for those living with disabilities;
- e) Increasing the fund shall reduce the time for project completion and also reduce project stalling and therefore guaranteeing value for money to the citizens;
- f) There is need for modern centers for persons with disabilities which cannot be developed at the current level of allocation to the fund and thus the need for the proposed increment;
- g) There is need to increase support to the elderly for example paying for them the NHIF programs will alleviate the burden of medical costs and
- h) The Public also highlighted the increased cost of learning as a result of the new CBC curriculum and therefore support the proposed increment since more resources shall be availed to subsidize the cost.

4.1.19: PUBLIC HEARING IN WUNDANYI CONSTITUNCY (TAITA TAVETA)

107. **The Committee held its public hearing in Mwatate NG-CDF hall on 12th November, 2021. There were 361 participants during the hearing. By acclamation, all attendees unanimously agreed with the increase as proposed in the amendment Bill. The following are some of their responses based on different categories;**

- a) Elders cried of the menace brought about by the wildlife to residents. They lamented that students are the most affected since most schools have no fences thus disrupting learning in schools. They therefore agreed with the amendment hoping the additional funds will cater for fencing of schools;
- b) Youths agreed with the Bill and wanted the Fund to have more allocation for sports to nurture talents within the county to enable most of them earn a living from their passion;
- c) Women lamented of dropping of school by girls due to shame during menstrual periods and hoped that, with the increase, the fund will have enough to cater for sanitary pads for school-going girls to improve school attendance;
- d) Political representatives agreed with the increment and wanted better financial management to improve accountability and transparency in the use of the funds;
- e) People living with disabilities also expressed the agony they go through when seeking government services especially on funding, they hoped with the increment, the fund should allocate some money specifically for PWDs.

4.1.20: PUBLIC HEARING IN KITUI CENTRAL CONSTITUENCY (KITUI COUNTY)

108. **The Committee held the public participation at multi-purpose hall on 13th November, 2021. There were 75 participants during the hearing. By acclamation, all attendees unanimously agreed with the increase as proposed in the amendment bill. Their responses are categorized as below;**

- a) Religious leaders cautioned that abuse of drugs by the youths led to the moral decay within the area and wanted the fund to build rehabilitation centers to curb the effects of drug abuse.;

- b) The Political representatives agreed with the increment since more money in the area will increase business opportunities thereby improving the standards of living of the residents;
- c) Youths wanted the increase to be even 10% to enable them get more money for enrolment into short course programmes like driving, catering and tailoring to enhance their employability skills;
- d) Women cried the neglect of boy child by government in its policies thus making them frustrated and feeling less empowered, they wanted the fund to consider allocating money to activities that will empower them to improve their self-esteem and confidence and
- e) Elders wanted the additional allocation to cater for more scholarship programmes to needy and bright students especially, orphans and vulnerable children.

4.1.21: PUBLIC HEARING IN ROYSAMBU CONSTITUENCY (NAIROBI COUNTY)

109. The Committee held the public participation at Safari Park hotel on 16th November, 2021. There were 87 participants during the hearing. By acclamation, all attendees unanimously agreed with the increase as proposed in the amendment bill. Their responses are categorized as below;

- a) Political representatives appreciated the work of the fund in the area especially in security and wanted the work to continue and that the allocation should be even 8% so that more security installations may be built to ensure safety of the growing population;
- b) Representatives of Community Based Organizations wanted the additional allocation of the fund to accommodate establishment of mental health and counselling institutions to help with the unrest currently in schools;
- c) Elders emphasized on the fact that the fund has been very helpful especially in settlement of fees in schools, they therefore agreed with the amendment hoping more bursaries will be provided to students;

- d) Women stressed that the additional allocation of the fund will help in building more infrastructure in schools to accommodate more students since the population in are is growing more rapidly;
 - e) Youths expressed their concern for climate change and wanted the addition to set aside some money for more environmental activities to mitigate on the effects of climate change.
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CHAPTER FIVE

5.1 COMMITTEE OBSERVATIONS

110. The Committee made the following observations: That,

- a) The Government has embraced a “100%” transition from primary to secondary school. This has resulted in increased demand for infrastructure in learning institutions to accommodate an increased number of learners. However out of the current amount allocated only 41% is dedicated towards education infrastructure projects. This is not adequate considering the high demand necessitated by the 100% transition;
- b) Increased enrolment of students results in an increased demand for bursaries for needy students. These students obtain bursaries from the CDF Fund. An increase in the fund would see a larger percentage of the population obtain a much needed and sought-after education;
- c) There is an increase in demand for sanitary and lavatory facilities. The CDF Fund caters for the building of infrastructure to provide sanitary and lavatory facilities within the constituency. These facilities are instrumental in the fight against diseases and keeping a clean and sanitary environment;
- d) There are numerous challenges affecting the people which made made loose their means of livelihood. The CDF fund has since been instrumental in assisting Kenyans to regain their means of livelihood. The proposed increment will help people from all over the country regain their jobs, obtain new jobs and adequately provide for their families;
- e) The National Government Constituency Development Fund has been a bulwark in providing stable employment for the youth. By facilitating construction projects, granting bursaries and scholarships the fund continues to provide steadily for the growing population and the large youth percentile. Unfortunately, without the increase sought it would be difficult for the good work already done by the fund to continue and bring sustainable marked improvement to the lives of youth all over the Country;
- f) The bill seeks to increase the fund to cater for the ever-rising demands realized consistently. Although the fund has achieved a lot and continues to achieve, it is

still not adequate as often would-be beneficiaries are locked out and have no recourse;

- g) There is a real need to increase the allocation of the CDF Fund as the infrastructural demand necessitates that projects that are already undertaken are completed in a timely manner. An increase in the fund would allow the already ongoing infrastructural projects to be completed promptly and for the facilities to be put to good use and for them to ultimately be of benefit to the people;
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- h) An increase in the CDF fund would inadvertently lead to increased school enrolment as adequate support through bursaries would be guaranteed. The fund currently supports numerous underprivileged students to complete their education. Unfortunately, the majority of students are not fortunate enough to get these bursaries. However, an increase in the fund would allow them to do so;

- i) An increase in the CDF fund would also lead to an increase in the general security of the country as additional funds would be made available to undertake security-related infrastructural projects such as the construction of the office of the Local Chief and Sub-chief. Further the construction of perimeter walls for the local police stations and schools;

- j) The Public generally cited low amounts of bursary allocations to learners which is hindering learners from poor communities from continuing with their education and therefore the need to increase the allocation to the fund;

- k) The public supported the amendment unanimously and the issues that came up across the two regions were more or less the same;

- l) The Public generally cited low amounts of bursary allocations to learners which is hindering learners from poor communities from continuing with their education and therefore the need to increase the allocation to the fund;
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- m) The matter of different challenges in various parts of the country also came and the public observed that the fund only supports programs in security and education despite the fact that some areas have other challenges other than education and security;

- n) Furthermore, the issues of youth-friendly projects featured a lot in the consultations. There were opinions that due to the relatively less small amount of allocation to NGCDF only a few projects that support talent development have been set up

CHAPTER SIX

6.0 COMMITTEE RECOMMENDATIONS

113. The Committee having considered the National Government Constituencies Development Fund (Amendment) Bill (National Assembly Bill No. 34 of 2021) by Hon. Tindi Mwale, MP and taking into consideration the submissions from stakeholders and the public the Committee recommends that, the house passes the Bill without amendments.

Signed..........Date.....1/2/2022.....

Hon. Wafula Wamunyinyi, CBS, MP
Select Committee on National Government Constituencies Development Fund

COMMITTEE MEMBER'S ADOPTION LIST

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TWELFTH PARLIAMENT –SIXTH SESSION – 2022

THE NATIONAL ASSEMBLY

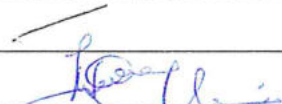
SELECT COMMITTEE ON NG-CDF

ADOPTION LIST

**REPORT ON: THE NATIONAL GOVERNMENT CONSTITUENCIES
DEVELOPMENT FUND AMENDMENTS BILL, (NATIONAL ASSEMBLY BILL, NO.
34 OF 2021)**

DATE 1/2/2022 **VENUE** Member Lounge

	NAME	Signature
1.	Hon. Wafula Wamunyinyi, M.P. Chairperson	
2.	Hon. Omar Mohamed Maalim Hassan, M.P. –Vice Chairperson	
3.	Hon. Fred Kapondi Chesebe, M.P.	
4.	Hon. Moses Lessonet, M.P.	
5.	Hon. Richard Nyagaka Tongi, M.P.	
6.	Hon. Sharif Athman Ali, M.P.	
7.	Hon. Sophia Abdi Noor, M.P.	
8.	Hon. Ferdinand Wanyonyi, M.P.	
9.	Hon. John Lodepe Nakara, M.P.	
10.	Hon. Cornelly Serem, MP	
11.	Hon. Onesmas Kimani Ngunjiri, MP	
12.	Hon. Benjamin Gathiru Mwangi, M.P.	
13.	Hon. Janet Jepkemboi Sitienei, M.P.	
14.	Hon. Fred Ouda, M.P.	
15.	Hon. Joshua Mwalyo, M.P.	
16.	Hon. Kassim Sawa Tandaza, M.P.	
17.	Hon. George Kariuki Macharia, M.P.	

18.	Hon. Josphat Gichunge Mwirabua Kabeabea, M.P.	
19.	Hon. Joseph Oyula, M.P.	

REPORT ADOPTION MINUTES

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MINUTES OF THE 1ST SITTING OF THE SELECT COMMITTEE ON NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND HELD ON TUESDAY 1ST FEBRUARY, 2022 AT 10.30 AM IN MEMBER'S LOUNGE, PARLIAMENT BUILDINGS

MEMBERS PRESENT

1. Hon. Wafula Wamunyinyi, MP –**Chairperson**
2. Hon. Fred Kapondi Chesebe, MP
3. Hon. Richard Tongi, MP-
4. Hon. Sharif Athman, MP
5. Hon. Ferdinand Wanyonyi, MP
6. Hon. Benjamin Gathiru Mwangi, MP
7. Hon. Mwalyo Joshua, MP
8. Hon. Joseph Oyula, MP
9. Hon. Onesmus Ngunjiri, MP
10. Hon. Sophia Abdi Noor, MP
11. Hon. John Lodepe Nakara, MP
12. Hon. Cornelly Serem, MP –**Zoom**
13. Hon. George Kariuki Macharia, MP –**Zoom**

ABSENT WITH APOLOGIES

1. Hon. Omar Maalim, MP – **Vice Chairperson**
2. Hon. Kasim Tandaza Sawa, MP
3. Hon. Fred Ouda, MP
4. Hon. Moses K. Lessonet, MP
5. Hon. Josphat Gichunge Kabeabea, MP
6. Hon. Janet Jepkemboi Sitienei, MP

SECRETARIAT

- | | |
|-------------------------|----------------------|
| 1. Mr. Hassan A. Arale | - Clerk Assistant II |
| 2. Ms. Angeline Lotuai | - Clerk Assistant II |
| 3. Mr. John Mungai | - Audio Officer |
| 4. Mr. Joshua Lenambeti | - Serjeant at Arms |
| 5. Mr. Jonathan Lemurt | - Fiscal Analyst |

AGENDA

1. Preliminaries
2. **Consideration and the adoption of the report on the National government constituencies Development Fund amendments Bill, (National Assembly Bill, No. 34 of 2021) by Hon. Tindi Mwale, M.P.**
3. **Consideration and adoption of the report on the projects approvals, disbursements status and restrictions imposed on constituencies Accounts for first Quarter of 2021/22 Financial Year.**

4. AOB

MIN: NA/DAASC/CNG-CDF/2022/ 001: PRELIMINARIES

The Chairperson called the meeting to order at 12.23 pm and said the prayers.

MIN: NA/DAASC/CNG-CDF/2022/002: CONFIRMATION OF MINUTES

The Minutes of the 79th Sitting was confirmed as true records of the deliberations after it was proposed by Hon. Joshua Mwalyo, M.P and seconded by Hon. John Lodepe Nakara, MP.

MIN: NA/DAASC/CNG-CDF/2022/003: ADOPTION OF THE REPORT ON THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND AMENDMENTS BILL, (NATIONAL ASSEMBLY BILL, NO. 34 OF 2021) BY HON. TINDI MWALE, M.P

After consideration of the report of the National Government constituencies Development Fund amendments Bill) National Assembly Bill, No. 34 of 2021) by Hon. Tindi Mwale, M.P, the Committee adopted the report after it was proposed by Hon. John Lodepe, MP and seconded by Hon. Joshua Mwalyo, MP.

MIN: NA/DAASC/CNG-CDF/2022/004: ADOPTION OF THE REPORT ON THE STATUS OF THE PROJECTS APPROVALS, DISBURSEMENTS AND RESTRICTIONS IMPOSED ON CONSTITUENCIES ACCOUNTS FOR FIRST QUARTER OF 2021/22 FINANCIAL YEAR AS AT 30TH SEPTEMBER, 2021

After consideration of the report status of the projects approvals, disbursements and restrictions imposed on constituencies accounts for the first quarter of the 2021/22 financial year as at 30th September, 2021, the Committee adopted the report after it was proposed by Hon. Benjamin Gathiru, MP and seconded by Hon. Joshua Mwalyo, MP.

MIN: NA/DAASC/CNG-CDF/2022/005: MIN: NA/DAASC/CNG-CDF/2022/005: ANY OTHER BUSINESS

The Members requested to know the following from the NG-CDF Board,

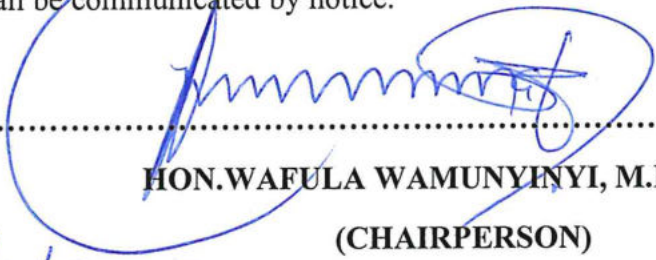
- 1) The status of disbursement of Funds by the National Treasury to the NG-CDF Board and further to the constituencies;
- 2) The status of implementation of the corporate social responsibilities projects by NG-CDF Board; and
- 3) To give their submissions on a Bill to amend the NG-CDF Act, 2015 whose principal objective is to provide for youth entrepreneur programmes or activities as a project for funding under the Act.

The members resolved to invite the NG-CDF Board for a meeting with the Committee on Tuesday 8th of February, 2021 to give their submission on the above issues.

MIN: NA/DAASC/CNG-CDF/2022/006: ADJOURNMENT

There being no any other business the meeting was adjourned, the dates and time for the next meeting shall be communicated by notice.

Signature


HON. WAFULA WAMUNYINYI, M.P.
(CHAIRPERSON)

Date.....

1/2/2022

STAKEHOLDER'S SUBMISSIONS

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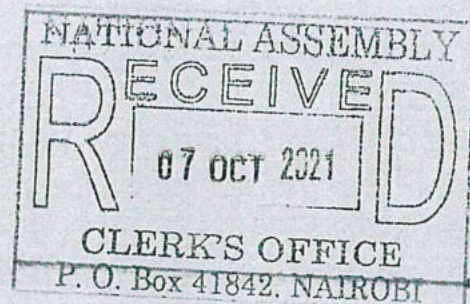
REF NO NGCDFB/CEO/KNA/VOL.V(44)

October 07, 2021

Michael Sialai, CBS
The Clerk
National Assembly
Parliament Buildings
P.O. Box 41842 – 00100
NAIROBI

(2) AAAG def
Please find
08/10/21
DATA SC
8/10/21

Dear Sir



RE: INVITATION TO A MEETING BY THE SELECT COMMITTEE IN
NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND

We refer to the above matter and your letter ref: NA/DAASC/CNG-CDF/2021/60 dated September 29, 2021.

We noted the contents of your letter, aforesaid, and perused the enclosed Bill. It is noted that the Bill has proposed the amendment of section 4(1) of the

By deleting the phrase '2.5% (two and half per centum' appearing in paragraph (a) and substituting therefor the phrase '5% (five per centum)'

In considering the proposed amendment, the we submit as follows:

1. The current Section 4 of the Act is reproduced as hereunder:

"4. Establishment of the Fund



(1) There is established a fund to be known as the National Government Constituencies Development Fund which shall—

(a) be a national government fund consisting of monies of an amount of not less than 2.5% (two and half per centum) of all the national government's share of revenue as divided by the annual Division of Revenue Act enacted pursuant to Article 218 of the Constitution;

(b) Comprise of any monies accruing to or received by the Board from any other source; and

(c) Be administered by the Board.

(2) All monies allocated under this Act shall be considered as funds allocated to constituencies pursuant to Article 206 (2) (c) of the Constitution to be administered in accordance with the provisions of this Act.

(3) The monies appropriated to the Fund in any financial year under subsection (1) (a) shall not be less than the amount appropriated to the Fund in the preceding financial year unless as otherwise allowed by this Act."

2. Objects of the Act

The following are the objective of the Act, as provided under section 3 of the principal Act.

- a) Provide for the establishment and administration of the Fund;
- b) Recognize the constituency as a platform for identification, performance and implementation of national government functions;
- c) Facilitate the performance and implementation of national government functions in all parts of the Republic pursuant to Article 6(3) of the Constitution;
- d) Provide for the participation of the people in the determination and implementation of ~~identified national government development~~ projects at the constituency level pursuant to Article 10(2)(a) of the Constitution;
- e) Promote the national values of human dignity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized pursuant to Article 10 (2) (b) of the Constitution;
- f) Provide for the sustainable development of all parts of the Republic pursuant to Article 10 (2) (d) of the Constitution;
- g) Provide a legislative and policy framework pursuant to Article 21(2) of the Constitution for the progressive realisation of the economic and social rights guaranteed under Article 43 of the Constitution

- h) Provide mechanisms for the National Assembly to exercise oversight over the performance of specified national government functions at the constituency level as provided for under Article 95 of the Constitution;
- i) Authorise withdrawal of money from the Consolidated Fund as provided under Article 206 (2) (c) of the Constitution;
- j) Provide for mechanisms for supplementing infrastructure development at the constituency level in matters falling within the functions of the national government at that level in accordance with the Constitution;
- k) Provide a framework for citizens led development to assist the national government in planning and prioritising the use of its resources;
- l) Create a harmonious relationship between citizens and the national government and its officers in local development;
- m) Provide a platform for citizens' participation in service delivery; and
- n) Build local accountability and transparency in the use of resources.

3. Observations in regards to the Objects of the Act

- a. The objects of the Act cover a wide scope. The Act is the contemplated legislation under Article 21 of the Constitution.
- b. While the Act seeks to ensure projects to be implemented are those that relate to the National Government functions (Section 24 of the Act), pursuant to the Fourth Schedule to the Constitution, the Act further seeks to implement specific provisions of the Constitution under the **Bill of Rights**, being some aspects of **Economic and Social Rights (Article 43 of the Constitution)**. This is achieved through facilitation of provision of:
 - Infrastructure for institutions of learning, including construction or renovation of classrooms, laboratories, libraries, administration offices, school buses etc.;
 - Bursaries to needy students in secondary, tertiary and special institutions;
 - Infrastructural projects under Security sector; and
 - Support to social security programmes for the elderly and vulnerable persons.

