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THIRTEENTH PARLIAMENT - SECOND SESSION

THE SENATE

STANDING COMMITTEE ON DEVOLUTION AND
INTERGOVERNMENTAL RELATIONS

REPORT ON THE COUNTY BOUNDARIES BILL

(SENATE BILLS NO. 6 OF 2023)

Rt. Hon. Speaker
You may approve for tabling
J. M. Nyegenye, C.B.S.,
Clerk of the senate/secretary, PSC
Date: 24/04/2023

Approved!
~~25/4/23~~

C.B.S.
Recommended for
your approval for
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24/04/2023

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24/03/2023

April, 2023

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*Mr. Hon. Speaker
The National Assembly
Lagos, Nigeria*

LIST OF ABBREVIATIONS/ACRONYMS

CAF	County Assemblies Forum
CoG	Council of County Governors
IEBC	Independent Electoral and Boundaries Commission
NCIC	National Cohesion and Integration Commission

PRELIMINARIES

Mandate of the Committee.

The Senate Standing Committee on Devolution and Intergovernmental Relations is established under the Standing Order 228 (3) and the Fourth Schedule of the Senate Standing Orders. The Committee is mandated to “*consider all matters relating to devolution, intergovernmental and inter-county relations, governance and management of county governments, cities, towns and urban areas.*”

Membership of the Committee

1. Sen. Sheikh Mohamed Abass, MP	-	Chairperson
2. Sen. Catherine Muyeka Mumma, MP	-	Vice Chairperson
3. Sen. (Dr) Oburu Oginga, MGH, MP.	-	Member
4. Sen. Richard Momoima Onyonka, EBS, MP	-	Member
5. Sen. Peris Pesi Tobiko, CBS, MP	-	Member
6. Sen. Mohamed Said Chute, MP	-	Member
7. Sen. George Mungai Mbugua, MP	-	Member
8. Sen. Hezema M. Lemaletian, MP	-	Member
9. Sen. David Wafula Wakoli, MP	-	Member

The Minutes of the Sitzings of the Committee in considering the County Boundaries Bill (Senate Bills No. 6 of 2023) are attached to this Report collectively as *Annex 1*.

ACKNOWLEDGMENTS

The Committee acknowledges all stakeholders who appeared before the committee for their cooperation and contributions that has made preparation of this report possible.

Furthermore, the Committee appreciates the Offices of the Speaker and the Clerk of the Senate for the continued and steadfast support extended to the Committee in the fulfillment of its mandate.

I also thank Members of the Standing Committee on Devolution and Intergovernmental Relations for their tireless commitment in the consideration of the Statement.

CHAIRPERSON'S FOREWORD

The County Boundaries Bill (Senate Bills No. 6 of 2023), formerly the County Boundaries Bill (Senate Bills No. 2 of 2021), has had a very interesting history, and has been republished several times.

Thankfully, the Bill has finally been reintroduced in this Parliament. The Right Hon. Speaker of the Senate received a message from the Right Hon. Speaker of the National Assembly dated 14th March, 2023, pursuant to Article 110(3), which communicated that there was concurrence between the two houses on the Bill. The message confirmed that the Bill concerns county governments in accordance with Article 110(1)(a) and the Fourth Schedule of the Constitution, and that the Bill is an ordinary Bill in accordance with Article 110(2)(b) (the message from the Right Hon. Speaker of the National Assembly is attached to this report as *Annex 2*)

Consequently, the Bill was referred to the Senate for processing, and was read for a first time on Wednesday 22nd March, 2023. The Bill was then referred to the Standing Committee of Devolution and Intergovernmental Relations for processing.

In compliance with the provisions of Article 118 of the Constitution and Standing Order 145 (5) of the Senate Standing Orders, the Committee proceeded to undertake public participation on the Bill. In this regard, the Committee published an advertisement in the Daily Nation and Standard newspapers on Friday 24th March, 2023 inviting members of the public to submit written memoranda to the Committee on the Bill, and to appear before the Committee during the public hearings on the Bill. The advertisement was also posted on the Parliament website and social media platforms. Additionally, the Committee sent invitations to key stakeholders inviting them to submit their comments on the Bill.

The Committee held a public hearing on the Bill on Thursday 13th March, 2023. In total, the Committee received written and oral submissions from ten (10) stakeholders, including the Ministry of Lands, Independent Electoral and Boundaries Commission, the Council of County Governors (who were represented by the previous Sponsor of the Bill – H.E Hon. Mutula Kilonzo Jnr, MP), the County Assemblies Forum, the Intergovernmental Relations Technical Committee and various individuals.

The Committee thereafter proceeded to consider extensively the provisions of the Bill and the submissions received thereon. Based on its deliberations, the Committee has

made various observations which are set out at Chapter Four of this Report. Notably, the final recommendation by the Committee is that the Senate proceeds to consider and pass the County Boundaries Bill (Senate Bills No. 6 of 2023).

May I take this opportunity to commend the Members of the Committee for their devotion and commitment to duty, which made the consideration of the Bill successful.

I also wish to thank the Offices of the Speaker and the Clerk of the Senate for the support extended to the Committee in undertaking this important assignment. Lastly, I wish to thank the stakeholders who submitted written memoranda and who appeared before the Committee to present their comments on the Bill.

It is now my pleasant duty, pursuant to standing order 145 (5), to present the Report of the Standing Committee on Devolution and Intergovernmental Relations on the County Boundaries Bill (Senate Bills No. 6 of 2023).

Signed

Date... 18/04/2023

SEN. SHEIKH MOHAMED ABASS, MP
CHAIRPERSON,

STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL
RELATIONS

**ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON DEVOLUTION
AND INTERGOVERNMENTAL RELATIONS ON THE COUNTY BOUNDARIES BILL
(SENATE BILLS NO. 6 OF 2023)**

We, the undersigned Members of the Standing Committee on Devolution and Intergovernmental Relations, do hereby append our signatures to adopt this Report-

Sen. Sheikh Mohamed Abass	- Chairperson	
Sen. Catherine Muyeka Mumma	-Vice-Chairperson	
Sen.(Dr.) Oburu Oginga, MGH, MP	-Member	
Sen. Richard Momoima Onyonka, EBS, MP	-Member	
Sen. Peris Pesi Tobiko, CBS, MP	-Member	
Sen. Mohamed Said Chute, MP	-Member	
Sen. George Mungai Mbugua, MP	-Member	
Sen. Hezema M. Lemaletian, MP	-Member	
Sen. David Wafula Wakoli, MP	-Member	

CHAPTER ONE: OVERVIEW OF THE BILL

1.1. Background

1. The County Boundaries Bill (Senate Bills No. 6 of 2023) is sponsored by Sen. Moses Kajwang^{*}, MP. A copy of the Bill is attached to this Report as *Annex 3*.
2. The Bill was published on 20th February, 2023 and was read a first time in the Senate on 22nd March, 2023. Following the First Reading in the Senate, it stood committed to the Standing Committee on Devolution and Intergovernmental Relations, pursuant to Standing Order 145(1), for consideration.
3. Before publication of the Bill on 20th February 2023, the Bill had initially been considered and passed by a number of time as follows:
 - a) The Bill was considered by the Senate on 14th October 2021, but was held up in the National Assembly on the matter of concurrence as provided in Article 110(3) of the Constitution.
 - b) The Bill was also considered and passed by the Senate on 3rd October 2018. The Bill was forwarded to the National Assembly for consideration in accordance with Article 110 of the Constitution. However, on 12th August 2020, the National Assembly declared the Bill a money Bill, and therefore could not be proceeded with. Additionally, during the 11th parliament, the Bill had been considered by the Senate, but it was not passed into law.
 - c) Furthermore, the High Court Decision in Petition No. 284 of 2019 held that the concurrence process under Article 110(3) of the Constitution is mandatory and is a condition precedent before any House of Parliament can consider a Bill. The Court further ordered the immediate cessation of consideration of all Bills that were pending before either House, and for which joint concurrence by the Speakers of both Houses could not be demonstrated, in order to allow such Bills to be

subjected to the mandatory joint concurrence process contemplated under Article 110(3) of the Constitution. As part of implementing the Court decision, it was determined that concurrence as required by the Constitution could not be demonstrated in respect of this Bill. Consequently, the Bill was withdrawn and republished in compliance with the Court orders in Petition No. 284 of 2019.

4. Attached to this report is a copy of the Previous Report dated 14th October, 2021 as *Annex 3*.

1.2. Justification for the Bill

5. Article 6(1) of the Constitution provides that the territory of Kenya is divided into the forty-seven counties specified in the First Schedule to the Constitution. However, the Constitution does not set out the boundaries of these counties.
6. It is however a matter of notoriety that the boundaries of the counties are the districts and their boundaries as set out in the Districts and Provinces Act, No. 5 of 1992. Indeed, the Report of the Committee of Experts on Constitutional Review (October, 2010) states as follows —

“For the units of county governments, the Districts enacted in 1992 by the District and Provinces Act were adopted as proposed counties... it was necessary to establish units of devolved government ...that could be effective for this purpose... This, and the fact that they were lawfully recognized administrative units, explains the adoption of the 1992 Districts. ... The [Constitution] provided for a review of boundaries by a specialized commission. The object of including the units of devolution in this Draft was to provide a starting point for a new dispensation of devolved units. But the boundaries of the devolved units could then be altered in accordance with the procedure provided.

It is to be noted that, whereas electoral boundaries would be reviewed and could change periodically, those for the counties as units of devolution would not change regularly.”