4. Past Allocations

Allocation to the Fund in the last nineteen years is as follows:

	Year	Allocation (Ksh. 'Billion')
1.	2003/2004	1.26

2.	2004/2005	5.6
3.	2005/2006	7.245
4.	2006/2007	10.038
5.	2007/2008	10.1
6.	2008/2009	10.1
7.	2009/2010	12.329
8.	2010/2011	14.283
9.	2011/2012	22.978
10.	2012/2013	21.763
11.	2013/2014	23.062
12.	2014/2015	33.213
13.	2015/2016	35.213
14.	2016/2017	25.0
15.	2017/2018	29.8
16.	2018/2019	33.2
17.	2019/2020	41.7148
18.	2020/2021	41.7148
19.	2021/2022	41.7148
Total		420.3284

Observation from the above:

- a. The Annual allocation to the Fund has continued to increase over the depending on revenue generated which is a product of the economic performance in the country and subject to the legal threshold. The economy has recorded a modest growth while the demand for the Fund which has a direct bearing on the population growth has continued to grow over the same period;
- b. The enormous demand for funds at Constituencies level is based on competing needs;
- c. Projects should be implemented and be put to use within shortest time, to realize value thereof. Not more than three (3) years;
- d. In the current allocations scenario, some projects take more than three years to complete, due to thin allocation of funds, as constituencies try to accommodate competing community needs in the context of limited resources numerous demand;

- e. Kenya demographic profile and projection indicates a highly young population (over 41% aged below 15 years) indicating an increased demand for education infrastructure and bursary going forward

5. Justification for additional funds

- a. The Government has embraced a “100%” transition from primary to secondary school. This has resulted to increased demand for infrastructure in learning institutions to accommodate increased number of learners. However out of the current amount allocated to a Constituency (Ksh 137,088,879, Constituencies spend on average 10% on administration and monitoring & evaluation activities while about 35% is dedicated to bursary which leaves 55% of the allocation to be channelled towards all other infrastructure development projects. About 10% of the allocation is dedicated to Security projects, 4% to sports and environment projects. Therefore, about 41% is dedicated towards education infrastructure projects which is not adequate considering the high demand necessitated by the 100% transition;
- b. Increased enrolment of learners translates to increased demand for bursaries for needy cases;
- c. There is increase in demand for sanitary facilities;
- d. The Covid-19 pandemic has brought about unprecedented challenges, which require urgent support, such as infrastructure, water harvesting and storage and attendant requirements;
- e. High population growth with more than 75% aged below 35 years;
- f. Increased funds to cater for ever rising demands.
- g. Necessity for shorter period for project implementation to cater for the increased infrastructure demand.
- h. Increased school's enrolment as adequate support through bursaries would be guarantee.
- i. Reduced insecurities as additional funds would be available to undertake security related infrastructures.

- j. Under Section 50(5) of the Act, the National Assembly Select Committee on NG-CDF (NASC) is mandated to oversee the implementation of the Act and propose amendments, and in particular, with respect to the quantum of the funds repayable into the Fund in accordance with section 4 of the Act, hence the amendment Bill provides such an opportunity.

6. Capacity for absorption of the funds and ensure effective and efficient utilisation

a. Funds absorption capacity:

over the years, the capacity of constituencies to utilise the allocated funds has steadily grown. There is no doubt therefore that the constituencies have the capacity to absorb the increased allocation if the proposed amendment is passed into law.

b. Measures to ensure effective and efficient utilisation of the funds:

Pursuant to section 16 of the Act, the Board is charged with solemn responsibility to ensure efficient management of the Fund. Pursuant to the foregoing, the Board has put in place key measures to ensure that funds allocated under the Act are managed effectively and efficiently. Such measures include:

i. Capacity building of NG-CDF operatives:

The Board has in recent period up-scaled capacity building of various players in the management of the Fund, including Officers of the Board, Officers of the National Government in Sub counties, NG-CDF Committees, Project Management Committees and the Constituency Oversight Committees (COC). This has significantly enhanced effectiveness and efficiency in the management of the Fund and progressively prepared constituencies to handle higher allocations. The Board will continue with the capacity building programme to ensure that NG-CDF confers even more benefits to the target beneficiaries.

ii. Risk Management:

The Board has integrated Risk Management in its operations to ensure that inherent Risks are identified, documented and mitigation measures put in place and regularly monitored to ensure proactive efficacy and efficiency in the management of the Fund.

To this effect, the Board has established a Risk Management Division whose mandate is to ensure that Risk Registers at the Headquarters and each constituency are continuously updated, and Risk Mitigation measures are executed.

iii. Risk-based Audit:

To ensure compliance with the Risk Management Framework, the Board's Internal Audit Department undertakes annual Risk Based Audits to sampled constituencies. During the current financial year (2021/2022), the Board plans to undertake Risk Based Audit in minimum of 120 constituencies. Hence, under the current capacity, all the 290 constituencies would be audited within three (3) years. Upon recruitment of additional staff, the Board shall have the capacity to conduct Risk Based audit in all the 290 constituencies annually.

iv. Role of the Auditor General:

Pursuant to Section 11 of the NG-CDF Act, all funds received under the Act are mandatorily audited and reported by the Auditor General. This provides a mechanism to ensure that Parliament through the Special Funds Accounts Committee of the National Assembly exercises effective oversight for proper application of the funds.

To facilitate this, the Board has put in place measures to ensure that each Constituency prepares and submits a separate financial Statement to the Auditor General by 30th September every year.

v. Monitoring and Evaluation

The Board has established a functioning Monitoring and Evaluation (M&E) division to ensure effective tracking of progress of programme implementation and ensure that challenges are identified and addressed on timely basis. The M&E function also provides the mechanism to measure the output and impact of the NG-CDF financed interventions.

7. Board's Recommendation on the proposed amendment

Taking cognisance of the foregoing, we wish to state our views and recommendations on the proposed amendments to Section 4 of the NG-CDF Act as follows:

- It has never been disputed that the Fund has been changing lives. The proposed amendment is progressive and would lead to higher percentage of funds being dedicated to the constituencies, and this ~~would generate enormous benefits.~~
- Hence from “not less than 2.5%” to “not less than 5%” would guarantee additional funding to constituencies. The Board welcomes the proposed amendment and fully supports the same.

Submitted by the National Government Constituencies Development Fund Board

SIGNED: 
YUSUF MBUNO, CHIEF EXECUTIVE OFFICER

Dated this 7th day of October, 2021

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for
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Place note
for
07/10/21

COUNCIL OF GOVERNORS

Westlands Delta House 2nd Floor, Waiyaki Way.
P.O. BOX 40401-00100,
Nairobi.

Tel: (020) 2403314, 2403313
+254 718 242 203
E-mail: info@cog.go.ke

OUR REF: COG/6/11/ Vol. 3 (20)

5th October, 2021

Michael Sialai, EBS
The Clerk of the National Assembly
Parliament Buildings
NAIROBI

Dear Mr. Sialai, EBS.

① DAA rose
6/10/21

THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 34 OF 2021)

The above subject matter refers.


The Council of Governors appreciates that in realizing the objects of Devolution, the principles of consultation and cooperation under Article 6(2) and Article 189 of the Constitution are inevitable.

Based on these principles, the Council of Governors has reviewed the above mentioned Bill and objects to the same in its entirety for the following reasons:

1. The National Government Constituency Development Fund was declared unconstitutional by the court on 29th October 2021 in Constitutional Petition 284 as consolidated with Petition 353 of 2019 between the Senate vs The National Assembly and others. The Council was a co-petitioner in the case. Subsequently, the National Assembly appealed against the decision with the judgment on the same scheduled for 5th November 2021.
2. Furthermore, the increase of the minimum share appropriated to the fund, from 2.5% to 5% will result to a decrease of the equitable share of revenue for County Governments which will consequently undermine service provision and devolution.

In view of the foregoing, the Council proposes that the Bill be withdrawn and await the decision of the court to inform the way forward.

Yours Sincerely,


NATIONAL ASSEMBLY
Mary Mwangi
Ag. Chief Executive Officer
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07 OCT 2021
DIRECTOR
AUDIT/APPROPRIATIONS/SELECT COMMITTEES
Time:.....Sign:.....

NATIONAL ASSEMBLY
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06 OCT 2021
CLERK'S OFFICE
48 Governments, 1 Nation
P.O. Box 41842, NAIROBI



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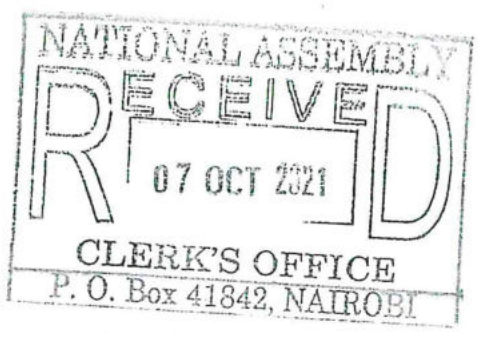
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COUNCIL OF GOVERNORS



Westlands Delta House 2nd Floor, Waiyaki Way.
P.O. BOX 40401-00100,
Nairobi.

Tel: (020) 2403314, 2403313
+254 718 242 203
E-mail: info@cog.go.ke

OUR REF: COG/6/11/ Vol. 3 (20)

5th October, 2021

Michael Sialai, EBS
The Clerk of the National Assembly
Parliament Buildings
NAIROBI

①
DAA & OSC
12/10/21

Dear Mr. Sialai, EBS.

**THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND (AMENDMENT)
BILL (NATIONAL ASSEMBLY BILL NO. 34 OF 2021)**

The above subject matter refers.

The Council of Governors appreciates that in realizing the objects of Devolution, the principles of consultation and cooperation under Article 6(2) and Article 189 of the Constitution are inevitable.

Based on these principles, the Council of Governors has reviewed the above mentioned Bill and objects to the same in its entirety for the following reasons:

1. The National Government Constituency Development Fund was declared unconstitutional by the court on 29th October 2021 in Constitutional Petition 284 as consolidated with Petition 353 of 2019 between the Senate vs The National Assembly and others. The Council was a co-petitioner in the case. Subsequently, the National Assembly appealed against the decision with the judgment on the same scheduled for 5th November 2021.
2. Furthermore, the increase of the minimum share appropriated to the fund from 2.5% to 5% will result to a decrease of the equitable share of revenue for County Governments which will consequently undermine service provision and devolution.

In view of the foregoing, the Council proposes that the Bill be withdrawn and await the decision of the court to inform the way forward.

Yours Sincerely,

Mary Mwangi
Ag. Chief Executive Officer





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REPUBLIC OF KENYA
THE NATIONAL TREASURY AND PLANNING

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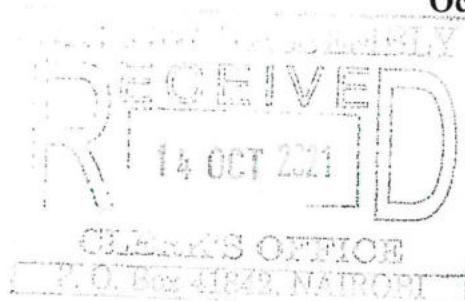
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Finance – Nairobi
FAX NO. 310833
Telephone: 2252299
When Replying Please Quote

THE NATIONAL TREASURY
P O BOX 30007 - 0010
NAIROBI

Ref. No. ES 1/014 'A' (23)

October 08, 2021

Mr. Michael Sialai, CBS
Clerk of the National Assembly
Parliament Buildings
NAIROBI



①
DAAAS OSC
14/10

Dear *Sialai,*

**REQUEST FOR SUBMISSION OF COMMENTS ON THE NATIONAL GOVERNMENT
CONSTITUENCIES DEVELOPMENT FUND (AMENDMENT) BILL (NATIONAL
ASSEMBLY BILLS NO.34 OF 2021**

Reference is made to your letter Ref. No. NA/DAASC/CNG-CDF/2021/59 dated 29th September, 2021 on the above subject.

The National Treasury has reviewed the proposed Bill and we would like to make observations as follows:

The Bill seeks to amend Section 4(1)(a) of the National Government Constituencies Development Fund Act No.30 of 2015 by deleting the phrase 2.5 per cent and substituting with 5.0 per cent of all the National Government's share of revenue as divided by the annual Division of Revenue Act enacted pursuant to Article 218 of the Constitution. We note that the passage of the proposed amendment will constrain the resources going to other National Government programmes.

We further note that increasing the allocation to the Fund from 2.5 per cent to 5.0 per cent of the National Government's share of revenue will occasion additional expenditure from the Exchequer amounting to **Kshs. 41.7billion** in the current financial year and **Kshs.44.3billion** in the FY 2022/23. Taking into account the current economic performance and projections for the Medium Term, the proposed additional funding is not feasible and sustainable.

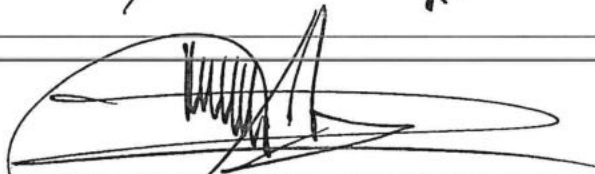


In view of the above, the National Treasury does not support the passage of the proposed amendment Bill.

You may therefore wish to take necessary action.

Yours

Sincerely,

A handwritten signature in dark ink, appearing to be 'Ukur Yatani', is written over a horizontal line. The signature is stylized with a large, sweeping loop at the end.

HON. (AMB.) UKUR YATANI, EGH

CABINET SECRETARY/THE NATIONAL TREASURY & PLANNING

(2) ARAC

Please des
for
12/10/21

REPUBLIC OF KENYA



(3) Senator

Please note
for
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**THE NATIONAL TREASURY AND PLANNING
STATE DEPARTMENT FOR PLANNING**

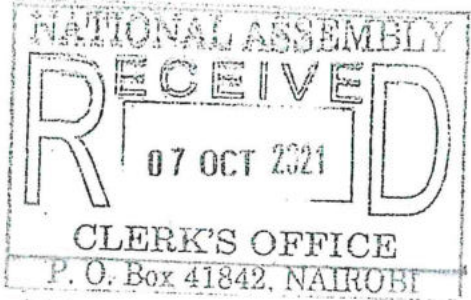
Telegrams "PLANNING" Nairobi
Fax No: 2218475
Telephone: 2252299
E-mail: psplanning.statistics@gmail.com
When replying please quote

Office of the Principal Secretary
Treasury Building
P.O. Box 30005-00100
NAIROBI

Ref. No. TNTP/SDP/4/52

6th October 2021.

Michael Sialai, CBS
The Clerk
National Assembly
Parliament Buildings
P.O. Box 41842 – 00100
NAIROBI



(1)
DAASC
12/10/21

Dear Clerk,

**REQUEST FOR SUBMISSION ON THE NATIONAL GOVERNMENT CONSTITUENCIES
DEVELOPMENT FUND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 34
OF 2021**

Reference is made to your letter Ref: NA/DAASC/CNG-CDF/2021/59 dated September 29, 2021 on the above matter.

We have duly noted the contents of your letter and also perused the Bill, referenced above, and noted the proposed amendment of Section 4 of the National Government Constituencies Development Fund Act, in subsection (1), by deleting the phrase "2.5% (two and half per centum)" and substituting therefor the phrase "5% (five per centum)". It is noted that the import of the amendment is to increase the threshold for the annual allocation to the Fund from a minimum of 2.5% to 5% of the National Government's share of revenue as determined by the Division of Revenue Act enacted pursuant to Article 218 of the Constitution of Kenya.

The State Department for Planning is cognizant of the fact that since its inception over eighteen years ago, the Fund has had and continues to positively impact on the citizenry, across the Country. Being a precursor to the devolution of government functions under the current constitution, the Fund has significantly contributed to almost all spheres of peoples' lives, and latterly in education and security sectors.

We further observe that, as provided for under section 2 of the Act, the National Government Constituencies Development Fund is domiciled in the State Department for Planning (SDP)



and pursuant to section 15(1)(a) the Principal Secretary is a member of the Board. In this regard, the budgetary allocations to the Fund are provided for under the vote of the Department.

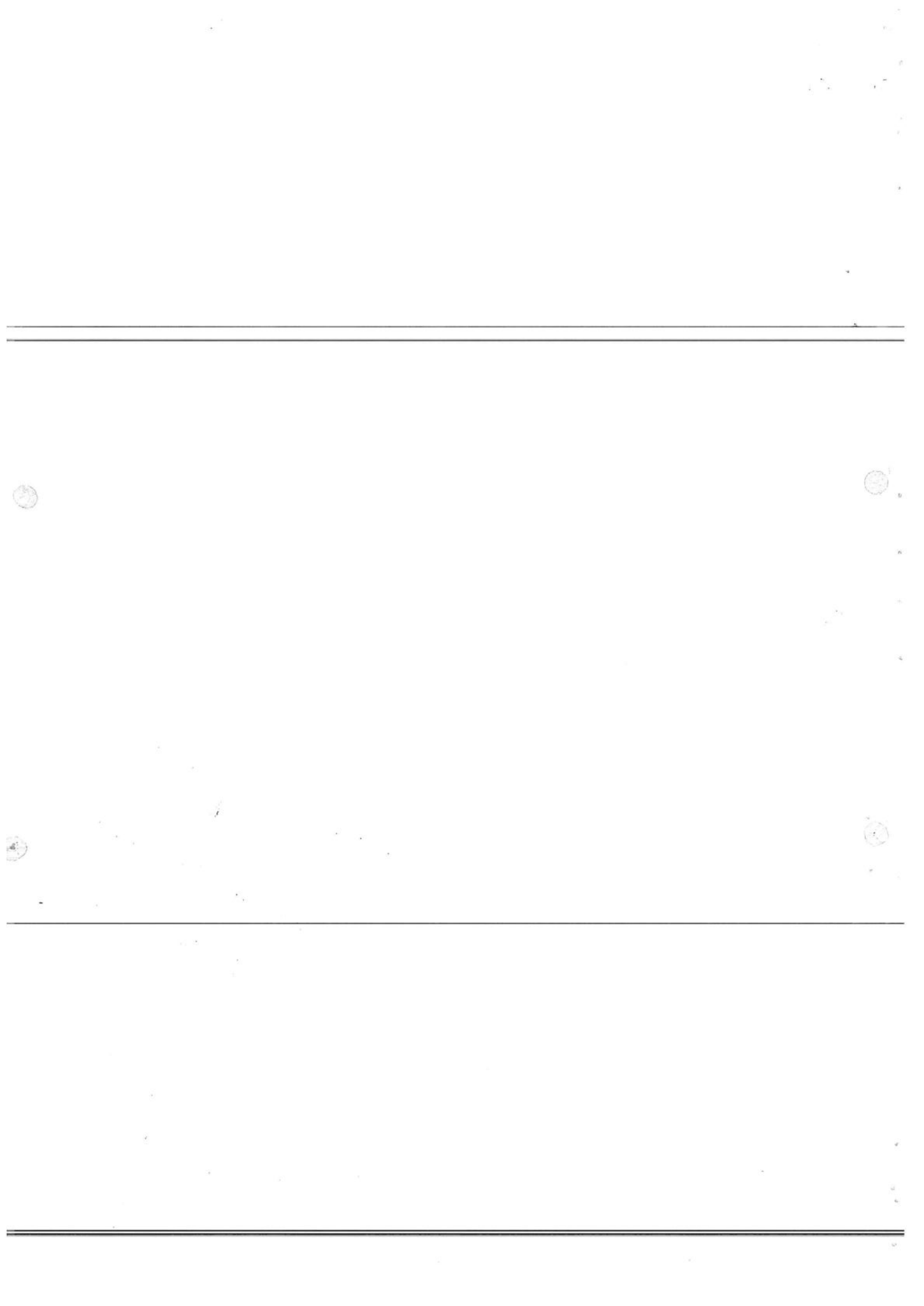
In light of the foregoing and based on the proposed amendment to the Act, we wish to observe and make recommendation as follows: -

- a.) Increased funding to NG-CDF would result to more benefits to the people of Kenya by channelling more resources to meet the ever-increasing needs. Constituencies would be expected to receive annual allocations in excess of the current Ksh. 137,088,879. The State Department for Planning therefore supports the proposed amendment..
- b.) Further, considering that NG-CDF is budgeted for under the vote of the State Department for Planning, the an upward adjustment of the threshold for allocation to the Fund would require an increase in the Resource Envelope in the relevant Sector and to the State Department for Planning in particular.