7. There is presently no mechanism for alteration of county boundaries despite the fact that Article 188 of the Constitution gives Parliament the mandate to alter the boundaries. The Bill therefore provides for the mechanism for such alteration. It also ensures that a high threshold will have to be met by any party desiring to alter the boundaries of any given county.
8. Further, since the promulgation of the Constitution, there have been multiple disputes between counties on boundary matters. There is however no established mechanism for resolution of such disputes. The Bill therefore proposes a mechanism for resolution of boundary disputes through mediation.

1.3. Object of the Bill

9. The principal purpose of the Bill is to —
 - (a) define the boundaries of the counties in Kenya;
 - (b) provide for the resolution of county boundary disputes through the establishment of *ad hoc* county boundaries mediation committees; and
 - (c) give effect to Article 188 of the Constitution on the alteration of county boundaries.

1.4. Overview of the Bill

10. Clause 1 of the Bill sets out the short title of the Bill, whilst **Clause 2** covers the Interpretations as is standard in all Bills.

(1) County Boundaries

11. Part II of the Bill as read with the First Schedule to the Bill sets out the boundaries of the counties. The Bill defines the boundaries of the forty-seven counties of Kenya by bringing into its First Schedule, the boundaries of Nairobi Area and the other forty-six Districts set out in the Districts and Provinces Act, 1992. This will render the Districts and Provinces Act, 1992 obsolete hence the repeal of the Districts and Provinces Act in clause 52 of the Bill.

12. Clause 4 provides that the Cabinet Secretary shall be required to maintain an electronic record of the boundaries of each county. The Bill makes it an offence to interfere with such records and sets a fine of two million shillings or imprisonment to a term of five years or to both.

(2) Resolution of County Boundary Disputes

13. Part III of the Bill provides a mechanism for resolution of county boundary disputes through *ad hoc* county boundaries mediation committees. The Bill proposes that a county boundaries mediation committee may be established by the President within fourteen days of a resolution of the Senate upon —

- (a) a request by the governor, senator or registered voter of any county whose boundary is disputed; or
- (b) the recommendation of the Senate made under section 20 for mediation as a means of resolving a boundary dispute.

14. Clause 7 of the Bill provides that the composition of a mediation committee shall be as follows —

- (a) a chairperson who shall be an advocate of the High Court of Kenya with at least fifteen years' experience in alternative dispute resolution;
- (b) one person from each of the affected counties having resided in the respective counties for at least fifteen years to be nominated by the respective governors;
- (c) a commissioner of the National Land Commission nominated by the Commission from amongst the commissioners;
- (d) a licensed surveyor nominated by the Land Surveyors' Board established under the Survey Act, Cap 299 Laws of Kenya; and
- (e) a public officer nominated by the Cabinet Secretary who shall be the secretary to the committee and an *ex-officio* member of the committee.

15. Clause 7(2) of the Bill provides that the chairperson and the persons nominated by the governors must not have stood for an elective office in any of the affected counties in the last five years or have been a public officer in any of the affected counties or in the case of an Advocate have been found guilty of professional misconduct.

16. Clause 8 provides that the members of a mediation committee may be removed from office by the President only after they have been accorded right to be heard on the following grounds –

- (a) gross violation of the Constitution or any other law;
- (b) gross misconduct, whether in the performance of the member's functions or otherwise;
- (c) physical or mental incapacity to perform the functions of office;
- (d) incompetence or
- (e) bankruptcy.

17. The secretariat of the committee shall be headed by the secretary. The secretariat shall also comprise public officers within the public service who may be deployed or seconded to the secretariat. The public officers must have knowledge and at least five years' experience in physical planning or land survey.

18. Clause 11 provides for the roles of a mediation committee as follows –

- (a) to facilitate communication and negotiation between the mediation parties so as to assist the parties to reach an agreement regarding their dispute;
- (b) to inquire into the dispute between the mediation parties;
- (c) to obtain the necessary information required to aid in the resolution of the dispute;
- (d) to offer the mediation parties options and new perspectives for consideration;
- (e) to keep a record of the mediation proceedings;
- (f) to record any agreement arrived at between the mediation parties and

- (g) to ensure that the mediation process or the agreement arrived at between the mediation parties does not result in the violation of the Constitution or any other law.

19. Clause 13 of the Bill provides that a mediation committee is required, within three months of the resolution of the Senate to establish the committee to facilitate the mediation parties to reach an agreement regarding their dispute and to report to the Senate as to whether an agreement has been arrived at between the parties. Clause 14 provides that the three month period may however be extended by the President with the approval of the Senate, only once and for not more than one month. The committee shall stand dissolved thirty days after the committee submits its report and the terms of the members shall expire upon such dissolution.

(3) Alteration of County Boundaries

20. Clause 16 of the Bill provides a mechanism for alteration of county boundaries in accordance with Article 188 of the Constitution. The process commences—

- (a) on the recommendation by an independent commission set up for that purpose by parliament; and
- (b) by a resolution of the National Assembly and Senate supported by two thirds of either all the members of the National Assembly or of the county delegations in the Senate.

21. The Bill proposes that such alteration of county boundaries may be altered to take into account –

- (a) population density and demographic trends;
- (b) physical and human infrastructure;
- (c) historical and cultural ties;
- (d) the cost of administration;
- (e) the views of the communities affected; and

(f) the objects of devolution of government and geographical features.

22. Clause 17 provides that a petition to Parliament for the alteration of the boundaries of a county may be made in the prescribed form by —

- (a) any person who is a registered voter;
- (b) an elected member of the county assembly of a county whose boundary is proposed to be altered. This must be accompanied by a resolution of the county assembly supported by at least two thirds of the elected members of the county assembly;
- (c) the Senator or a Member of the National Assembly representing a county or constituency within the county respectively whose boundary is proposed to be altered; or
- (d) a county governor on behalf of a county government that proposes the alteration of its boundary.

23. A petition made by a registered voter shall be required to be supported by at least fifteen percent (15%) of the registered voters of the petitioner's county. Pursuant to clause 46 of the Bill, a petition is not admissible by the Senate where a general election is scheduled to be held within twelve months of the date of submission of the petition to the Senate.

24. Clause 18 provides that the petition shall be submitted to the Speaker of the Senate who is required, within seven days, to report the receipt of the petition to the Senate and refer the same to a special committee of the Senate established for consideration of the petition. According to clause 20, the special committee shall consider the petition within thirty days and recommend —

- (a) that a boundary dispute be referred to a mediation committee;
- (b) the establishment of an independent county boundaries commission; or
- (c) that the Senate does not recommend the establishment of the commission.

25. If the special committee recommends that a dispute should be referred to a mediation committee or that an independent county boundaries commission should be established, the Senate shall within seven days consider the recommendations of the special committee. On the other hand, where the Senate does not recommend the establishment of a commission, no further proceedings shall take place in respect of that petition.
26. **Clause 21(a)** of the Bill provides that where after the consideration of the report of the special committee the Senate approves mediation as the appropriate means of resolving a boundary dispute, the Speaker of the Senate shall within seven days of the resolution of the Senate forward the resolution to the President for establishment of a county boundaries mediation committee in accordance with the proposed clause 5.
27. Where the Senate approves the recommendation of the special committee for the establishment of a commission, the resolution of the Senate shall be referred to the National Assembly for concurrence and consideration by the National Assembly within thirty days. Further, where the Senate does not approve the recommendation of the special committee, no further proceedings shall take place in respect of that petition.
28. Where both Houses concur that an independent county boundaries commission should be established, the President is required to establish the commission in accordance with the **clause 23** of the Bill, with the approval of both Houses of Parliament.
29. Where the National Assembly does not concur with the resolution of the Senate for the establishment of a commission, the petition shall be referred to a parliamentary mediation committee which shall consider the petition within twenty-one days pursuant to the provisions of Article 113 of the Constitution.

30. On the other hand, **clause 22(3)** provides that if the National Assembly fails to consider the resolution of the Senate within thirty days, the National Assembly is deemed to have approved the resolution of the Senate.

(4) Independent County Boundaries Commission

31. **Clause 24** provides for the composition of an independent county boundaries commission whose members shall be appointed by the President with the approval of Parliament. The commission shall comprise —

- (a) a chairperson nominated by the President;
- (b) one commissioner of the Independent Electoral and Boundaries Commission, nominated by the Commission;
- (c) one commissioner of the National Land Commission nominated by the Commission;
- (d) the Principal Secretary for matters related to land and physical planning or a representative designated in writing;
- (e) two persons, one a man and one a woman, nominated by the Council of County Governors who are not residents of the affected counties;
- (f) a licensed surveyor as per the Survey Act, Cap 299 Laws of Kenya and who is not a resident in the affected counties nominated by the Land Surveyors' Board;
- (g) a practicing advocate of fifteen years standing who is not a resident of the affected counties nominated by the Law Society of Kenya; and
- (h) the secretary to the commission who shall be a public officer nominated by the Cabinet Secretary and who shall be an *ex-officio* member with no voting rights.

32. **Clause 25** provides for the qualification of the chairperson and members of the commission. A person is qualified for appointment as a chairperson of the commission if such person qualifies to hold the office of a judge of the Supreme

Court. The Bill further proposes that a person is qualified for appointment as a member of the commission if such person —

- (a) is a citizen of Kenya;
- (b) holds a degree from a recognized university;
- (c) has proven relevant knowledge and experience in statistics public administration or law and
- (d) meets the requirements of Chapter Six of the Constitution.