In conclusion, the State Department for Planning will continue to provide relevant Budgetary and Technical support to ensure successful implementation of the NG-CDF.

Yours *Sincerely*


Saitoti Torome, CBS
PRINCIPAL SECRETARY



(3) Amur
Please note
for
07/12/21



(2) ARAG
Please deal
for
07/12/21

MINISTRY OF EDUCATION

Office of the Principal Secretary, State Department of Early
Learning and Basic Education

Telegrams: "EDUCATION", Nairobi
Telephone: Nairobi 3318581
Fax No.: 254-2-214287
E-mail: ps@education.go.ke
When replying please quote

PRINCIPAL SECRETARY
JOGOO HOUSE "B"
HARAMBEE AVENUE
P. O. BOX 30040
NAIROBI

REF: MOE.GEN/31L/8/VOL XIV (L) (33)

DATE: 1st December 2021

Clerk of the National Assembly

Clerk's Chambers
National Assembly, Parliament Buildings
P.O. Box 41842 - 00100
NAIROBI

(1)
DAA & OSC
6/12/21

RE: **SUBMISSION ON THE NATIONAL GOVERNMENT
CONSTITUENCIES DEVELOPMENT FUND (AMENDMENT) BILL
NATIONAL ASSEMBLY BILLS NO. 34 OF 2021**

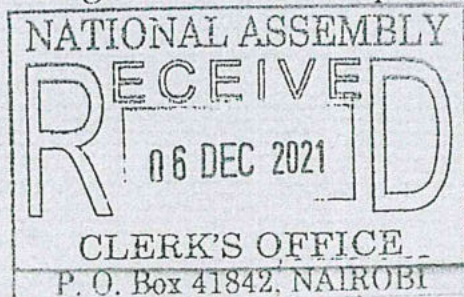
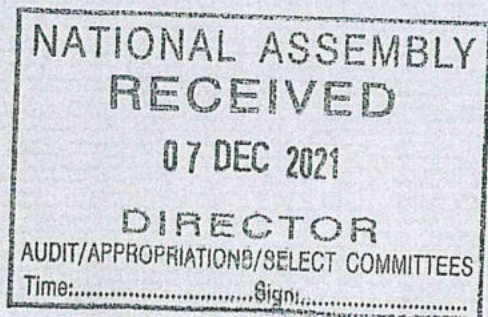
Reference is made to your letter Ref. NA/DAASC/CNG-CDF/2021/101 dated **23rd November 2021** seeking our comments on the above stated Bill.

We have gone through the proposed National Government Constituencies Development Fund (Amendment) Bill (National Assembly No. 34 of 2021) and wish to state that: -

The National Government Constituencies Development Fund (NG-CDF) plays an important role in enhancing socio-economic development at the grassroots level in order to reduce poverty through support of key projects such as issuance of bursaries to needy learners in institutions of basic education and infrastructural development in schools.

Therefore, an amendment to the National Government Constituencies Development Fund Act No. 30 of 2015 to increase in revenue appropriated to the NG-CDF from 2.5% to 5% will go a long way in: -

1. Promoting every child's right to free and compulsory basic education;



2. Enhancing access to schools for special needs learners and learners from minority and marginalized groups;
3. Improving entry and retention in schools;
4. Securing the 100 percent transition rate from primary to secondary schools;
5. Ensuring there is adequate infrastructure in schools aimed at improving the quality of education; and
6. Reducing the cost of education on parents.



Julius O. Jwan, PhD, MBS
PRINCIPAL SECRETARY

Copy to: Prof. George A.O. Magoha, EGH
CABINET SECRETARY

② ARANC
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07/12/21

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JOGOO HOUSE "B"
HARAMBEE AVENUE
P.O BOX 30040 - 00100
NAIROBI

Ref. No. MOE.CONF/G9/11 Vol. II (79)

Date: 3rd December, 2021

The Clerk to the National Assembly
National Assembly
Parliament Building
NAIROBI

①
DAASASC
7/12/21

Dear Sir,

RE: SUBMISSION OF MEMORANDUM ON AMENDMENT OF NATIONAL GOVERNMENT, CONSTITUENCY DEVELOPMENT FUND ACT, 2015

Your letter Ref. NA/DAASC/CNG-CDF/2021/101 dated 23rd November, 2021 on the above subject refers.

It is noted that the amendment proposes an increase from 2.5% to 5% of shared revenue. This will translate to more funds being channeled to the sector.

The State Department of Early Learning and Basic Education wishes to support the amendment(s) proposed.

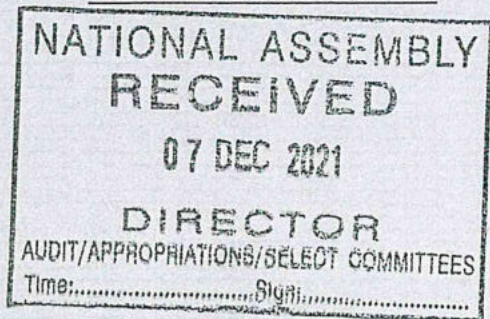
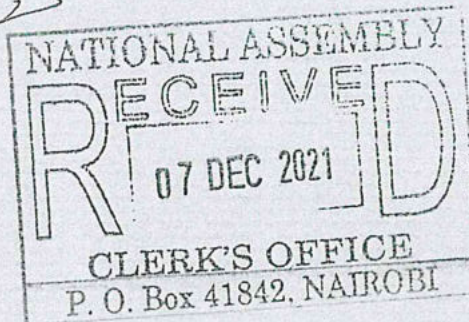
The NG-CDF has continued in supporting the Ministry in infrastructure development and bursary to learners in secondary schools. Such support has gone a long way in enabling the Ministry meet its objectives in provision of education.

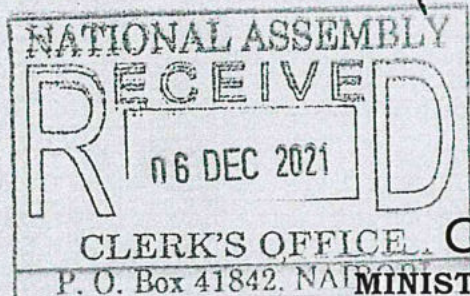
The purpose of this letter is to voice the Ministry of Education's support for the amendment.

Yours

sincerely
Julius O. Jwan

Julius O. Jwan, PhD, MBS
PRINCIPAL SECRETARY





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fda
07/12/21

OFFICE OF THE PRESIDENT
MINISTRY OF INTERIOR AND CO-ORDINATION
OF
NATIONAL GOVERNMENT
STATE DEPARTMENT FOR INTERIOR & CITIZEN SERVICES

Telephone: +254-20-2227411
Fax: +254-20-341938
When replying please quote:

HARAMBEE HOUSE
P.O. Box 30510-00100
NAIROBI, KENYA

Ref: MICNG/SEC. 1/27/1

Date: 3rd December, 2021

Mr. Michael Sialai, EBS
Clerk of the National Assembly
Parliament Buildings
P.O BOX 41842-00100
NAIROBI

①
DAA & OSE
5/12/21

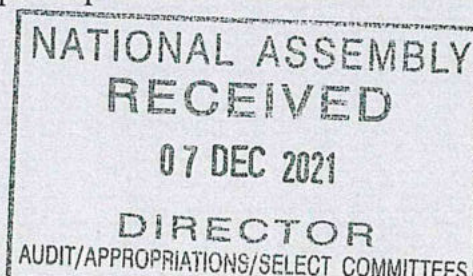
Dear Mr. Sialai,

**REQUEST FOR SUBMISSIONS ON THE NATIONAL GOVERNMENT
CONSTITUENCIES DEVELOPMENT FUND (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO. 34 OF 2021)**

Please refer to your letter dated 23rd November, 2021 whereby you sought our comments on the above Bill. We hereby provide the same.

We note that the Committee is considering the Bill which proposes to amend section 4 of the National Government Constituencies Development Fund Act by increasing the Fund from 2.5% of the national government's share of revenue to 5%.

In considering the issue, we note that Article 201 of the Constitution sets out several principles that guide the utilization of public finances and among these are equitable sharing of resources, equitable development and use of money in a prudent and responsible way. These principles are reiterated in the Public Finance Management Act.



The main purpose of the National Government Constituencies Development Fund Act is to address socio-economic development of the people at the constituency level. The government is therefore obligated to disburse funds to all the constituencies in the country in order to achieve this goal.

We take note that among the key projects supported by the Fund is infrastructure development of police stations hence the improvement of national security in general. In most constituencies, police stations have dilapidated and inadequate structures not conducive for police work.

In the police stations that have benefitted from the Fund, there is a remarkable improvement in their general conditions. With the increase in the Fund as sought many police stations are likely to benefit.

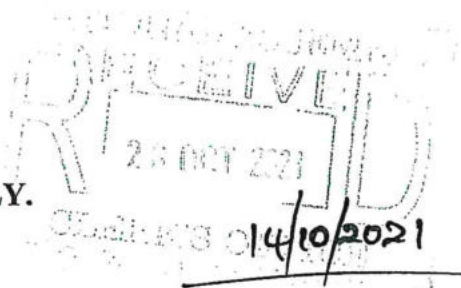
The Bill is a noble initiative and should be supported.

Yours Sincerely,



DR. (ENG.) KARANJA KIBICHO, CBS
PRINCIPAL SECRETARY, INTERIOR & CITIZEN SERVICES

TO MR. MICHAEL R. SIALAI CBS.
CLERK OF THE NATIONAL ASSEMBLY.
P.O.BOX 41842-00100
NAIROBI



② ARAG
Please
for
26/10/21

In the matter of consideration by the National Assembly:-
The National Government Constituencies Development Fund (Amendment) (Bill National Assembly Bill No. 34 of 2021)

PUBLIC HEARINGS/SUBMISSION OF MEMORANDA

Pursuant to the provisions of Article 118(1)(b) of the constitution of Kenya and standing order(127(3))

The committee will be undertaking public hearings and also receive written memoranda in pursuant thereof.

① DAAAGOC

A bill for an Act of parliament to amend the National Government constituencies development Fund Act 2015 and for connected purposes enacted by parliament of Kenya be cited as the National Government Constituencies Development Fund (Amendment) Act 2021.

26/10/21

Section 4 of the National Government Constituencies Development Fund Act(NG-CDF) is amended in subsection(1) by deleting the phrase "2.5%(two and half per cent centum)" appearing in paragraph (a) and substituting thereof the phrase"5%)five per centum)".

MEMORANDUM OF OBJECTS AND REASONS

Statement of objects and Reasons for the Bill:-

The principal objects of the Rule is to amend the National Government Constituencies Development Fund Act No. 30 of 2015 to increase the minimum share of revenue appropriated to the National Government Constituencies Development Fund (NG-CDF) from 2.5% two and half per centum) to 5%(five per centum).

Statement of delegation of legislative power and limitation of fundamental rights and freedoms:-

The Bill does not delegate any legislative powers nor does it limit fundamental rights and freedoms.

Statement of whether the Bill concerns county governments:-



This Bill is not a Bill concerning county governments.

Statement of whether the Bill is a money Bill within the meaning of Article 114 of the constitution:

The enactment of this Bill shall occasion addition expenditure of public funds.

Section 4 of No. 30 of 2015 which it is proposed to amend:-

4. (1) there is established a fund to be known as the National Government Constituencies Development Fund (NG-CDF) which shall:-

a) be a national government fund consisting of monies of an amount of not less than 2.5% (two and half centum) of all the national government's share of revenue as divided by the annual Division of Revenue Act enacted pursuant to Article 218 of the Constitution;

b) Comprise of any monies accruing to or received by the Board from any other source; and

c) be administered by the board.

2) All monies allocated under this Act shall be considered as funds allocated to constituencies pursuant to Article 206(2) (c) of the constitution to be administered in accordance with the provisions of this Act.

3) The monies appropriated to the Fund in any financial year under subsection

(1) (a) Shall not be less than the amount appropriated to the Fund in the preceding financial year unless as otherwise allowed by this Act.

WRITTEN REPRESENTATIONS:

1. Many appreciations for the first CDF of 2.5% for it assisted constructions of many:-

i. Chiefs camps

- ii. Police stations
- iii. Primary Schools
- iv. Secondary Schools
- v. Dispensaries/Clinics
- vi. Rehabilitation of Rural access Roads
- vii. School Bursaries
- viii. Rehabilitation of sports play-ground
- ix. Construction of social Halls

All Constituencies in Kenya have good story to tell about constituency Development Fund @ 2.5 %(CDF), and amended increment to (5% per centum) shall mean increased volume of constituency developments.

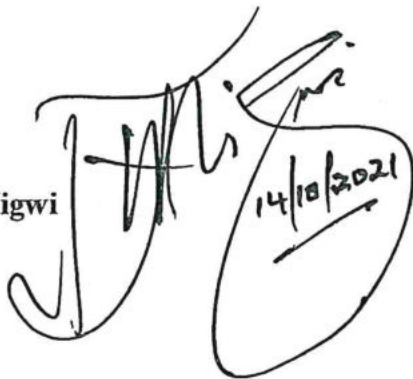
Due to increased cost of living and all prices of living going up, the 2.5% CDF money got strained as well

2. We support the proposed increase of the National Government Constituencies Development Fund (Amendment) Bill 34 of 2021: to 5 %(five per Centum)

3. The proposed Bill 5 %(five per centum) will caution the highly suppressed the previous Bill of 2.5%(two and half per centum)

Thanks.

Francis N.Migwi



Chairman

DAGOWatch

Dagoretti District.

Nairobi Kenya.

SPECIAL ISSUE

Kenya Gazette Supplement No. 134 (National Assembly Bills No. 34)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

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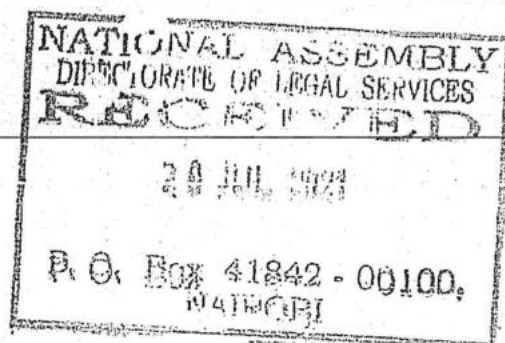
NAIROBI, 9th July, 2021

CONTENT

Bill for Introduction into the National Assembly—

PAGE

The National Government Constituencies Development Fund (Amendment) Bill,
2021 933



PRINTED AND PUBLISHED BY THE GOVERNMENT PRINTER, NAIROBI

**THE NATIONAL GOVERNMENT CONSTITUENCIES
DEVELOPMENT FUND (AMENDMENT) BILL, 2021**

A Bill for

**AN ACT of Parliament to amend the National
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1. This Act may be cited as the National
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Dated the 13th October, 2020.

TINDI MWALE,
Member of Parliament.

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CLERK OF THE NATIONAL ASSEMBLY.
P.O.BOX 41842-00100
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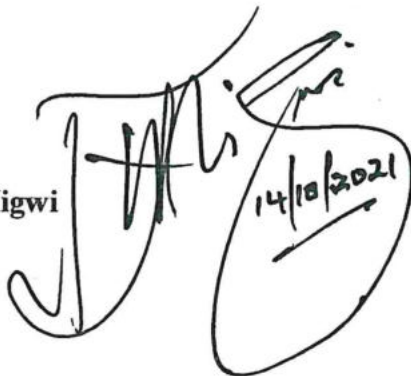
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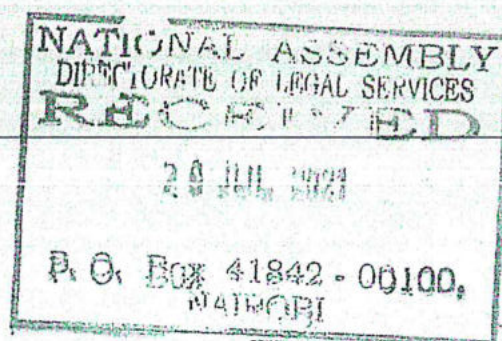
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NAVAKHOLO SUB-COUNTY FAITH-BASED ORGANIZATION

MEMORANDUM TO NG-CDF AFTER AN INTER-FAITH STAKEHOLDERS COMMITTEE MEETING HELD ON 09/10/2021

After listening to unceasing news for and against NG-CDF, we as Religious leaders drawn from Christian umbrella (Navakholo Constituency Pastors Fellowship), Muslims and other African religions met to deliberate on the issue since it has a direct bearing on our lives and operations.

Most, if not, all the inhabitants of Navakholo Constituency have their membership in these religious organizations. For instance churches have over 87% of Navakholo residents as its members. These churches are spread in the 5 wards as follows:-

1. Bunyala East Ward - 74 churches
2. Bunyala Central Ward - 82 churches
3. Bunyala West Ward - 89 churches
4. Ingotse/ Matiha Ward - 70 churches
5. Shinoyi/ Shikomari Ward - 60 churches.

Muslims constitute Approximately 10% of this population with 34 mosques spread across all the five Wards in Navakholo Constituency.

These religious organizations are at the root of the society providing not only spiritual and emotional healing and nourishment but also go ahead in advancing the government's agenda on Health, Education, Security, Economic and Infrastructural Development among other ventures.

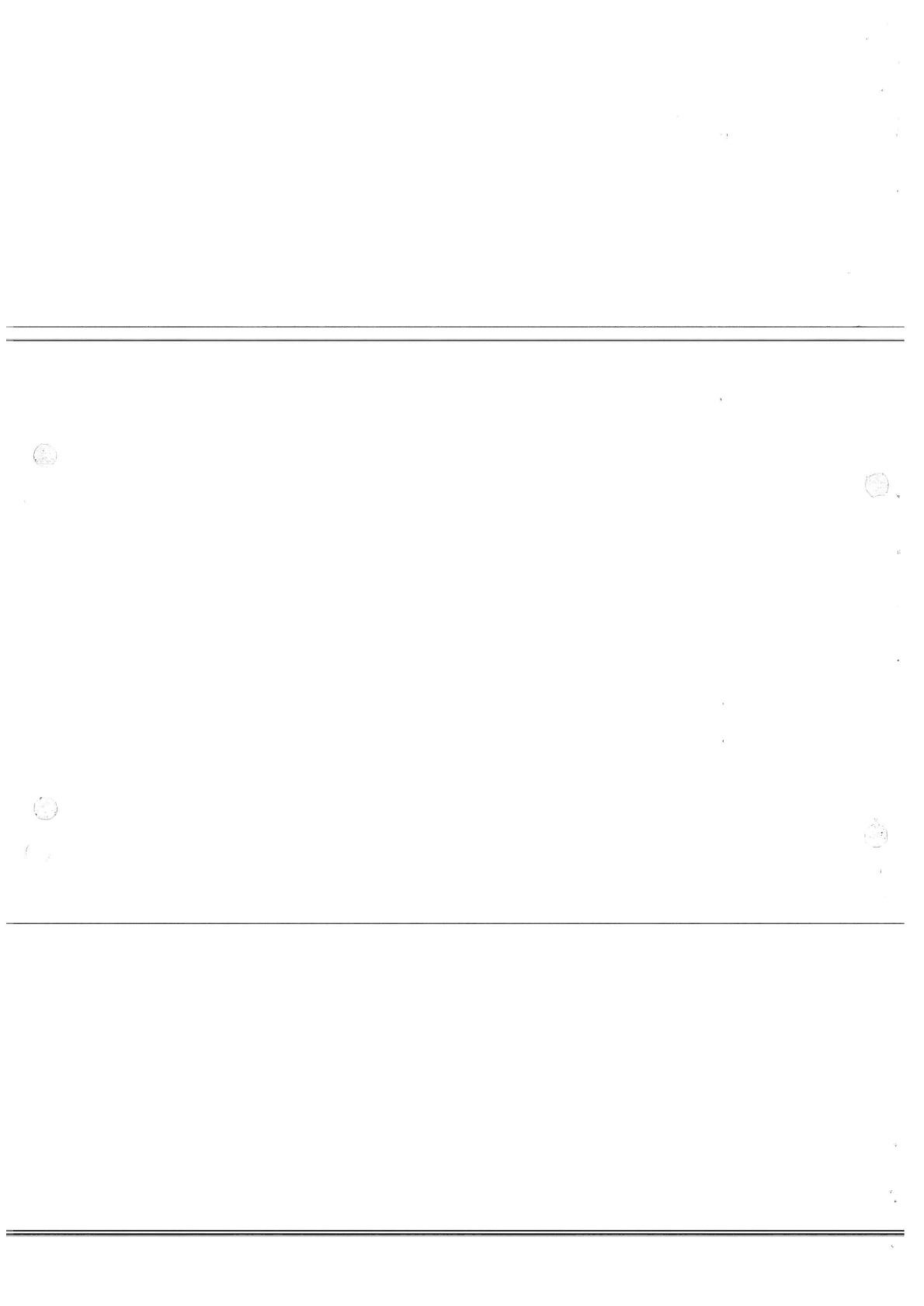
Just to cite some examples, we have:

- Innumerable churches and mosques which are founders of most of the primary and secondary schools in this country. They are part and parcel of these schools' management through the Boards that offer slots for sponsors.
- Rehabilitations centres and children homes under religious organizations aiding the government in raising productive citizens who once we a nuisance to the community and country at large through crime, drug abuse etc. Many citizen love these religious centres because they are loving and friendly and servants in them are "their own"
- The needy and less fortunate have been aided through funds drives in churches thus building a society equipped with the educated, learned and professional besides feeling a sense of belonging.
- Mobilization of funds from NG-CDF which offers bursaries to the poor and less fortunate children in secondary and tertiary institutions.

In all the above undertakings, the religious organizations have realized that NG-CDF has played and still plays a pivotal role in their fulfilment.

Below are the direct benefits enjoyed by the religious organizations and their members:

1. Many parents have the fees burden significantly reduced due to NG-CDF bursaries.
2. The majority of people affected by famine and floods have been supported by NG-CDF.



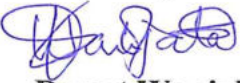
3. Poverty levels have gone down since the introduction of NG-CDF as most of the CDF projects including building of schools, training institutions is undertaken by the locals.
4. Many training institutions have been built by NG-CDF including KMTC, TTIs. These have enhanced money circulation within the constituency and its people with costs like transport and accommodation going down as some can study from home.
5. NG-CDF has supplemented food programmes in schools improving children retention and concentration in schools.
6. A number of our church/mosque members have been employed in the NG-CDF offices.
7. NG-CDF has helped in government fulfilment of the need for a 24-hour economy through electrification in the households, markets, and street lighting. This has in turn reduced on environmental pollution and degradation through firewood and charcoal cooking.

These are just but a few mentioned benefits directly and indirectly felt by religious organizations and its people.

However, much still needs to be done by this 'poor-reaching' NG-CDF fund which has proven its power to do marvels once its funding is increased.

In summary, we as religious leaders do fully support NG-CDF increment.

Written by:
Secretary NSCPM


Dosset Wanjala

Confirmed by
Chairman NSCPM


Bish Cosimas Okumu

Muslim Rep


Sheikh Omari Wekulo

1

**PUBLIC PARTICIPATION ON PROPOSED REVIEW OF CONSTITUENCY
DEVELOPMENT FUND, HELD ON 12TH OCTOBER, 2021 AT NAVAKHOLO CDF
OFFICE**

**KEPSHA PRESENTATION TOWARDS THE PARTICIPATION ON REVIEW OF THE
CDF ALLOCATION FROM 2.5% TO 5%**

The KEPSHA fraternity is geared towards the improvement of access, equity and governance of education in Navakholo Sub County.

Our mission is to exit poverty in the sub county through education so as to fulfill development goals agreed in global and national forums including Education for all (EFA), The Millennium Development Goals, and Vision 2030.

Our motto: "Only good teaching will deliver good education". We have discovered that Navakholo Subcounty has highly stimulating academic environment that can be put into use but have been affected by:

- i. Untapped manpower
- ii. Lack of role model's maximum use
- iii. Parents meeting their obligations
- iv. Rate of drop outs
- v. Lack of facilities
- vi. Harsh weather conditions
- vii. Rewarding of performance
- viii. Benchmarking
- ix. Condemned classrooms
- x. No roof catching
- xi. Sanitary facilities
- xii. Scholarships
- xiii. Lack of electricity
- xiv. Lack of internet
- xv. Lack of proper administration offices
- xvi. Lack of adequate classrooms
- xvii. Feeding programs
- xviii. Sanitary towels

If the CDF kitty can be increased from 2.5% to say 5%, then if not all, some of the needs can be accomplished.

By KEPSHA Chair, Navakholo Subcounty,

Mr. Walter Mwanga Nasokho

THE RATIONALE BEHIND THE JUSTIFICATION OF INCREASING NG-CDF FUND FROM 2.5% TO 5%; VIEWS FROM PUBLIC HEALTH

HEALTH SERVICES

Preamble

As much as we are aware that health is a devolved function, it's the responsibility of the government to protect and advance health care services to its population. The county government alone cannot coexist and more so ensure that its people have access to quality health care on its own hence needs a supplement in terms of resources from the national government. The following thematic areas will be attended to fully if there are more resource allocations:

1. **Prepare and respond to emergencies:** There should be an emergency Kitty/fund which will help the constituency to respond whenever a disaster strikes. Increased funding will provide an operational plan of developing and maintaining a system of public health workforce readiness, deployment and response.
2. **Improve infrastructure and preventive maintenance of health facilities:** Increased NG. CDF allocation will help the MP to add more health facilities to match the demand in his/her area of jurisdiction in relation to the grievances forwarded to the office. The public will not understand that health department is a devolved unit hence they will present their grievances to MP and expect him/her to offer solutions/ alternatives
3. **Employment of staffs:** Increased fund allocation will help the NG.CDF office to engage staffs on short term basis which will reduce staff shortage. For instance this which reduce staff ratio shortage hence effective service delivery. Initially CDF used to employment in the health care services.
4. **Training and capacity building of stakeholders to reduce skill gap:** If funds are available, staffs will be given a technical advice to enhance their skills. In addition, trainings and specialized workshop will be planned to provide updates and alert the staffs on current affairs. The office of MP will also plan for distance coaching and mentoring of staffs. Also benchmarking would be factored among stakeholders
5. **Staff houses:** If funds are available, staff houses will be constructed hence staffs will have to stay within health facility compounds. If staffs will be staying within the compound then there will be minimal inconveniences. The opening and closing hours will be affected positively. Also, night emergencies will be attended to because staffs will be reached whenever there is an emergency.
6. **World health calendar days:** if funds would be available, the office of the MP will have to engage the electorates during special days in celebrating various days with special themes across the year e.g. world TB day, world cancer awareness and communicable and non-communicable diseases
7. **NHIF Cover:** If the allocation will be increased the office of the MP shall have an ability of covering needy cases that can't access or afford health care on NHIF. The needy families will be identified and be paid NHIF premiums

8. **Medical camps and social Behavior change programs:** An increased allocation will help the office plan for medical camps especially in addressing medical conditions e.g. eye medical camp to address ophthalmic infections, cancer and diabetic medical camps. Also Youths will be reached with HIV related programs if funds are available.
9. **Environment and Water:** Clean water and clean environment has a direct link to good health. If funds are available, markets can be provided with sanitary facilities, Proper storage water tanks to public places, Protection of springs and other water sources. Also markets will be kept clean by providing wastes bins or receptacles to addressed solid waste disposal.
10. **Bridges and Road network:** There is need to increase allocation so improve road network that has immensely affected service delivery of essential services e.g. Out reaches services, ambulances services etc.
11. **Community Health Strategy-** There's need to increase the allocation so as to enhance community health units by supporting them with financial resources so as to initiate Income Generating Activities (IGA). For instance, the current allocation under Uwezo Fund was only able to cater for 10 community unit groups which was not enough to cater for all. Hence, if the allocation is increased, all the groups would be considered. This will increase the service delivery across the community unit groups.

Compiled by **MATIKHO JOSEPHAT & LIBINA SEWAMBANI,**
HEALTH SERVICES

VIEWS OF RELIGIOUS LEADERS TOWARDS THE PARTICIPATION ON REVIEW OF THE CDF ALLOCATION FROM 2.5% TO 5%

The church/mosque plays a great role in the governance of the country. They are always consulted at all times, both trying moments and moments of laughter. For instance, recently we had the Covid Menace hit us, the nation had to organize for a prayer day for the whole nation to seek intervention with God. In all functions, religious leaders are requested to offer the prayer, to link us with God, and seek His mercy, as well as guide and protect those involved in addressing the subject at hand.

At times of conflicts amongst National leaders (both political and non-political), church plays a key role in bridging the gap, and mediate. The church/ mosque thus plays a major role in promotion of peace and stable governance of this country.

The church/mosque as well serves as a home for orphans, widows, widowers, those displaced by floods, those displaced at times of conflicts. The church/mosque serves as a rehabilitation center for corrective actions.

Churches/mosques are the key sponsors of learning institutions. In such, they offer space for establishment of schools, colleges, universities and other learning institutions. In all these, the church needs to contribute towards upkeep and well being of such. mosque

Church/mosque plays a pivotal role in straightening morals amongst citizens. The church/ mosque teachings to youths helps the country curb immoral activities like drug and substance abuse, sexual immoralities, and even respect amongst the community members.

However, the government at some point attempts to sideline the worship centers in terms of empowerment. There are several things we believe can be supported by the government. These include:

- a) Support to organize and facilitate sub-county prayer session
- b) Support to buy equipment for use in worship centers
- c) Support for expansion
- d) Support to handle emergencies, example, collapse of church/mosque would need support of it to be reinstated.
- e) Capacity building of religious leaders
- f) Trainings of religious leaders, to improve on their knowledge to fit their congregations.
- g) Connection to electricity, just like the government helps schools to get connected.
- h) Financial support to run the rehabilitations, just like the rehab centers get supported.

We believe the government through local leadership can be in greater position to offer this support to the religious institutions within their jurisdictions.

An increase in CDF allocation thus we believe would increase the CDF scope on the support geared towards religious organizations.

Compiled by:

Bishop Cosmas Okumu and Sheikh Omar Wekulo

VIEWS OF THE PWDs TOWARDS THE PARTICIPATION ON REVIEW OF THE CDF ALLOCATION FROM 2.5% TO 5%

1. Students living with disabilities should be given full scholarship by CDF to special schools, colleges and universities.
2. In schools, special toilets be constructed for students with disabilities.
3. A special school in each subcounty which will cater for students with disabilities.
4. Wheelchairs, white canes, hearing aids and drugs for epileptic and mental challenges at the subcounty facilities.
5. Special fund (Empowerment) in all constituencies so that PWDS can do small businesses
6. Disability awareness kitty in all constituencies.
7. A special vehicle for PWD in every constituency.
8. Special beds for people with disabilities in hospitals
9. Sports fund for PWD.

These are some of the things that the government can deal with in regards to PWDs. We think, this can be well addressed by our local leaders, as they are so close to us. Unfortunately, with limited resources in terms of budgeting, PWDs are subjected to a bit of inconvenience while in these areas, stated above.

We look forward to an increased funding so that the challenges can be addressed, with aid of the government.

Complied by:

Ramadhan Nyongesa and Barthez Wechuli

VIEWS OF THE YOUTHS TOWARDS ON REVIEW OF THE CDF ALLOCATION FROM 2.5% TO 5%

1. EDUCATION:

Brief History:

Most parents in the western region were relying on farming, i.e. cane farming, maize farming, dairy farming, as a major source of income, considering the employment rate. Thus, supporting the school going children was out of the proceeds. However, with changes in climate, downsizing of industries like sugar industries, paper mills, the sources of income have narrowed down. The burden of school fees, socioeconomic and other aspects has gone up. There is thus need for the National government to come in and support these low-lying families, and that can be effected through CDF.

With the 100% transition, we are having more enrollment to secondary schools, and equally impacting on the intakes into universities, colleges and tertiary institutions. There is thus a visible increment in the reliance on the government support.

a) Bursaries:

One way in which CDF supports education is through Bursaries. However, the amount disbursed as bursary to these students is peanut in most constituencies. Take a case of a student joining the KMTC in Navakholo, just behind this CDF office. Assuming they pay fees of Ksh. 60,000 every year, and the CDF awards the student Ksh. 8,000. Kshs. 8,000 against Ksh. 60,000 tuition fees may not be properly thought out.

Further, with establishment of vocational colleges in every Constituency may increase enrollment into post-secondary institutions. There would soon be pressure mounted on the Bursary vote head in the CDF kitty, and the implications being lowering the amount awarded. This can however be rectified in advance by raising the amount allocated to the constituencies for development.

We need to support even the church leaders/pastors/other learning programs in capacity building. For instance, the church leaders go for further trainings and get partial sponsorship of the church, whereas some sponsor themselves to cater for the training costs.

The boda boda sector is one major sector contributing to the development of the country economically, but end up in brushes with the government over driving licenses. CDF could take up and support these youths, as most of them end up in the industry due to economic constraints back home. By offering them driving classes and cater for their DLs, they would have boosted their operations.

the fact that the resources to nurture and expose are limited. Some of the facilities/resources needed to explore these talents include:

- **Sporting complex**; this would help nurture talents, as well as exposure of the residents. Recently, we had the Olympics and Paralympics in Kenya. Its through such that faces like Omanyala Ferdinand popped out. Having working sports complex can give more of such opportunities to identify, train and develop their talents. This can only be achieved if we support the leadership in the Mashinani.
- Attires and other sporting equipment in schools, and the public. That's through sponsorship of tournaments in the constituency, have scouts picking the better participants.
- Recording studios to promote music, comedy, video productions.
- Support/acquisition of musical instruments for the artists, as well as exposure to the outside arena.

Sporting and entertainment activities promote cohesion and integration.

Sadly, we are likely not to realize these considering the resources channeled to it. We believe, a considerable allocation from the CDF to the parties would support them explore their talents, and end result being creation of employment. Should we consider to adjust upwards the allocations to constituencies, then there is an expected injection by the CDFs into these unexplored areas of sports and entertainment.

4. ELECTRICITY;

One of the SDGs being clean energy, and the vision 2030 having a majority households connected to affordable sources of energy, empowering the constituency patrons could be a better way to achieve this. Currently, the national government has managed to connect households to power. However, some transformers referenced are unused, and yet they are in the constituency. Other regions within the country could be completely unattended, owing to political rifts. These gaps could be sealed if the costs of connecting the people to electricity are decentralized, and the Constituency leadership mandated. Assuming there was allocation by CDF to ensure connectivity to completion, they would honestly implement.

5. CONSTITUENCY EMERGENCY VEHICLES

There is need for constituency vehicles to help address some cases within the constituency, as well as necessitate mobility of the staff. An increase in allocation to Constituencies would enable them procure and maintain office vehicles that would aid in operations. Some constituencies might have bought, but this has a certain impact on other parameters of the vote head.

Compiled by: **Makarios Masakha, Calystus Wanjala, Faith Nanyama Sikanga, Ashim Mulika, Scholasticah Otuya**

October 12, 2021

MEMORANDUM BY THE SEME NGCDF COMMITTEE ON THE PROPOSED AMENDMENTS TO THE NGCDF ACT 2015

This memorandum is submitted as required by Article 118(1)(b) of the constitution of Kenya

1. The proposed amendments to increase the allocation of NGCDF from 2.5% to 5% is a timely and long overdue. Since inception in 2003, the fund has seen the increase in development in the constituencies. The fund's objective of ensuring equitable distribution of development resources across regions and to control the imbalances in regional development brought about by partisan politics will be enhanced with an increase in allocation to the fund.
2. The NGCDF Model has been lauded world over as an excellent way to enhance rural development, the design of the fund that limits the funds available for administration and recurrent activities to a maximum of 9% (6% Admin and 3% M&E)

We submit as below

3. Constituencies increased from 210 to 290

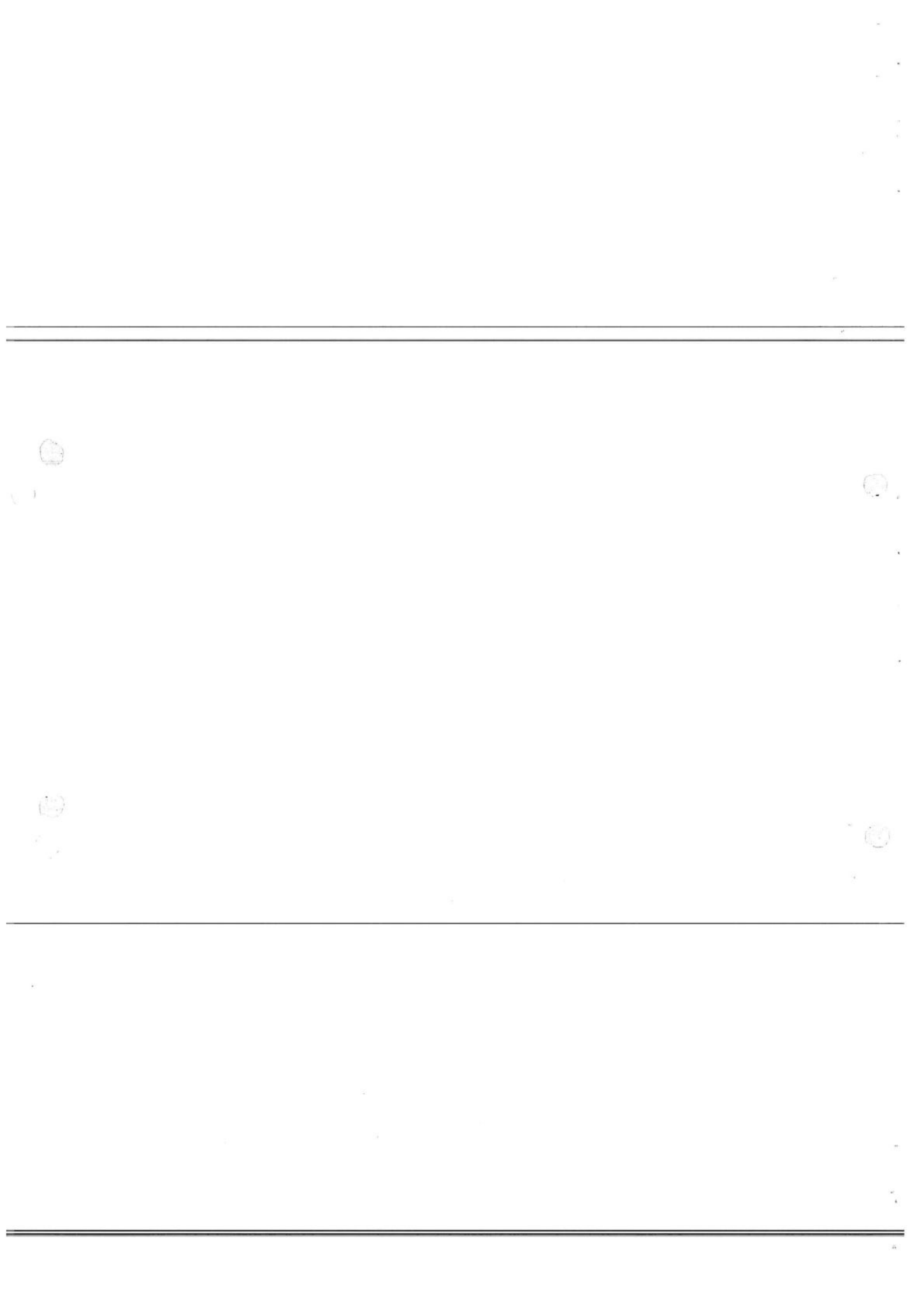
The current law on NGCDF provides for equal distribution of the funds allocated among the 290 constituencies. The per centum of 2.5% made sense when the constituencies were 210, with the increment of constituencies to 290, there is a need to increase the allocation.