33. The Bill further proposes that a person is not qualified for appointment as a member of the commission if such person—

- (a) is a member of Parliament;
- (b) is a member of a county assembly;
- (c) is a member of the executive body of a political party;
- (d) holds or is acting in any office in the public service;
- (e) has been removed from office for contravention of any law or
- (f) is an undischarged bankrupt.

34. Further the Bill proposes that a person shall be qualified for appointment as the secretary if the person —

- (a) possesses a degree from a recognized university;
- (b) has had at least five years' proven experience at a management level;
- (c) has proven relevant experience in either management, finance, governance, public administration, law or political science and
- (d) meets the requirements of Chapter Six of the Constitution.

35. The functions of the Committee shall be to make recommendations in accordance with Article 188 of the Constitution and make any other recommendation it may consider appropriate.

(5) Inquiry and Report of the Commission

36. Part VI of the Bill provides for the procedure for the inquiry and report of a commission. **Clause 40** provides that upon receipt of a petition, the commission is required to inquire into the petition within ninety days. After the expiry of the ninety days, the commission shall develop a preliminary report within fourteen days.
37. The preliminary report is then to be subjected to fourteen days of public participation and shall be published in at least two newspapers with national circulation, the *Kenya Gazette* and the county *gazette* and publicized through at least two radio stations within the reach of the affected counties, the commission's website and any other media that will enable the widest reach of the residents of the affected counties. The preliminary report shall outline –
- (a) the proposed alteration of the boundaries of the affected counties;
 - (b) the specific geographical and demographical details relating to such proposed alteration; and
 - (c) an assessment of the impact of the proposed alteration.
38. **Clause 42** provides that upon the expiry of the initial fourteen days, the commission shall have a further fourteen days to review the preliminary report taking into account the views received from the public on the report and to submit a final report to the Speaker of the Senate either -
- a) recommending the alteration of the boundaries of a county in terms of Article 188 of the Constitution; or
 - b) recommending that the county boundaries of a county do not be altered; or
 - c) making such other recommendation as the commission may consider appropriate.
39. Where the commission recommends the alteration of the boundaries of a county, the Senate shall within fourteen days of the receipt of the report resolve to either approve or reject the recommendation of the commission. Consequently, the Speaker of the

Senate shall within three days of the decision of the Senate refer the resolution of the Senate to the National Assembly for concurrence.

40. If both Houses approve the recommendations of the commission to alter boundaries, the boundaries of the affected counties shall be altered in accordance with the recommendations of the commission.

41. Clause 48 of the Bill proposes that where the Speaker of the Senate receives more than one petition which relates to the same boundaries or the same county, the Speaker may order that the petitions be consolidated. A petition may also be withdrawn by a notice by the petitioner to the other parties and to the Speaker of the Senate.

42. Clause 50 provides that petitions challenging the alteration of the boundary shall be filed in the High Court within twenty-one days from the gazettelement of the alteration and the same shall be determined within sixty days from the date of filling the petition. Further, the Bill requires that an appeal from such a decision will be heard and determined within sixty days.

43. Clause 51 creates an offence of obstruction by a person who willfully obstructs any member, officer, employee or agent of a mediation committee or a commission established under the Act in the discharge of their lawful duties. The penalty shall be a maximum fine of one hundred thousand shillings or to imprisonment for a term not exceeding one year or to both.

1.5. Consequences of the Bill

44. The Bill will cure the current scenario where the boundaries of the districts in the Districts and Provinces Act, 1992 are deemed to be the boundaries of the corresponding counties. Further, the Bill will enable the resolution of boundary disputes between counties.

45. The Bill will also give effect to Article 188 of the Constitution by providing a mechanism for alteration of county boundaries. It will also ensure that a high threshold is met before the boundaries of any county are altered.

CHAPTER TWO: OVERVIEW OF PUBLIC PARTICIPATION

2.1 Introduction

46. In compliance with the provisions of Article 118 of the Constitution and Standing Order 145 (5) of the Senate Standing Orders, the Committee proceeded to undertake public participation on the Bill. In this regard, the Committee published an advertisement in the Daily Nation and Standard newspapers on Friday 24th March, 2023 inviting members of the public to submit written memoranda to the Committee on the Bill, and to appear before the Committee during the public hearings on the Bill. A copy of the advertisement is attached as *Annex 4*.
47. The advertisement was also posted on the Parliament website and social media platforms.
48. Additionally, the Committee sent invitations to key stakeholders inviting them to submit their comments on the Bill.
49. In response to the advertisement and invitations, the Committee received written and oral submissions from ten (10) stakeholders. The detailed submissions by stakeholders, organized clause-by-clause, are set out in a matrix attached as *Annex 5*, which also contains a detailed list of Stakeholders who furnished oral and written submissions. Additionally, copies of the stakeholder submissions on the Bill are attached collectively as *Annex 6* and numbered 1 – 10.