4. Division of Revenue

At inception, the allocation of 2.5% to NGCDF was based on the total Government Revenue, with the counties in place, the allocation of 2.5% is now based on the National Government Share of National Revenue. An increase of allocation to 5% will mitigate on the loss from the Fund occasioned by the Division of Revenue.

5. Universal access to Education and 100% Transitions

With the current allocation at 2.5% of National Government Share of Revenue, the constituencies have been able to achieve much in development majorly in Education. With the 100% transition from primary to secondary, there strain on the NGCDF allocation is visible and constituencies are only able to do so much. Most constituencies have embarked on a plan to start new primary schools and



secondary schools to ensure the achievement of this goal. With an enhanced NGCDF, more will be achieved.

6. Education Bursary

The Bursary issued by NGCDF to Needy students has continued to ensure many students are admitted to the secondary schools and colleges of their choice. With the effects of Corvid 19 and the increasing unemployment, the parents are increasingly unable to pay school fees. Additional funding towards bursary will go a long way in enhancing access to education.

7. Inflation and its effects on the cost of Projects

The increase in inflation and by extension the increase in the cost of materials has negatively affected the cost of doing projects under NGCDF. An increase in the allocation will ensure that more funds are available to undertake more projects.

8. Access to Government Services

The Government has enhanced access to government services by establishing offices of Chiefs and Assistant Chiefs Offices, NGCDF plays a critical role in availing the necessary infrastructure including housing and offices. With the many administrative units being created, there is a need to increase the allocation to NGCDF.

9. Universal Health Care – Health Insurance

The NGCDF law currently allows the appropriation of an amount not exceeding 10% towards the social security programs. Many constituencies that have enrolled the elderly in the NHIF program have seen them access health care. An increase in the allocation will enable us enroll more into the program

WE SUPPORT THE PROPOSED AMMEDMENTS TO THE NGCDF ACT (2015)

We thank the National Assembly Select Committee on NGCDF for seeing it fit to hold the public participation on this important amendment at Seme Constituency.

Signed on Behalf of NGCDF Seme Constituency



James Henry Adundo
Chairman

SEME CONSTITUENCY: PUBLIC PARTICIPATION ON NG-CDF ACT AMENDMENTS

Public submissions:

On Education: (Learning institutions):-

No	Improvement areas	Existing challenge	Suggestions
1	Bursaries and scholarships	➤ Limited funding to support all the needy students	Increase allocation for bursaries to support most needy cases.
2	Classrooms infrastructure in schools	➤ Experiencing shortage of classrooms due to 100% transition into Secondary schools and Compulsory Basic Education government policies	More funding towards classrooms construction in both primary and secondary schools
3	Modern Science Laboratories in secondary schools	➤ Low number of modern laboratories establishments in secondary schools ➤ Poor performance in science subjects by students	Increase CDF funding to enhance modern Laboratories construction and equipment in secondary schools to improve performance in sciences in schools
4	Water supply/boreholes in schools	➤ Lack of water supply/ boreholes in many schools	Increase Cdf funding to allow sinking of water boreholes in schools; ensure provision of safe and clean water for schools use.
5	Schools Furniture(students desks and lockers)	➤ Lack of or dilapidated furniture in schools	Increase Cdf allocation to provide for modern desks and lockers for learners in schools

ON SPORTS:-

No	Improvement Areas	Challenge	Suggestion
1	Sporting Activities	➤ Poor playing grounds ➤ Shortage of playing kits ➤ Limited sporting activities due to limited funding allocation	Increase funding to help:- ➤ Improve the playing grounds ➤ Enhance more sporting activities(track events, boat racing, athletics etc) ➤ Provide modern playing kits to players

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**MEMORANDUM SUBMITTED BY RARIEDA CONSTITUENCY NG-CDF COMMITTEE IN
THE MATTER OF THE KENYA NATIONAL ASSEMBLY BILL NO. 34 OF 2021**

October 12, 2021

This Memorandum is submitted pursuant to Article 118(1)(b) of the Constitution of Kenya which asks Parliament to facilitate public participation and involvement in legislative and other business of the Parliament and its committees. It further provides that Parliament conducts its business in an open manner, and hold its sittings and those of its committees in public.

The proposed amendment to increase the allocation for NG-CDF is a welcome move that should be supported by all members of Parliament and the general public at large. In our experience, the allocation should be increased from two and a half per centum (2½) to ten per centum (10%). This will increase and maintain the momentum of development the fund has created. There is no doubt that NG-CDF activities are highly visible and appreciated in the rural hinterlands. Yet more milestones need to be achieved for sizable development transformation to be realized. The proposed 5% is still low basing on the performance of the fund and the expectation of the general public.

The 2010 Constitution of Kenya recognizes two levels of government which must operate in parallel in the course of providing services to the citizens. The NG-CDF has been credited with improving infrastructural developments of the rural areas more so in the areas of education and security. Before the advent of the fund educational institutions were maintained by communities. The ever increasing poverty index in the country coupled with rising inflation and other economic factors rendered community participation in maintenance of their schools minimal or unfeasible. The table below provides a snapshot of the economic regression in the country.

This phenomenon keeps worsening with each year passing. The inability to predict the climate combining with the severity of extreme climates makes it difficult for long-term planning by the NG-CDFCs. Long term planning would (under these circumstances) be very expensive in an environment of competing needs for meager resources. The customary practice of lumping sanitation with other environmental activities simply depletes the 2% allocation. Every year almost all primary and day secondary schools require new sanitation facilities due to flood waters – a result of climate change. *We in Rarieda Constituency have identified climate change as a major threat to the Fund's activities and are appealing to policy makers to create a specific funding window (within the Fund) to address it.* The fund has the best reach at grassroots level and has the potential for providing the much needed intervention in addressing climate change. A synergy between the local administration and educational institutions facilitated by the NG-CDFCs can be a powerful driver of climate change mitigation. The financial and administrative capacities of the NG-CDFs are a sure way of absorbing funds for grassroots operations and activities. The government recently announced a budget of Ksh. 6.5t to address climate change. *We are proposing that part of these climate mitigation funds be included in the allocation for NG-CDF.* The NG-CDF Board can be tasked to develop a policy framework on this involvement.

We are totally in agreement with other proposed amendments as contained in the Kenya Gazette Supplement; National Assembly Bills of 2021; Nairobi, 9th July 2021. We are confident that the National Assembly Select Committee on NG-CDF and the NG-CDF Board will make the appropriate policies to align and streamline the operations of the fund with the proposed changes.

There are other internal policy areas we would require the Fund to address. We would like to invite the Board to urgently consider the issues of NG-CDFC allowances. There is an urgent need to make upward adjustments to the allowances in light of the prevailing economic circumstances. It is our appeal to the Board to consider the plight of the Persons Living with Disabilities and whose participation may require extra facilitation.

THANK YOU

Signed on behalf of Rarieda NG-CDFC



Dr. Paul Saoke

12/10/2021

KESSHA SEME SUBCOUNTRY/CONSTITUENCY PRESENTATION

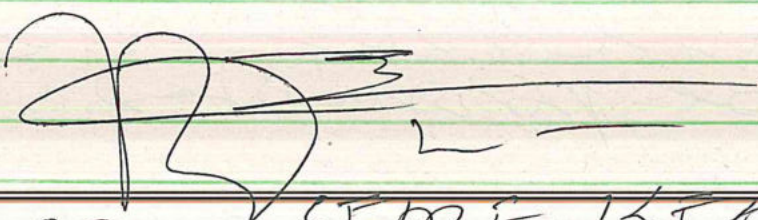
INTRODUCTION

Kessha graciously supports the intended increment of Nk-COF allocation to the Constituencies from 2.5 to 5%.

REASONS FOR SUPPORT

- 1 Additional classrooms required in Seme, 72 due to 100% transition
- 2 Classroom furniture, lockers and chairs to go with the new classrooms and environment about 3600.
- 3 Laboratories required are about 72 in secondary schools.
- 4 Dormitories in Boarding schools are serious congested. Seme requires 30 dormitories of 3000 capacity.
- 5 Water shortage is acute. Boreholes need to be drilled in 36 schools and roof catchment be promoted.
- 6 Our schools seriously lack administration

- blocks 36 of them.
7. Access roads to our schools are also required.
 8. School Buses (30) to help students move to external learning excursions.
 9. Sanitation facilities are highly basic. Approximately 120 doors of latrines are urgently required.
 10. Bursaries and Scholarship for our needy children increase. About 90% of the 24,000 students in the constituency require bursary and scholarship support.
 11. We request that emergencies votehead be strengthened. Natural disasters occasionally cause havoc and require AG-CDF intervention.


12/10/2021 SEME KEESHA
SECRETARY

12/10/2021

NATIONAL GOVERNMENT ADMINISTRATION OFFICERS
MEMORANDUM ON PUBLIC HEARING ON —
NATIONAL GOVERNMENT CONSTITUENCIES FUND
AMENDMENT BILL NO. 34 OF 2021

The National government administration officers Narakholo Sub-County are in Support of the proposed Aimed at increasing the Minimum Share of the National share of revenue appropriated to the National government Constituencies development Fund from 2.5% to 5%.

The increase on the revenue will enhance addressing the following areas of Major Concern;

① EDUCATION

(A) Bursary - The bursary currently allocated is inadequate to meet the needs of the most needy and vulnerable school going children

(B) School infrastructure - Due to increase in school enrollment, there is need to increase funding to schools for improving school infrastructure

② SECURITY

(A) National government administration - Most of the officers especially Chiefs and Assistant Chiefs operates in rented houses thus there is need to ensure construction of their offices to enhance service delivery.

(B) National police Service - Due to creation of numerous police posts in the Sub-County, there is need to construct offices for the police operation to enhance security in the area

③ EMERGENCY ISSUES:

The amount of Money allocated to the emergency vote head is inadequate and can't be able to adequately address most of the emergency issues occurring in the Constituency.

Enhancement of the Revenue shall be able to improve on addressing some of the emergency issues occurring within the Sub-County Constituency.

④ ROADS

- Road network within the Constituency is quite poor, Maintenance of the available roads takes long time by KERRA, and if some ~~roads~~ section of roads Maintenance could be given to the NG-CDF and funds allocated, this will enhance on road Maintenance in the Constituency.



JOSHUA MUTISYA

FOR NGAOS NAVAKHOLU SUB-COUNTY

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MEMORANDUM SUBMITTED TO NG-CDF NATIONAL STAKEHOLDERS
COMMITTEE ON 11/10/2021 BY KESSHA NAVAKHOLO SUB COUNTY

- Navakholo sub-county

Has a total of 32 secondary schools , 31 are public and 1

- Boys Boarding - 2

Girls Boarding - 3

Mixed Day and Boarding - 6

• The rest are mixed day (12) we also have over 62 public primary school and 6 private schools. We submit that NGCDF fund be increased in order:-

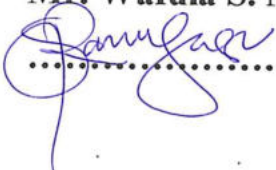
1. Support many stalled school projects and new ones.
2. Due to 100% transition enrollment went up in many schools which put pressure on infrastructure.
3. Due to high poverty levels school fees payment is poor and Bursary given is inadequate.
4. Due to lack of staffing many schools spend a lot in salary payment for BOM teachers.
5. The Ministry banned PTA levies which means there is no way schools can put up infrastructure without external funding NGCDF is the only option.
6. Most of the schools are newly established and are in dire need of support to come up.
7. Monies allocated for project are not enough due market price of hardware materials i.e. 800,000 for a classroom.
8. Many primary schools have dilapidated and now competing with secondary schools over the Meagre funds allocated per year.

AS KESSHA we fully support the increament

Confirmed

Secretary

Mr. Wafula S. Manyasi


.....

Chairman

Mrs. Phelgona Juma


.....



Bungoma Municipality October 2021 Football Tournament.

In regards to the above, we are requesting for both Financial and Technical Assistance to enable us organise for the above.

There is a budget as to the above, and we have honour promises from many persons and we need to receive their feedbacks before we can stand out with Outstanding remaining financial request but you are also requested to contribute accordingly -

Thanks

Contact us for any information as per the request.

PATRON

2100 SPORTS AND WELFARE ASSOCIATION

PETER U.K. SIBALA

0711604934

CHAIRMAN

2100 SPORTS & WELFARE ASSOCIATION

MICHAEL SHUMBA WANDANDA

0723649716



Handwritten text in a cursive script, possibly a signature or a short note, located in the middle of the page.

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ZION FC is a community based Football Team aiming to raise talents of youths around and outside the Municipality of Bungoma.

The word Zion was given, the team in accordance to where most of these youngmen now turned up to be good youngmen, have been Most of them Bhang addict smokers, Heavy all Brew Drinkers, Thugs e.t.c

The Situation around Pombi Tawo became uncontrollable in terms of security and it is when we the few felt and intervened and Combed Six neighbourhood Villages believed to be harbouring these young culprits. Something truly to say we have managed to control and now we have ZION FC ZION JUNIORS and LADIES TEAM.

It is in this respect, the Steering Committee feel that what we have done is enough. Since we have spent and the relevant County Offices or the Administrative line to come in so as we can not let these young men idle again, where we believe they will automatically fall back to their former bad habits.

We are appealing to well-wishers not only leaders but even businessmen, leading professional anyone outside there.

At present ZION FC Under Umbrella of ZION Sports Association in collaboration with other 8 Municipality Football Teams, we are in process of organising Inter-Estates

1. The first part of the paper is devoted to a general discussion of the problem.

2. The second part of the paper is devoted to a detailed analysis of the results.

WEST BUTSOTSO PRESENTATION

NG-CDF

1. Security
2. Education
3. Environmental

1. SECURITY

Improvement on overall security status

- (i) Completion of police quarters and equipment's i.e armour section / sales
- (ii) Completion of administration offices both chief and assistant chiefs offices
- (iii) Improvement on security lighting


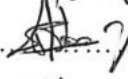


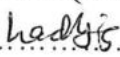

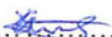
2. EDUCATION

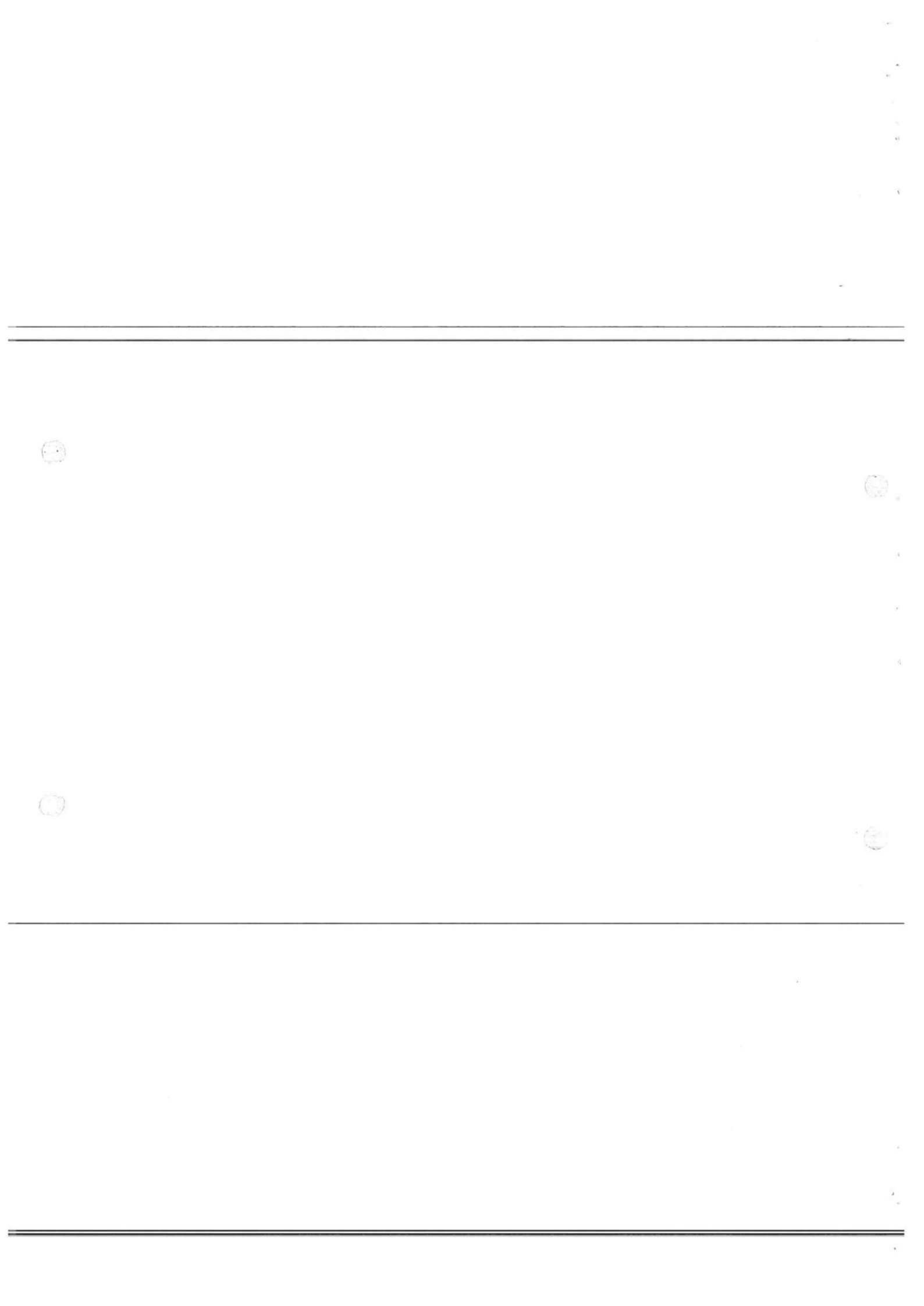
- (i) Due to 100% transition schools need more space, bursaries and other facilities.
- (ii) Due to overpopulation of pupils in both primary and secondary schools need for more buildings is vital

3. ENVIRONMENTAL

- (i) All schools need clean water for better health.
- (ii) Afforestation i.e. tree planting, flower gardening is needed.
- (iii) Completion of roads and bridges heading or connecting schools is needed.
- (iv) A proposal of septic tank introduction to schools is hereby done.

Members

1. BSP JOSEPH JOMO MUTINYE - 
2. ABREX WERE NAMUKUN  (Presentor)
3. JACOMY GODIA AMARAKA 
4. ALI WANGWE 
5. HADJA 'M' MUGOMY 
6. MARY C MUTENDE 
7. YUPUS A. SALIMU 



**ZION SPORTS AND WELFARE ASSOCIATION
POMBO TANO SINGLE WATER SUPPLY
TOWNSHIP WARD - BUNGOMA**

**RE:REQUEST FOR PARTNERSHIP FOR THE ARRANGEMENTS OF
BUNGOMA TOWN MUNICIPALITY INTER- ESTATES ZION SPORTS
FOOTBALL TOURNAMENT OCTOBER 2021**

As above stated, Zion sports football tournament October 2021 do hereby humbly request you for your financial and technical assistance and in this regard we invite you to join the steering committee for this year's tournament that is scheduled to commence mid -October 2021.