2.2 Attendance by Stakeholders

50. The Committee held a public hearing on the Bill on Thursday 13th March, 2023 at the County Hall 1st Floor Boardroom, where it written and oral submissions from the various stakeholders and members of the public.
51. The submissions on the Bill were presented to the Committee by the following entities and persons:
- a) Ministry of Lands
 - b) Council of Governors
 - c) Intergovernmental Relations Technical Committee

- d) National Cohesion and Integration Commission
- e) Independent Electoral and Boundaries Commission
- f) County Assemblies Forum
- g) Hashim and Lesagor advocates
- h) Issa Mahat
- i) East Pokot Pastors Peace Initiative Fellowship, Religious Leaders (FBOs) & Council Of Elders
- j) Committee on Devolution and Intergovernmental Relations

CHAPTER THREE: CLAUSE BY CLAUSE SYNTHESIS OF SUBMISSIONS AND COMMITTEE OBSERVATIONS

52. The following are some of the key issues arising from the public and stakeholder submissions on the County Boundaries Bill (Senate Bills No. 6 of 2023). The matrix on stakeholder engagement and Committee resolution is attached –

53. Clause 2 on Interpretation

On this clause, the Ministry of Lands suggest that the definition on Cabinet Secretary be amended as follows- *Cabinet Secretary responsible for matters related to land, surveying and mapping*. Furthermore, the Ministry proposes that the definition of County Executive Committee Member replace “Land and physical planning” with “Land, surveying and mapping”.

Committee Observation: *The Committee agreed with this proposed amendment and upheld it.*

54. Clause 4 on the Cabinet Secretary Keeping Electronic Records

The Ministry of Lands proposed to replace the word “electronic” with “digital and manual” so that the clause reads as follows “*The Cabinet Secretary Shall keep and shall upon request by any person make available an up to date digital and manual record of the boundaries of each county*”

Committee Observation: *The Committee agreed with this proposed amendment and upheld it.*

They also propose an amendment to Clause 4(2) to replace the role of the Cabinet Secretary so that it now reads: “*the Cabinet Secretary shall keep, and shall upon request by any person make available, an up to date digital and manual record of the boundaries of each County.*”

Committee Observation: *The Committee instead proposed that this Clause reads as follows: “ The Cabinet Secretary shall ensure the utilization of appropriate technology for accurate identification of County Boundaries...”*

55. The Council of Governors proposed to amend Clause 4(1) to replace “any person” with “a Citizen”.

Committee Observation: It is not only citizens that have an interest in knowing the boundaries of a County i.e. foreigners might have an interest also e.g. in land transactions there is need for due diligence which might entail where a particular piece of land is located.

Committee Observation: the Committee disagreed with this proposed amendment and consequently rejected its incorporation into the Bill.

56. Clause 5 on Establishment of a County Boundaries Mediation Committee

On this, the Intergovernmental Relations Technical Committee (IGRTC) proposes an amendment to Clause 5(1) to refer to the Committee as a dispute resolution committee instead of County Boundaries mediation committee.

Committee Observation: the Committee disagreed with this proposed amendment and consequently rejected its incorporation into the Bill.

The Ministry of lands proposed an amendment to Clause 5(2)(a) by inserting the word “committee” between the words executive and member.

Committee Observation: The Committee agreed with this proposed amendment and upheld it.

57. Clause 7 on the Composition of the Mediation Committee

The Ministry of Lands proposes to amend Clause 7(1)a on the appointment of Chairperson of the committee so that it is now done by the President as provided in accordance with Clause 24 of the same Bill.

Committee Observation: the Committee disagreed with this proposed amendment, stating that the President shall appoint the Chairperson of the Commission, not committee; and instead proposed an amendment to the effect that the Cabinet Secretary shall appoint the Chairperson of the Committee.

58. The Council of Governors proposed the following two amendments to Clause 7:

- a) An amendment to Clause 7(1)(a) to include a requirement for being a chairperson to be an accredited mediator;
- b) Introduce a new paragraph (e) to the effect of Council of County governors to nominate a person who is not a resident of the affected counties;
Committee Observation: The Committee agreed with this proposed amendment and upheld it. ; and

- c) Proposal to delete Clause 7(2)(b), rationale being it would be too restrictive for the governor not to appoint someone who has been in public service in any of the affected Counties.

Committee Observation: the Committee disagreed with this proposed amendment and consequently rejected its incorporation into the Bill.

59. The Intergovernmental Relations Technical Committee also proposed an amendment to Clause 7(1)(a) to include a requirement for being a chairperson to be an accredited mediator, and to include the Chairperson of IGTRC or their representative in the mediation committee.

Committee Observation: the Committee disagreed with this proposed amendment and consequently rejected its incorporation into the Bill.

60. Lastly, on this clause, the National Cohesion and Integration Commission (NCIC) made a proposal to have one of the members of the mediation Committee to be appointed from NCIC.