Apart from playing football, we are approaching notably county government offices like IEBC, department of social services, department of health, county sports office, police, governors office; where we are requesting their attendance as during such kind of tournament, is where many people especially youths are easily available; and the required officers can easily send out the messages to them.

At present we have 16 confirmed local clubs around the municipality that are going to participate and we are hoping to receive around 32 teams. These clubs will parade 3 playing units:

- 1. Senior**
- 2. Juniour**
- 3. Ladies(football and netball)**

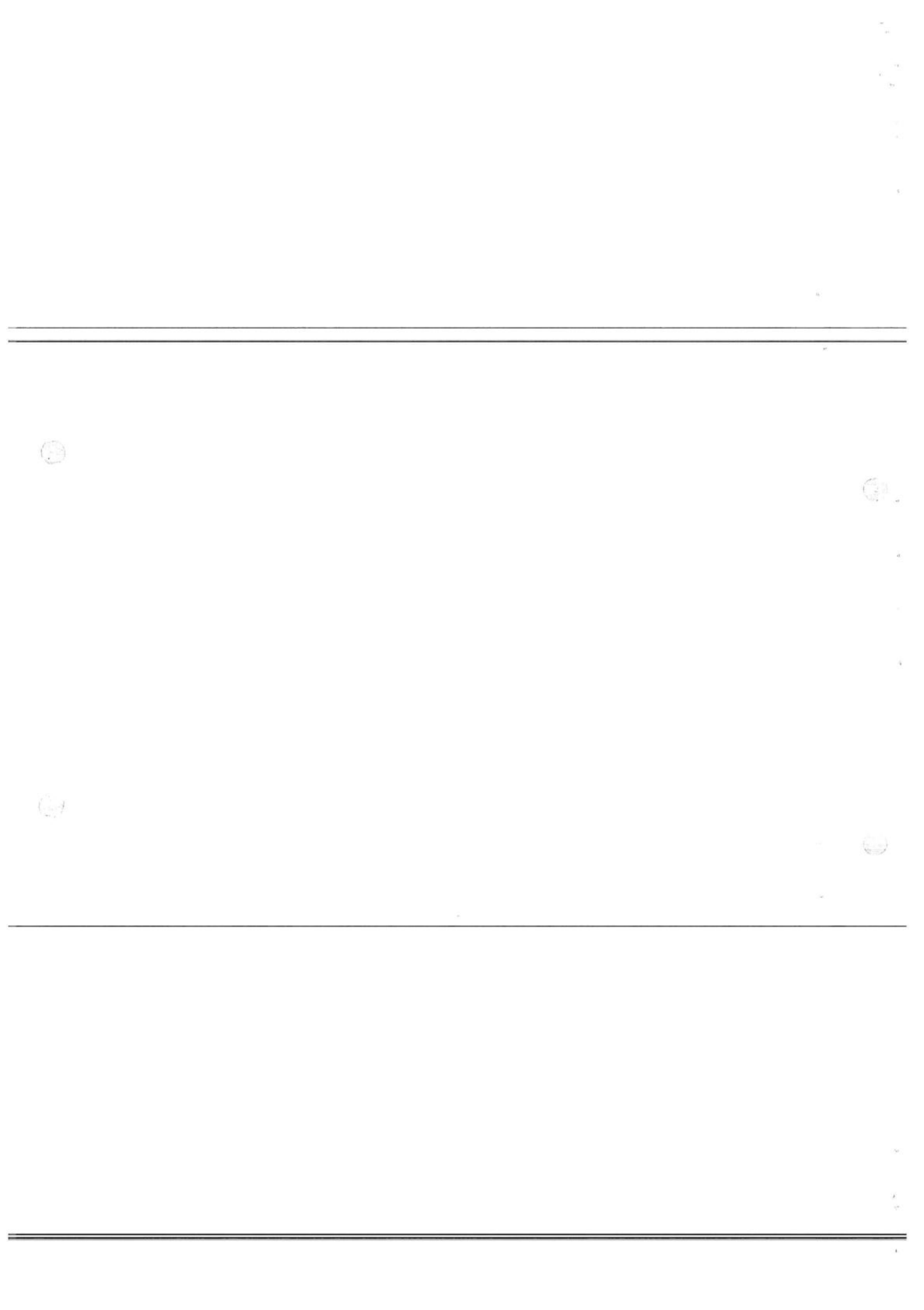
Within Bungoma town municipality according to survey made, there is over two thousand street persons better known as "chokora" and this is one of the factors we will need the social services department to address upon, and see how these persons, some who have known or identifiable homes can be sent back to their homes and the rest be absorbed in our Kanduyi Red cross Home.

So we will organise and avail them and they will also play their football match-town chokora vs Kanduyi chokora.

Also we are making arrangements to host the Bungoma veterans vs Bungoma county mca's match, that will be like thanking our MCAS for the duties and they can take this chance to single out their terminal performances.

There is a budget behind this tournament preparation, but this we need to sit around the table and talk upon, but the essential breakdown is as follows :

1. Award and prize giving to the best teams
2. Medical kits(to be used during the tournament)
3. Recommendation relevantly (especially from thinkers, opinion leaders, relevant county officers, this will be on the closing day).



We have also invited the relevant football sponsors to attend ,especially on the closing day, where they will scout some of our youths and who knows they can be offered lucrative trials.

As outlined earlier, if you feel you have positive related ideas that can make Bungoma county be united, sustainable,developmental friendly,non racial zone and all that, then join us for the preparation of this mass drive.

Contact the below for any information accordingly.

The patron
Zion sports association
Peter O.K Sibala
0711604934

The chairman
Zion sports association
Michael S. Wandanda
0723649716

**A COPY OF NEWSPAPER ADVERTS INVITING
SUBMISSIONS OF MEMORANDA.**

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Prof Stephen Gitahi Kiama

BRIEFLY

Government asked to institute reforms in higher education

NANDI • The government has been asked to restructure higher education to provide leadership on specialised careers. University of Nairobi Vice-Chancellor Stephen Kiama said the government has prioritised basic education at the expense of higher learning. He made the appeal on Friday when he toured UoN constituent campuses in Mosoriot and Nandi Hills. Barnabas Bii

Police impound car transporting bhanga

BOMET • Police have impounded a vehicle that was transporting six bags of bhanga along the Kisii-Narok highway. The driver of the vehicle escaped after it was involved in an accident at Sachangwan on Monday. Bomet Central sub-county police boss Musa Imama said the vehicle hit a bump and rolled. Vitalis Kimutai

50 girls get digital skills training

NAKURU • More than 50 girls from the slums of Nakuru Town East marked the International Day of the Girl Child by being trained on digital skills. Young mothers and schoolgirls received ideas and tips on improving their digital, photography and art skills to enable them make money. Francis Mureithi

Partnership to boost avocado farming

SIAYA • The county has partnered with the Japan International Cooperation Agency (JICA) to boost avocado farming. Deputy Governor James Okumbe said the partnership will stabilise the avocado value chain in a bid to expand the market within and outside the country. Elizabeth Ojina

attractions The historical site has commanding vistas as well as wildlife

Mau Mau veterans grumble over name as Queen's Cave pulls crowds

While Queen Elizabeth visited for leisure, Dedan Kimathi used it as a hideout as he fought the colonialists



waterfall that is part of the attractions at the Queen's Cave in Nyeri County. The cave was used by Mau Mau fighter Dedan Kimathi during the struggle for freedom. FILE | NATION

Y WAIKWA MAINA

Field Marshal Dedan Kimathi and Queen Elizabeth were to meet at the one place in the Aberdare Forest that stood them at different times, they would both have a reason to smile, and to grieve. While Kimathi used it as a hideout and command centre against the colonial government, the Queen visited for leisure. Queen's Cave, about five kilometres from the Karuru waterfalls, is serene and has a variety of wildlife.

Both the Queen and Kimathi will smile at the well-maintained natural vegetation covering the cave and its surroundings, which made it a perfect place for a Mau Mau hideout. On the other hand, Queen Elizabeth, who visited the cave for her last dinner before leaving for the United Kingdom to be crowned, might feel frustrated at a small structure built by the British army in bad shape and

needs urgent repairs. The staircase from the small house at the entrance to the cave, now known as Queen's Picnic Site, is also being swallowed by the vegetation.

Kimathi might frown at the presence of the staircase, which makes access to the cave easier. Thousands of tourists also visit the site, denying it the originality he enjoyed in the hideout.

Mau Mau veterans are also unhappy that the cave was named after Queen Elizabeth.

Local and international tourists come to enjoy their lunch at the small house at the entrance to the cave.

Mr Joseph Gachara



"It is a good thing that it is named after Queen Elizabeth to attract tourists, but it reignites the dark colonial history because the state of emergency was declared in October 1952, a few months after the Queen left Kenya to be crowned," said Mau Mau General Kihiko Kibue, also the Nyandarua Mau Mau Association chairperson.

"There were no roads at that time and the site was invisible to colonial soldiers. It was among our favourite hideouts and Kimathi loved it very much," he said.

"We are unhappy with the naming of the place as Queen's Cave. We will have the places named after freedom fighters. The initiative has already started and we urge the county government to hasten the process," said Ruhani Kibanga, a Mau Mau veteran.

From the outside, the natural cave appears to have been designed by an experienced architect, standing under well-curved pillar-like rocks.

Joseph Gachara, our guide from the Kenya Wildlife Service, said Queen's Cave is a major attraction.

"Local and international tourists come to enjoy their lunch at the small house at the entrance to the cave after hours of hiking in the Aberdare Forest," he said.

"Its location and landscape, its history, the different colours

of the vegetation, a view of the beautiful mountains and valley, and the cool weather make the place conducive for family fun days and tourist stopovers."

The roofing of the house, as with many other historical sites, is in dire need of repairs.

To get to the cave from the small house, tourists walk the 200-metre meandering wooden

stairs built by the British.

Mr Gachara informed us that on lucky days, guests can enjoy some sweet honey that trickles from hives at the top of the cave.

The easiest and nearest route to Queen's Cave from Nairobi is through Ndunyu Njeri. Most visitors, though, take the longer route from the Ndunyu Njeri gates and exit at the Shamatata Gates, allowing them to visit many of the historical sites, including Mt Satima, the highest in the Aberdare Forests.

To get a share of the tourism business, Nyandarua County's Department of Tourism is marketing the historical sites and organising events. Mary Waithe, the Tourism chief officer, said new hotels have increased bed capacity from 301 to 510, a 40 per cent increase, in two years.



REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT - FIFTH SESSION

In the matter of consideration by the National Assembly: The National Government Constituencies Development Fund (Amendment) Bill (National Assembly Bill No. 34 of 2021)

PUBLIC HEARINGS/SUBMISSION OF MEMORANDA

The National Government Constituencies Development Fund (Amendment) Bill (National Assembly Bill No. 34 of 2021) seeks to amend the National Government Constituencies Development Fund Act, No. 30 of 2015 to increase the minimum share of all the National Government Constituencies Development Fund from 2.5% (two and half per centum) to 5% (five per centum).

The Bill has undergone First Reading as stipulated in the Standing Orders of the National Assembly and has been committed to the Select Committee on National Government Constituencies Development Fund for consideration and reporting to the House.

Pursuant to the provisions of Article 118(1)(b) of the Constitution of Kenya and Standing Order 127(3), the Committee will be undertaking public hearings in the following counties from 9.00 am to 5.00 pm as indicated below:

No.	COUNTY	VENUE/TOWNS	DATE
1.	Kisumu	NG-CDF Complex - Kombewa	Tuesday, 12 th October, 2021
2.	Kakamega	NG-CDF Office - Navokholo	Tuesday, 12 th October, 2021
3.	Nyeri	Nyamachaki PCEA Hall, Nyeri Town	Tuesday, 12 th October, 2021
4.	Bungoma	Kenya Red Cross Hall - Bungoma	Wednesday, 13 th October, 2021
5.	Kirinyaga	Baricho Hall - Ndia	Wednesday, 13 th October, 2021
6.	Muranga	Nyakihau Multipurpose Hall - Kiharu	Thursday, 14 th October, 2021
7.	Nakuru	Bahati Hall next to Police Station	Thursday, 14 th October, 2021
8.	Nandi	Aldai CDF Hall	Friday, 15 th October, 2021
9.	Uasin Gishu	TAC Center, Eldoret Town	Friday, 15 th October, 2021
10.	Turkana	Lokirama Youth Centre - Lodwar Town	Saturday, 16 th October, 2021
11.	Lamu	Lamu Forte	Monday, 18 th October, 2021
12.	Isiolo	Police Station Field - Isiolo Town	Monday, 18 th October, 2021
13.	Garissa	Kenya National Library Service	Tuesday 19 th October, 2021
14.	Mombasa	Kongowea Youth & Women Empowerment Center	Tuesday 19 th October, 2021
15.	Meru	Mashimikuru Hall	Tuesday 19 th October, 2021
16.	Kwale	KwaleBarasa Park - Matuga	Thursday, 21 st October, 2021
17.	Machakos	DCC office - Masinga	Friday, 22 nd October, 2021

Due to the need to comply with the Ministry of Health COVID-19 containment measures, members of the public are encouraged to prepare written memoranda on the Bill and submit to the Committee on the above mentioned venues during the scheduled public hearings.

The representations may also be forwarded to Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi or email to Clerk@parliament.go.ke to be received by Friday, 22nd October, 2021 at 5.00 pm.

The soft copy of the Bill can be accessed from the Parliamentary website at www.parliament.go.ke/the-national-assembly/house-business/bills.

MICHAEL R. SIALAI, CBS
CLERK OF THE NATIONAL ASSEMBLY
12th October, 2021



NOTICE OF FUNDING OPPORTUNITY

USAID HEALTH SYSTEMS SUSTAINABILITY PROGRAM

Through its new Health Systems Sustainability Program, USAID's Health Office will further the reach of local organizations as they support and contribute to the strengthening of quality health systems in Kenya.

This Health Systems Leadership solicitation covers **Activity 1: USAID Health Sector Governance and Strategic Partnerships**, which aims to improve governance, accountability, and strategic partnerships for strengthened and inclusive health systems.

Interested parties are invited to apply to implement the activity. For more details, please visit www.grants.gov and conduct a search using the solicitation number **72061521RFA00021**. Applications should follow the instructions in the solicitation when drafting an application in response to the Program Description.

For information on USAID's activities in Kenya, please visit www.usaid.gov/kenya



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The Health Systems Financing solicitation covers the two activities below:

Activity 2: USAID Analytics, Health Financing, and Social Protection Systems for Health, which aims to improve evidence generation, health financing, and social protection systems for better outcomes

Activity 3: USAID Private Sector Engagement, which aims to improve health outcomes through increased patient choice of available products and services in the private sector

Interested parties are invited to apply to implement both activities or either of the two, with separate applications required for each activity. For more details, please visit www.grants.gov and conduct a search using the solicitation number **72061521RFA00020**. Applications should follow the instructions in the solicitation when drafting an application in response to the Program Description.

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The Health Systems for Quality Health Services solicitation covers **Activity 5: USAID Human Resources for Health, Quality Management, and Community Health Systems**, which will enable local organizations to strengthen human resources for health, quality management, and community health systems at national and county levels to improve equity, resource optimization, and the quality of essential health services.

Interested parties are invited to apply to implement the activity. For more details, please visit www.grants.gov and conduct a search using the solicitation number **72061521RFA00019**. Applications should follow the instructions in the solicitation when drafting an application in response to the Program Description.

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REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY TWELFTH PARLIAMENT - FIFTH SESSION

In the matter of consideration by the National Assembly: -
The National Government Constituencies Development Fund (Amendment) Bill
(National Assembly Bill No. 34 of 2021)

PUBLIC HEARINGS/SUBMISSION OF MEMORANDA

Article 118 (1)(b) of the Constitution provides that, "Parliament shall facilitate public participation and involvement in the legislative and other business of the Parliament and its Committees". Standing Order 127 of the National Assembly Standing Orders requires the Select Committee to which a Bill is committed to facilitate public participation and take into account the views and recommendations of the public when the Committee makes its report to the House.

The National Government Constituencies Development Fund (Amendment) Bill (National Assembly Bill No. 34 of 2021) seeks to amend the National Government Constituencies Development Fund Act, No. 30 of 2015 to increase the minimum share of all the National Government Constituencies Development Fund from 2.5% (two and half per centum) to 5% (five per centum).

The Bill has undergone First Reading as stipulated in the Standing Order of the National Assembly and has been committed to the Select Committee on National Government Constituencies Development Fund for consideration and reporting to the House.

Pursuant to the provisions of Article 118(1)(b) of the Constitution of Kenya and Standing Order 127(1), the Committee will be undertaking public hearings in the following counties from 9:00 am to 5:00 pm as indicated below:-

No.	COUNTY	VENUE/TOWNS	DATE
1	Taita Taveta	Mwatate NG-CDF Hall	Friday, 12 th November, 2021
2	Kitui	Kitui Central NG-CDF Hall	Saturday, 13 th November, 2021
3	Kajiado	Kajiado MTTI Hall	Sunday, 14 th November, 2021
4	Nairobi	KICC	Tuesday, 16 th November, 2021
5	Kisumu	Thika Stadium	Wednesday, 17 th November, 2021
6	Narok	Narok North NG-CDF Hall	Friday, 19 th November, 2021
7	Bomet	CGD-Hall	Saturday, 20 th November, 2021
8	Tharaka Nithi	Chuka DDC Ground	Monday, 22 nd November, 2021
9	Embu	Talent Centre Hall	Tuesday, 23 rd November, 2021

Due to the need to comply with the Ministry of Health COVID-19 containment measures, members of the public are encouraged to prepare written memoranda on the Bill and submit to the Committee at the above-mentioned venues during the scheduled public Hearings.

The representations may also be forwarded to Clerk of the National Assembly, PO Box 41842-00100, Nairobi or email to clerk@parliament.go.ke to be received by Monday, 15th November, 2021 at 5:00 pm.

Copies of the Bill are available at the National Assembly Table Office or be accessed from the parliamentary website at: www.parliament.go.ke/the-national-assembly/the-technical-services/bills.

MICHAEL R. SIALAL, CBS
CLERK OF THE NATIONAL ASSEMBLY
5th November, 2021

REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY
TWELFTH PARLIAMENT – FIFTH SESSION

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4.	Nairobi	KICC	Tuesday, 16 th November, 2021
5.	Karuri	Thika Stadium	Wednesday, 17 th November, 2021
6.	Narok	Narok North NG-CDF Hall	Friday, 19 th November, 2021
7.	Bomet	COD-Hall	Saturday, 20 th November, 2021
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MICHAEL R. SIALAL CBS
CLERK OF THE NATIONAL ASSEMBLY
5th November, 2021



USAID
FROM THE AMERICAN PEOPLE

NOTICE OF FUNDING OPPORTUNITY
USAID HEALTH SYSTEMS SUSTAINABILITY PROGRAM

Through its new Health Systems Sustainability Program, USAID's Health Office will further the reach of local organizations as they support and contribute to the strengthening of quality health systems in Kenya.

This Health Systems Leadership solicitation covers **Activity 1: USAID Health Sector Governance and Strategic Partnerships**, which aims to improve governance, accountability, and strategic partnerships for strengthened and inclusive health systems.