Committee Observation: The Committee agreed with this proposed amendment and upheld it.

61. Clause 8 on the Removal of a Member of the Mediation Committee

The Ministry of Lands proposes to amend Clause 8(3) to replace Section 8 with Section 7 on appointment of Mediation Committee members; and the rationale is that the Section that deals with Composition of mediation committee members is Section 7 and not Section 8.

Committee Observation: The Committee agreed with this proposed amendment and upheld it.

62. Clause 10 on the composition of the Secretariat

The Ministry of Lands further proposes an amendment to this clause to the effect that Clause 10(1)(b) has the phrase deleted: 'Physical planning and land survey and replacing it with' Land surveying and mapping'. The rationale is that the function is survey and mapping a surveyor will be more relevant

Committee Observation: The Committee agreed with this proposed amendment and upheld it.

63. To this same Clause, the Council of Governors proposes that Clause 10(1)(b) by including County Service from the affected counties, the rationale for this being that the Cabinet Secretary in designating officers to serve in the Secretariat to consult governors of the affected counties.

Committee Observation: the Committee disagreed with this proposed amendment and consequently rejected its incorporation into the Bill.

64. Clause 15 on the Dissolution of a Mediation Committee

The Ministry of Lands proposes to Amend Section 15 on dissolution of the committee to indicate Section 13 and not Section 16, reason being that Section 13 deals with the final report by the mediation committee.

Committee Observation: The Committee agreed with this proposed amendment and upheld it.

65. Clause 17 on Petitioning for the alteration of County Boundary Bills

The County Assembly Forum recommends an amendment to Clause 17(3)(b) by deleting the word 'elected', and the question they ask is: Why is the clause emphasizing on at least two thirds of the "elected" members of County Assemblies. Does it mean that the nominated members of county assembly will have no voting right to pass the resolution of the County Assembly?

Committee Observation: the Committee disagreed with this proposed amendment and consequently rejected its incorporation into the Bill (though it is noted that there was strong contention from some of the Committee Members who felt nominated members should also be afforded the right to vote).

66. Messrs. Hashim and Lesagor Advocates make the following recommendations on the same clause:

- a) Amend Clause 17(1) to provide for the geographical limitation of 'registered voter'

Committee Observation: the Committee disagreed with this proposed amendment, reasoning that a person who is not a registered voter in the specific county might have a proprietary interest in the said county and consequently rejected its incorporation into the Bill.

- b) Amend Clause 17(2) by deleting and replacing with requirement that a voter provide a certified copy of voters register

Committee Observation: the Committee disagreed with this proposed amendment, stating that the Petitioner should only attach the list of people and thereafter Parliament to confirm whether they are registered voters from IEBC, and consequently rejected its incorporation into the Bill.

- c) Correct the cross-referencing of First schedule referred in 17(4) is missing in the Bill

Committee Observation: the Committee disagreed with this proposed amendment and consequently rejected its incorporation into the Bill.

67. Clause 18 on Submission of a Petition

The IEBC proposes to Amend Clause 18 by replacing the word 'special' with 'relevant', the reason being that this senate Committee may be special at the infancy of this law but progressively it will be a relevant committee.

Committee Observation: the Committee disagreed with this proposed amendment stating that the Special Committee is a Committee that is for a specific function constituted on a need basis, and consequently rejected its incorporation into the Bill.

68. Clause 19 on Consideration of the Petition by the Special Committee

The IGRTC proposes to amend Clause 19 to provide for other mechanisms of dispute resolution, reason being it is being restrictive on the mechanisms to be used by the Senate.

Committee Observation: the Committee disagreed with this proposed amendment as the intent of the Bill is to mediate on arising disputes, and consequently rejected its incorporation into the Bill.

69. Messrs. Hashim and Lesagor Advocates proposed that Clause 19 be deleted in entirety, citing the reason that it is retrogressive as it takes away the power given to the people under Article 188.

Committee Observation: the Committee disagreed with this proposed amendment , taking into account that Article 188 of the Constitution requires Parliament to consider the alteration of Bills, and consequently rejected its incorporation into the Bill.

70. Clause 21 on Consideration of the report of the Special Committee by the Senate

The Ministry of Lands proposes to Amend clause 21(a) on consideration of the report of the special committee by the Senate and cross reference with Clause 6 and not 5, since Mediation Committee is established under Clause 6.

Committee Observation: the Committee disagreed with this proposed amendment as the mediation committee is established under section 5 and section 6, and consequently rejected its incorporation into the Bill.

71. Clause 22 Consideration of the report of the Special Committee by the National Assembly

Amend Clause 22(2)(b) wrong cross referencing of Article 115 instead of Article 113 of the Constitution.

Committee Observation: The Committee agreed with this proposed amendment and upheld it.