Interested parties are invited to apply to implement the activity. For more details, please visit www.grants.gov and conduct a search using the solicitation number **72061521RFA00021**. Applications should follow the instructions in the solicitation when drafting an application in response to the Program Description.

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The Health Systems for Quality Health Services solicitation covers **Activity 5: USAID Human Resources for Health, Quality Management, and Community Health Systems**, which will enable local organizations to strengthen human resources for health, quality management, and community health systems at national and county levels to improve equity, resource optimization, and the quality of essential health services.

Interested parties are invited to apply to implement the activity. For more details, please visit www.grants.gov and conduct a search using the solicitation number **72061521RFA00019**. Applications should follow the instructions in the solicitation when drafting an application in response to the Program Description.

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NEWS GENERAL

CRISIS AND CHAOS

Kemsa staff sent home for 30 days in graft purge, vetting and reforms

Agency underperforming, in financial crisis and is barely able to fulfil its mandate

MOSES ODHIAMBO AND
MAGDALENE SAYA
@TheStarKenya

Kemsa is getting a relentless mucking out, staff are being sent home for 30 days and vetted so the medical supplies authority is no longer infected by graft.

Board chair Mary Mwandime said on Thursday the agency has been found to be in a financial crisis with rising debt and supply chain problems.

She also cited warehousing and distribution "chaos and procurement challenges due to creating inefficiencies".

The government is purging the Kenya Medical Supplies Authority of corrupt elements at the agency mandated with providing medical supplies and logistics.

Staff members on Thursday were ordered to work from home for the next one month.

Their positions were declared

redundant by Kemsa board chaired by Mary Mwandime.

During the 30 days, some operations will be managed by the National Youth Service working closely with the Public Service Commission.

Mwandime said the workers would be appraised and those found fit rehired. Redundant and unnecessary positions will be eliminated.

Those likely to be worst hit by the reforms are the finance, warehouse and procurement departments, given the vast amounts of Covid-19-related purchases above market costs.

Mwandime said the board had settled on three reforms strategies for Kemsa governance and processes going forward.

"The Board confirms necessary interventions have been put in place to avoid disruptions of service delivery. The review will be undertaken to ensure staff



Kemsa board acting CEO Edward Njoroge and chairperson Mary Mwandime address the press at the agency's offices, Nairobi, on Thursday /ANDREW KASUKU

complement fits the purpose," Mwandime said.

"We will have continuous staff engagement and consultation within the next 30 days where all staff will be engaged and

appraised throughout the notice period," she said. The board chair said the reforms are to align the organisation to industry standards and will go a long way to realise the Universal Health Care agenda.

EXPLOSIVE REPORT

Food reserve board alleges plot to grab Sh3.2 bn maize cash

LIKE A WICHU A document tabled by Strategic Food Reserve Trust Board chairman Noah Wekesa on Tuesday exposes deep power wars in the Agriculture ministry involving billions of shillings.

In the document, CEO Omar Haji links the move to disband the board to their refusal to release Sh3.2 billion to the National Cereals and Produce Board. The money was allegedly for the services rendered by the cereals board from 2011 to 2019 which, according to Haji, could not be authenticated.

"In a tripartite meeting held in February 2020, between NCPB, SFRTB and the Ministry of Agriculture chaired by the Cabinet Secretary Peter Munya, Munya ordered the board to pay the unauthenticated claim of Sh3,225,833,463 as a pending bill without the approval of the National Treasury and no budgetary provision," Haji says in the document.

He says the board declined to pay the amount without subjecting it to the due process. Instead, the oversight agency demanded that NCPB account for the Sh4 billion that was meant to pay farmers, transporters, buying of the gunny bags and for service rendered to the fund.

REPUBLIC OF KENYA



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(National Assembly Bill No. 34 of 2021)

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1	Delta Taveta	Mwatate NG-CDF Hall	Friday, 12th November, 2021
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6	Narok	Narok North NG-CDF Hall	Friday, 19th November, 2021
7	Bomet	CGO-Hall	Saturday, 20th November, 2021
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9	Embu	Talent Centre Hall	Tuesday, 23rd November, 2021

Due to the need to comply with the Ministry of Health COVID-19 containment measures, members of the public are encouraged to prepare written memoranda on the Bill and submit to the Committees at the above-mentioned venues during the scheduled public hearings.

The representations may also be forwarded to Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi or email to clerk@parliament.go.ke to be received by Monday, 15th November, 2021 at 5:00 pm.

Copies of the Bill are available at the National Assembly Table Office or be accessed from the parliamentary website at: www.parliament.go.ke/the-national-assembly/house-business/bills.

MICHAEL R. SIALA, CBS
CLERK OF THE NATIONAL ASSEMBLY
5th November, 2021

CASH CRUNCH

Create new revenue streams, CS Matiang'i tells universities

JOHN KAMAU/Interior Cabinet Secretary Fred Matiang'i has urged universities to create more income streams so as to beat financial obstacles.

Matiang'i spoke at Mount Kenya University in Thika on Thursday while officially opening the Mwal Kibaki Convention Centre.

His sentiments came as some universities in the country including Moi and Kenyatta face deep financial difficulties.

The challenges have forced them to take desperate measures including hiking fees and seeking government's help to bail them out.

"Universities must end the trend of relying on the government for funding. They must be ready to make investments like the one MKU has done so as to avoid sinking in debts.

"It is the only way our institutions of higher learning will be able to sail

through harsh economic times," Matiang'i said.

Kenyatta University is currently facing a financial crisis following closure of all of its bank accounts by the Kenya Revenue Authority over failure to remit employees deductions amounting to more than Sh2 million.

Moi University administration has claimed that it cannot meet its financial obligations saying that the varsity is broke. Students were sent home after workers went on a go-slow due to delayed salaries.

Matiang'i, however, averred that the government will support universities by giving them a favourable environment that will see more students enrol into both public and private institutions.

He said the government will continue issuing loans to students in both public and private institutions.



Interior Karanja PS Kibicho, Interior CS Fred Matiang'i, his ICT counterpart Joe Mucheru and Broadcasting PS Esther Komett and members of the committee during the launch of National Computer and Cybercrime Coordination Committee at the KICC, Nairobi, on Thursday /FREDRICK OMONDI



NOTICE OF FUNDING OPPORTUNITY

USAID HEALTH SYSTEMS SUSTAINABILITY PROGRAM

Through its new Health Systems Sustainability Program, USAID's Health Office will further the reach of local organizations as they support and contribute to the strengthening of quality health systems in Kenya.

This Health Systems Leadership solicitation covers **Activity 1: USAID Health Sector Governance and Strategic Partnerships**, which aims to improve governance, accountability, and strategic partnerships for strengthened and inclusive health systems.

Interested parties are invited to apply to implement the activity. For more details, please visit www.grants.gov and conduct a search using the solicitation number **72061521RFA00021**. Applications should follow the instructions in the solicitation when drafting an application in response to the Program Description.

For information on USAID's activities in Kenya, please visit www.usaid.gov/kenya



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The Health Systems for Quality Health Services solicitation covers **Activity 5: USAID Human Resources for Health, Quality Management, and Community Health Systems**, which will enable local organizations to strengthen human resources for health, quality management, and community health systems at national and county levels to improve equity, resource optimization, and the quality of essential health services.

Interested parties are invited to apply to implement the activity. For more details, please visit www.grants.gov and conduct a search using the solicitation number **72061521RFA00019**. Applications should follow the instructions in the solicitation when drafting an application in response to the Program Description.

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USAID
FROM THE AMERICAN PEOPLE

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Activity 2: USAID Analytics, Health Financing, and Social Protection Systems for Health, which aims to improve evidence generation, health financing, and social protection systems for better outcomes

Activity 3: USAID Private Sector Engagement, which aims to improve health outcomes through increased patient choice of available products and services in the private sector

Interested parties are invited to apply to implement both activities or either of the two, with separate applications required for each activity. For more details, please visit www.grants.gov and conduct a search using the solicitation number **72061521RFA00020**. Applications should follow the instructions in the solicitation when drafting an application in response to the Program Description.

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REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY TWELFTH PARLIAMENT - FIFTH SESSION

In the matter of consideration by the National Assembly: -
The National Government Constituencies Development Fund (Amendment) Bill
(National Assembly Bill No. 34 of 2021)

PUBLIC HEARINGS/SUBMISSION OF MEMORANDA

Article 118(1)(b) of the Constitution provides that, "Parliament shall facilitate public participation and involvement in the legislative and other business of the Parliament and its Committees." Standing Order 127 of the National Assembly Standing Orders requires the Select Committee to which a Bill is committed to facilitate public participation and take into account the views and recommendations of the public when the Committee makes its report to the House.

The National Government Constituencies Development Fund (Amendment) Bill (National Assembly Bill No. 34 of 2021) seeks to amend the National Government Constituencies Development Fund Act, No. 30 of 2015 to increase the minimum share of all the National Government Constituencies Development Fund from 2.5% (two and half per centum) to 3% (three per centum).

The Bill has undergone Fifth Reading as stipulated in the Standing Orders of the National Assembly and has been committed to the Select Committee on National Government Constituencies Development Fund for consideration and reporting to the House.

Pursuant to the provisions of Article 118(1)(b) of the Constitution of Kenya and Standing Order 127(3), the Committee will be undertaking public hearings in the following counties from 9.00 am to 5.00 pm as indicated below:-

No.	COUNTY	VENUE/TOWNS	DATE
1.	Taita Taveta	Mwatate NG-CDF Hall	Friday, 12 th November, 2021
2.	Kitui	Kitui Central NG-CDF Hall	Saturday, 13 th November, 2021
3.	Kajiado	Kajiado MTTI Hall	Sunday, 14 th November, 2021
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5.	Wajir	Thika Stadium	Wednesday, 17 th November, 2021
6.	Narok	Narok North NG-CDF Hall	Friday, 19 th November, 2021
7.	Bomet	CGD-Hall	Saturday, 20 th November, 2021
8.	Tharaka Nithi	Chuka DDC Ground	Monday, 22 nd November, 2021
9.	Embu	Talent Centre Hall	Tuesday, 23 rd November, 2021

Due to the need to comply with the Ministry of Health COVID-19 containment measures, members of the public are encouraged to prepare written memoranda on the Bill and submit to the Committee at the above-mentioned venues during the scheduled public Hearings.

The representations may also be forwarded to Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi or email to clerk@parliament.go.ke to be received by Monday, 15th November, 2021 at 5:00 pm.

Copies of the Bill are available at the National Assembly Table Office or be accessed from the parliamentary website at www.parliament.go.ke/the-national-assembly/the-house/business/bills.

MICHAEL R. SIALAI, CBS
CLERK OF THE NATIONAL ASSEMBLY
5th November, 2021

REPUBLIC OF KENYA

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TWELFTH PARLIAMENT – FIFTH SESSION

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NEWS GENERAL

CRISIS AND CHAOS

Kemsa staff sent home for 30 days in graft purge, vetting and reforms

Agency underperforming, in financial crisis and is barely able to fulfil its mandate

MOSES ODHIAMBO AND
MAGDALINE SAYA
@TheStarKenya

Kemsa is getting a relentless mucking out, staff are being sent home for 30 days and vetted so the medical supplies authority is no longer infected by graft.

Board chair Mary Mwadime said on Thursday the agency has been found to be in a financial crisis with rising debt and supply chain problems.

She also cited warehousing and distribution "chaos and procurement challenges due to creating inefficiencies".

The government is purging the Kenya Medical supplies Authority of corrupt elements at the agency mandated with providing medical supplies and logistics.

Staff members on Thursday were ordered to work from home for the next one month.

Their positions were declared

redundant by Kemsa board chaired by Mary Mwadime.

During the 30 days, some operations will be managed by the National Youth Service working closely with the Public Service Commission.

Mwadime said the workers would be appraised and those found fit rehired. Redundant and unnecessary positions will be eliminated.

Those likely to be worst hit by the reforms are the finance, warehouse and procurement departments, given the vast amounts of Covid-19-related purchases above market costs.

Mwadime said the board had settled on three reforms strategies for Kemsa governance and processes going forward.

"The Board confirms necessary interventions have been put in place to avoid disruptions of service delivery. The review will be undertaken to ensure staff



Kemsa board acting CEO Edward Njoroge and chairperson Mary Mwadime address the press at the agency's offices, Nairobi, on Thursday /ANDREW KASUKU

complement fits the purpose," Mwadime said.

"We will have continuous staff engagement and consultation within the next 30 days where all staff will be engaged and

appraised throughout the notice period," she said. The board chair said the reforms are to align the organisation to industry standards and will go a long way to realise the Universal Health Care agenda.

EXPLOSIVE REPORT

Food reserve board alleges plot to grab Sh3.2 bn maize cash

LUKE AWICHU/A document tabled by Strategic Food Reserve Trust Board chairman Noah Wekesa on Tuesday exposes deep power wars in the Agriculture ministry involving billions of shillings.

In the document, CEO Omar Haji links the move to disband the board to their refusal to release Sh3.2 billion to the National Cereals and Produce Board. The money was allegedly for the services rendered by the cereals board from 2011 to 2019 which, according to Haji, could not be authenticated.

"In a tripartite meeting held in February 2020, between NCPB, SFRTB and the Ministry of Agriculture chaired by the Cabinet Secretary Peter Munya, Munya ordered the board to pay the unauthenticated claim of Sh3,225,833,463 as a pending bill without the approval of the National Treasury and no budgetary provision," Haji says in the document.

He says the board declined to pay the amount without subjecting it to the due process. Instead, the oversight agency demanded that NCPB account for the Sh4 billion that was meant to pay farmers, transporters, buying of the gunny bags and for service rendered to the fund.

REPUBLIC OF KENYA



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(National Assembly Bill No. 34 of 2021)

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The Bill has undergone First Reading as stipulated in the Standing Orders of the National Assembly and has been committed to the Select Committee on National Government Constituencies Development Fund for consideration and reporting to the House.

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MICHAEL R. SIALAI, CBS
CLERK OF THE NATIONAL ASSEMBLY
5th November, 2021

CASH CRUNCH

Create new revenue streams, CS Matiang'i tells universities

JOHN KAMAU/Interior Cabinet Secretary Fred Matiang'i has urged universities to create more income streams so as to beat financial obstacles.

Matiang'i spoke at Mount Kenya University in Thika on Thursday while officially opening the Mwaj Kibaki Convention Centre.

His sentiments came as some universities in the country including Moi and Kenyatta face deep financial difficulties.

The challenges have forced them to take desperate measures including hiking fees and seeking government's help to bail them out.

"Universities must end the trend of relying on the government for funding. They must be ready to make investments like the one MKU has done so as to avoid sinking in debts.

"It is the only way our institutions of higher learning will be able to sail

through harsh economic times," Matiang'i said.

Kenyatta University is currently facing a financial crisis following closure of all of its bank accounts by the Kenya Revenue Authority over failure to remit employees deductions amounting to more than Sh2 million.

Moi University administration has claimed that it cannot meet its financial obligations saying that the varsity is broke. Students were sent home after workers went on a go-slow due to delayed salaries.

Matiang'i, however, averred that the government will support universities by giving them a favourable environment that will see more students enrol into both public and private universities.

He said the government will continue issuing loans to students in both public and private institutions.



Interior Karanja PS Kibicho, Interior CS Fred Matiang'i, his ICT counterpart Joe Mucheru and Broadcasting PS Esther Kolmett and members of the committee during the launch of National Computer and Cybercrime Coordination Committee at the KICC, Nairobi, on Thursday /FREDRICK OMODI

Gideon 2022 bid gets clerics, elders blessing

Senator declares that development is paramount over political ambitions, and vows to consult with residents.

Kanu delegates will meet at Bomas of Kenya on September 30 to chart the political path.

KENNEDY GACHUHI, BARINGO

Kanu Chairman and Baringo Senator Gideon Moi yesterday sought the blessings of his constituents to seek higher mandate after serving in Parliament for two terms.

Gideon, who hosted delegations in his rural home in Sacho, said all eyes were now on Bomas of Kenya, where he party will on September 30 chart the political path ahead of the 2022 general election.

"I have come here today as your representative to Parliament for 10 years. I have come back to get your views. This is not my own journey, but of all of us. If I succeed, we have all succeeded," he said.

"I have now got to a level I feel there is a lot I should do for you. Not for Sacho or Baringo alone, but for the whole country. I will listen to the delegates, after which we shall get into the battle," he added.

The senator declared that development was paramount over political ambitions.

"Whatever the Bomas outcome shall be, development shall come first. I will return here to communicate their decision and the way forward," said Gideon.

He urged Baringo residents to stand with him in the coming general election.

"I am ready for any consequences in this new journey we are about to begin. All I beseech you is, as my people, don't stab me in the back as I move forward," said Gideon.

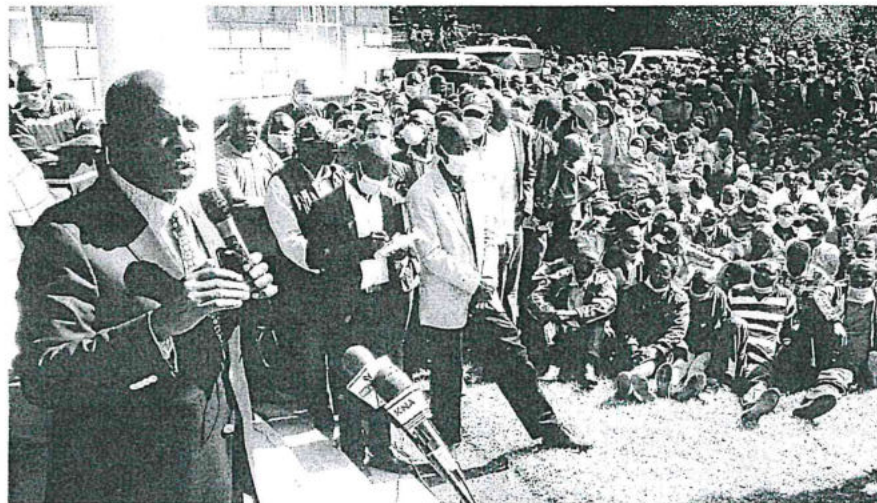
Senate Majority Leader Samuel Poghishio said the Kanu chairman was the right man to succeed President Uhuru Kenyatta.

"Today, people vote based on the confidence they have on a person's capability to perform and trust he has built. Respect can't be bought. Gideon has earned all this, which makes him the right person for State House next year," said Mr Poghishio.

The Senate Majority Leader urged Kenyans to consider integrity of a presidential candidate over their agenda. "We must elect a person who will not sell us or our country. Do not elect someone who has shown that they put personal interests before the interests of the people who elected them," said Poghishio.

Kanu Secretary General Nick Salat said it was time for Kanu to field a presidential candidate after backing others since 2007 polls.

"We, too, have come of age. Those who we have been supporting should now support us. We are a party that



Baringo Senator Gideon Moi at his Sacho home in Baringo yesterday. (Kipsang Joseph, Standard)

can deliver through our chairman Gideon," said Mr Salat.

"We will soon roll out our master plan. We urge party members, supporters and Kenyans to prepare as we plan to set foot in every corner of the country," he added.

Salat urged Baringo residents to walk with Gideon, terming him the saviour for the region and the country.

"Stand with one of your own. Gideon comes just like the good Samaritan to save this country. We have come to Sacho to tell you to release Gideon to seek a higher mandate beyond Baringo," said Salat.

Former Kanu Nominated Senator Zipporah Kitony commended Gideon for beginning his journey from home, noting that this would bring blessings to him in his quest to lead the country.

"As a woman leader, I urge all women and youth not to lose focus. Gideon is the right man to follow. He has shown respect to his people by seeking their approval first. Cast your vote where it will count," said Ms Kitony.

Baringo Woman Representative Gladwell Cheruiyot urged Kanu members to remain steadfast amid party hoping wave. "My stand will not be shaken. I will stand with Gideon to the end. If other leaders will bolt out, I will remain with him. If we don't stand with our own first, who will," posed Ms Cheruiyot.

"He is among the greatest leaders in the Rift Valley. We won't allow others to dim his light. We won't let others tell us to keep our bull off the field when it has the ability to floor the rest," she added.

The Woman Rep urged Rift Valley to remain united, noting that other regions were also strategising for one of their own.

"Other regions have been fielding multiple candidates for the presidency, but we don't see them insulting each other. Nothing stops us from doing the same with respect. We want Gideon to be coming home sure of support from his own backyard," said Cheruiyot.

Elders from Baringo County said Gideon had demonstrated capacity to lead the country.

"We have confidence in your leadership. Your work has impacted lives in Baringo County. As elders from Sacho, we now support you to seek a national office," said Wilson Komen.

Michael Korir, another elder, said they would fully support Gideon for any seat he seeks, adding that they had issues that only the national government could address.

"As elders and people of Sacho, we have a memorandum that we shall hand to Gideon. We have great expectations from the next government, which we want to be part of," said Mr Korir. Prior to the meeting, Gideon presided over a funds drive for programmes of AIC Tandu church. "Generations that were there before us built the churches we use today. It is now our responsibility to stand with the churches and the clergy," he said.

The senator, who steered clear of politics at the pulpit, said the church had the responsibility of taking care of the clergy to enable them serve better and guide the country. "Our clergy play a critical role in guiding all other leaders, whether civic or political. It is our duty to facilitate their work and ensure they live a decent life," said Gideon.

The AIC clergy, led by Rev Francis Chesire, offered prayers for Gideon and wished him well in his political journey, terming him one of their own.

kgachuhi@standardmedia.co.ke



REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY TWELFTH PARLIAMENT - FIFTH SESSION

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The representations or written submissions may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to clerk@parliament.go.ke; to be received on or before Wednesday, 6th October, 2021 at 5.00 pm.

MICHAEL R. SIALAI, CBS
CLERK OF THE NATIONAL ASSEMBLY

27th September, 2021

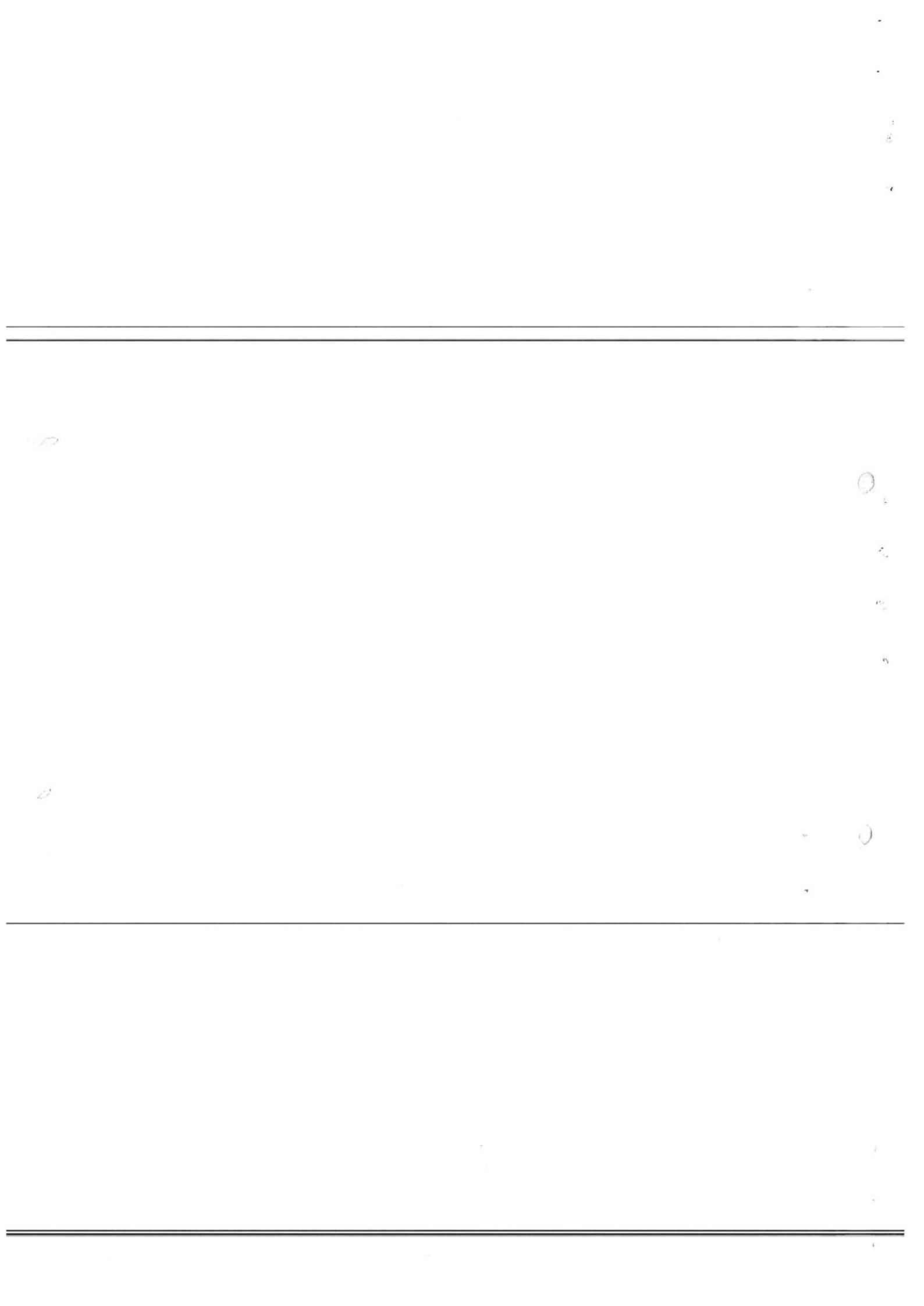


MORE NATIONAL STORIES

Family
planning
uptake
drops due
to Covid-19.

PAGE 12





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VINCENT GACHUHI, Baringo

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Gideon, who hosted delegations in rural home in Sacho, said all eyes are now on Bomas of Kenya, where party will on September 30 chart political path ahead of the 2022 general election.

"I have come here today as your representative to Parliament for years. I have come back to get your views. This is not my own journey, but all of us. If I succeed, we have all succeeded," he said.

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Elders from Baringo County said Gideon had demonstrated capacity to lead the country.

"We have confidence in your leadership. Your work has impacted lives in Baringo County. As elders from Sacho, we now support you to seek a national office," said Wilson Komen.

Michael Korir, another elder, said they would fully support Gideon for any seat he seeks, adding that they had issues that only the national government could address.

"As elders and people of Sacho, we have a memorandum that we shall hand to Gideon. We have great expectations from the next government, which we want to be part of," said Mr Korir. Prior to the meeting, Gideon presided over a funds drive for programmes of AIC Tandu church. "Generations that were there before us built the churches we use today. It is now our responsibility to stand with the churches and the clergy," he said.

The senator, who steered clear of politics at the pulpit, said the church had the responsibility of taking care of the clergy to enable them serve better and guide the country. "Our clergy play a critical role in guiding all other leaders, whether civic or political. It is our duty to facilitate their work and ensure they live a decent life," said Gideon.

The AIC clergy, led by Rev Francis Chesire, offered prayers for Gideon and wished him well in his political journey, terming him one of their own.

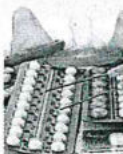
kgachuhi@standardmedia.co.ke



MORE NATIONAL STORIES

Family planning uptake drops due to Covid-19.

PAGE 12



REPUBLIC OF KENYA THE NATIONAL ASSEMBLY TWELFTH PARLIAMENT - FIFTH SESSION

In the matter of consideration by the National Assembly:-
The National Government Constituencies Development Fund
(Amendment) Bill (National Assembly Bill No. 34 of 2021)

PUBLIC PARTICIPATION/SUBMISSION OF MEMORANDA

Article 118(1)(b) of the Constitution provides that, "Parliament shall facilitate public participation and involvement in the legislative and other business of Parliament and its Committees". Further, the National Assembly Standing Order 127(3) provides that, "the Committee to which a Bill is committed shall facilitate public participation and take into account the views and recommendations of the public when the Committee makes its report to the House".

The National Government Constituencies Development Fund (Amendment) Bill (National Assembly Bill No. 34 of 2021) seeks to amend the National Government Constituencies Development Fund Act, 2015 to increase the minimum share of all the National Government Constituencies Fund from 2.5% (two and half per centum) to 5% (five per centum).

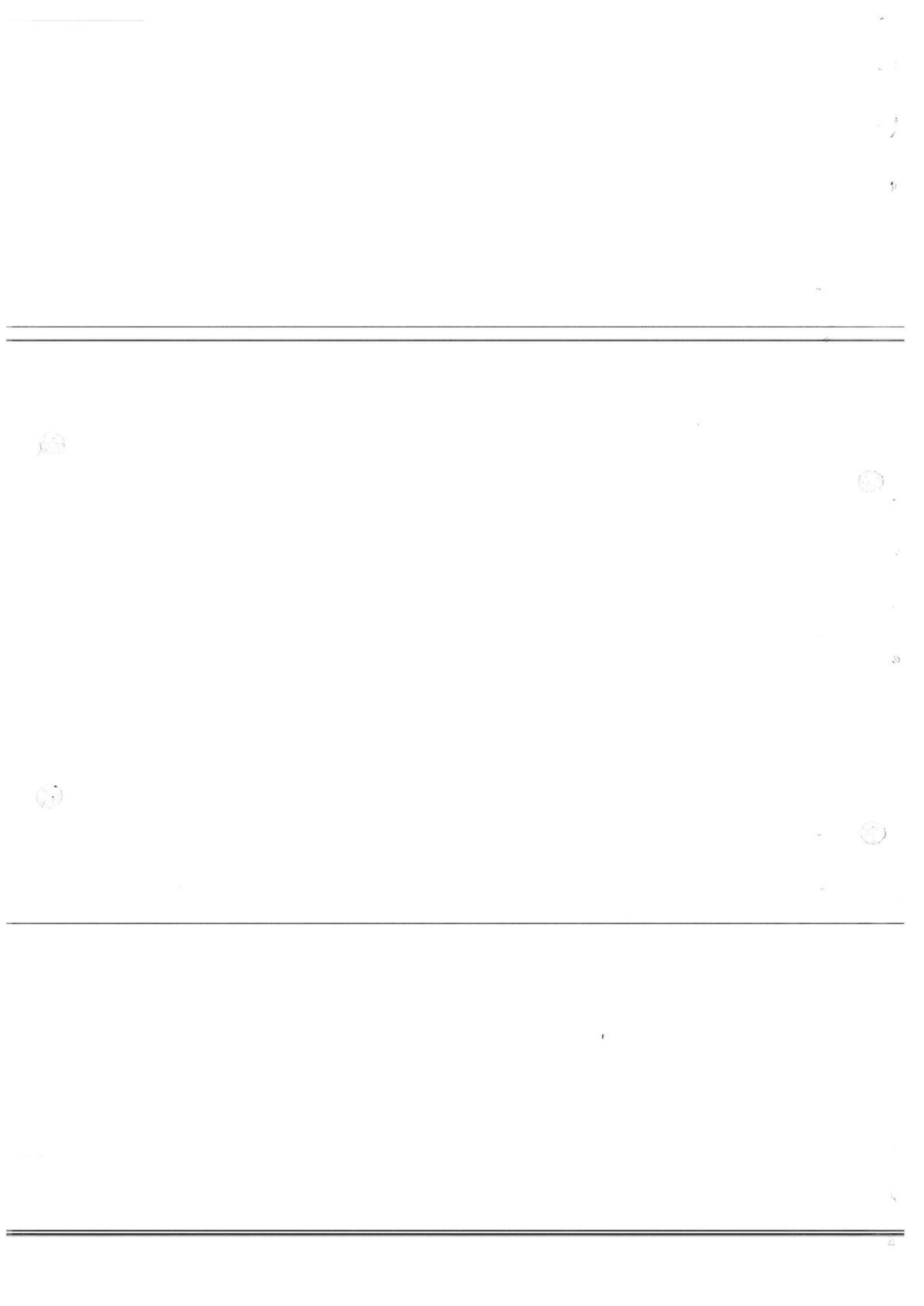
The Bill has undergone First Reading pursuant to Standing Order 127(1) of the National Assembly and has been committed to the Select Committee on National Government Constituencies Development Fund for consideration and thereafter report to the House.

Pursuant to the provisions of Article 118(1)(b) of the Constitution and Standing Order 127(3), the Committee invites interested members of the public to submit any representations they may have on the said Bill. Copies of the Bill are available at the National Assembly Table Office, or be accessed from the parliamentary website at www.parliament.go.ke/the-national-assembly/house-business/bills.

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MICHAEL R. SIALAI, CBS
CLERK OF THE NATIONAL ASSEMBLY

27th September, 2021



General Elections Kanu politician calls on his community to support his presidential bid

I'm not backing down: Gideon

Baringo senator expresses optimism of trouncing his political opponents in the race for State House next year

BY FLORAH KOECH

Kanu Chairman Gideon Moi has declared he will vie for presidency in 2022 and appealed to his community to backstab him.

The Baringo senator, in the shadow of Deputy President William Ruto who has a head-start in the expansive vote-rich rift region, yesterday said his ambition to uplift the living standards of all Kenyans and unite communities irrespective of their tribal or political affiliations.

Speaking at his Sacho home after attending a church service at the African Inland Church (AIC) and in Baringo Central, Mr Moi expressed optimism that he would trounce his opponents if he gets backing from the Kalenjin community.

He promised to transform the country, especially areas that are lagging behind in development. "I have already made an ultimate decision and I am not backing down however tough the duels. I am only asking my community to support me in this jour-



ney," said Mr Moi. "If I lose, I will have lost humbly than being despised and if I win, it will play to our advantage as well," he added. He appealed to the Kalenjin community, on whose backing his father rode to the leadership of the country and maintained a 24-year stranglehold, to give him

a chance to prove himself.

"I am your own son and you had enough confidence to vote for me as an MP for five years and a senator for two terms. We should also walk together to State House because I promise not to disappoint you," he said.

The Kanu leader said the par-

ty would make a declaration on September 30 at the Bomas of Kenya but he did not want to preempt what is in store. "I promise that I will come back home after the Bomas of Kenya declaration next week to seek your blessings because we need to speak in one voice if my political ambition is to come into fruition," the Baringo senator said. The battle for control of the vote-rich Rift Valley is shaping up and Baringo County is emerging as the epicentre of the tussle pitting Dr Ruto against Mr Moi and

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Baringo Senator Gideon Moi



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The battle for control of the vote-rich Rift Valley is shaping up and Baringo County is emerging as the epicentre of the tussle pitting Dr Ruto against Mr Moi and

their supporters.

The duo has in the recent past been engaging in supremacy battles as they flex their muscles for their 2022 presidential bids.

Mr Moi's political rally at his home, which was attended by religious leaders, elders and local leaders, was seen as a move to seek blessings from his community before embarking on his quest to vie for presidency.

And while he put on a brave face, the announcement by Mr Moi comes at a time his allies—West Pokot Governor John Lonyangapuo, former minister Musa Sirma, Ainabkoi MP William Chepkut and a host of MCAs—have defected and all, but the governor, joined Dr Ruto.

Baringo County's Woman Representative Gladwell Cheruiyot called for unity.

"This region cannot continue providing the stage for political theatrics as we move closer to the General Elections at the expense of the people while other regions are focusing on development. We have our two sons vying for the top seat and that should not cause divisions because whoever wins will be to our great advantage," said Ms Cheruiyot.

"Senator Moi has gained enough experience to lead this nation and we are urging him also not to be distracted by his political rivals who have already sensed defeat."

fkoech@ke.nationmedia.com

REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY
TWELFTH PARLIAMENT - FIFTH SESSION

In the matter of consideration by the National Assembly:-
The National Government Constituencies Development Fund (Amendment) Bill
(National Assembly Bill No. 34 of 2021)

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MICHAEL R. SIALAI, CBS
CLERK OF THE NATIONAL ASSEMBLY
27th September, 2021

COUNTY GOVERNMENT OF BARINGO



DEPARTMENT OF AGRICULTURE, LIVESTOCK VETERINARY AND FISHERIES
KENYA CLIMATE SMART AGRICULTURE PROJECT (KCSAP) PROJECT
COORDINATING UNIT - BARINGO
P.O. BOX 4-30400 KABARNET

INVITATION TO BID

The County Government of Baringo wishes to invite bids from eligible Suppliers for tenders described below;

S/NO	TENDER NAME	TENDER NUMBER	BID SECURITY	CATEGORY	SITE VISIT
1	PROPOSED EQUIPPING OF CHEBORUSWO BORE HOLE	BCG/TNR/KCSAP/892677/2021-2022	Ksh.397,000	Open Tender National	Friday 1 st October or Wednesday 6 th October, 2021, located at Marigat Ward Baringo South, Kabarnet - Marigat Road, as from 12:00 noon
2	PROPOSED POMBO WATER DISTRIBUTION	BCG/TNR/KCSAP/892679/2021-2022	Ksh.340,000	Open Tender National	Thursday 30 th September or Tuesday 5 th October, 2021 located at Tanguibel Ward, Tlaty Sub-County as from 12:00 noon
3	PROPOSED KIPCHERERE WATER PROJECT	BCG/TNR/KCSAP/892675/2021-2022	Ksh. 475,000	Open Tender National	Friday 1 st October or Wednesday 6 th October, 2021, located along Loruk Road as from 12:00 noon
4	PROPOSED SAGAT WATER PROJECT	BCG/TNR/KCSAP/892678/2021-2022	Ksh.323,000	Open Tender National	Wednesday 29 th September or Monday 4 th October, 2021, Tenges Ward in Baringo Central, along Kabarnet - Tenges Road. As from 12:00 noon.
5	PROPOSED REHABILITATION OF KABARBESI WATER PROJECT	BCG/TNR/KCSAP/892680/2021-2022	Ksh.204,000	Open Tender National (Retender)	Wednesday 29 th September or Monday 4 th October, 2021 in Emining Ward in Mogotio Sub-County, Marigat - Emining Road as from 12:00noon

Interested eligible bidders may obtain further information from the Supply Chain Management Office, AFC Building, Baringo County Government, Kabarnet (along Kabarnet - Eldoret Road); during official Working Hours (8.00 a.m. to 5.00 p.m.) or through email address supplychain@baringo.go.ke

The tender documents containing detailed information of the tenders can freely be downloaded from the county government website: www.baringo.go.ke or IFMIS PORTAL: www.treasury.go.ke

Complete tender documents must be submitted through IFMIS SUPPLIER PORTAL: supplier.treasury.go.ke as per the requirements contained in the documents so as to be received on or before the 14th October, 2021 time indicated in IFMIS.

Manual Submissions SHALL NOT be accepted. All tenders must be submitted through the IFMIS platform.

Director Supply Chain Management
BARINGO COUNTY GOVERNMENT
P.O. Box 53-30400, Kabarnet, Kenya

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County. As elders from the area, we support you to seek a national office," said Wilson Komen.

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kgachuhi@standardmedia.co.ke



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
TWELFTH PARLIAMENT - FIFTH SESSION

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MICHAEL R. SIALAI, CBS
CLERK OF THE NATIONAL ASSEMBLY

27th September, 2021



hassan arale <sansedy@gmail.com>

(no subject)

1 message

hassan arale <sansedy@gmail.com>
To: sansedy@gmail.com

Tue, Nov 30, 2021 at 2:26 PM