72. Further, the IEBC proposes to amend Clause 22(7) to provide that the mediation recommends formation of a commission (not another mediation committee); Amend Clause 22(7) to provide that, if the mediation committee fails to agree, it presents its report to the Senate as such; and the whole section 22 refers to the Special Committee of the Senate as the mediation Committee.

Committee Observation: The Committee agreed with this proposed amendment and upheld it.

73. Clause 23 on Establishment of a Commission

Amend Clause 23 by replacing the word 'nominate' with 'appoint', reason being Clause 24 provides that the role of the President in Section 23 is to appoint and not nominate.

Committee Observation: The Committee agreed with this proposed amendment and upheld it.

74. Clause 24 on Membership of the Commission

The Ministry of Lands recommends that there be an amendment to Clause 24(1)(d) to indicate Principal Secretary under whom the national surveying and mapping agency falls, or a representative of the Principal Secretary designate in writing, given that the senate will determine whether the dispute should be referred to mediation it should be worded in such a way that is open to other forms of dispute resolution.

Committee Observation: The Committee agreed with this proposed amendment and upheld it.

75. CAF proposed an amendment to clause 24 (1) (e) to appear as follows: -

"two persons of the opposite gender, who are not residents of the affected counties, nominated by the Council of Governors and institution responsible for coordinating the 47 County Assemblies". The Forum is of the view that COG should nominate one person and the Forum should nominate the other person as long as they are of

different Gender. The Forum is of the view that COG should nominate one person and the Forum should nominate the other person as long as they are of different Gender.

Committee Observation: The Committee agreed with this proposed amendment and upheld it.

- 76.** NCIC proposed an amendment to the effect that clause 24 to provide that NCIC be the Independent County Boundaries Commission, since NCIC has amassed great experience and knowledge in mediating and resolving disputes between communities who live alongside each other across counties.

Committee Observation: the Committee disagreed with this proposed amendment and consequently rejected its incorporation into the Bill.

77. Clause 25 on Qualifications

The Council of Governors propose amendments to Clause 25(2) on qualifications to be appointed a member of a commission to include (iii) 'land survey and physical planning'

Committee Observation: The Committee agreed with this proposed amendment and upheld it.

78. Clause 26 on the Functions of the Commission

The Ministry of Lands proposes to amend Clause 26 by inserting a new subsection on the functions of the Commission to include coordination of the national survey and mapping of all County boundaries. The reason is that it is through this that the ministry will manage to have an accurate and up to date record referred to in clause 4.

Committee Observation: the Committee disagreed with this proposed amendment , stating that this is an ad hoc commission that is established for a specific function and therefore can only deal with the specific purpose it is established for, and consequently rejected its incorporation into the Bill.

79. Clause 41 on the Preliminary Report on the Proposed Alteration of Boundaries

Ministry of Lands proposed to amend Clause 41(4)b(ii) by replacing the commissions website with the ministry's website, reason being that the Commission is Ad Hoc and therefore for effectiveness of the information. It is advisable to be published at the ministries website as it will reach a bigger number.

Committee Observation: The Committee agreed with this proposed amendment and upheld it.

80. Clause 42 on the Final report on the proposed alteration of boundaries

The Ministry of Lands also made the following two proposals on this clause:

- a) Amend Clause 42(6) by replacing 'the specific geographical' with 'a comprehensive description of boundary with adequately enlarged scaled map'; and
- b) Amend Clause 42(8) by para-phrasing as 'boundaries of the county shall be altered by the Cabinet Secretary as set out in the resolution of Parliament. A large scale topographical map shall be prepared and kept in both manual and digital formats by the cabinet secretary'.

Committee Observation: The Committee agreed with both proposed amendments and upheld them.

81. Clause 45 on Regulations

The Council of Governors proposed an amendment to Clause 45(2) to include consultation of County governments by the Cabinet Secretary while making the regulations. They also propose provision of specific timelines for the Cabinet Secretary to gazette the regulations. Implementation of the regulations will affect county governments and therefore they should be involved in the formulation of the regulations.

This will assist to ensure the decision to have the regulations is wholly left to be done at the convenience of the Cabinet secretary

Committee Observation: The Committee agreed with this proposed amendment and further stated that the Cabinet Secretary should be given 2 years to gazette the regulations.

- 82.** The IGRTC propose to amend Clause 45(2) to include consultation of County governments and ministry of lands and physical planning by the Cabinet Secretary while making the regulations.

Committee Observation: The Committee agreed with the proposal to add the County Governments, and rejected the proposal to add the Ministry since they are the ones preparing the regulations and cannot consult themselves, they therefore partially upheld and partially rejected the proposal.

83. Clause 47 on Coming into Effect of the Resolution

The IEBC proposed an amendment to Clause 47(2)(c) to substitute the word 'consideration' for 'adoption', because there is the presumption that the report has already been comprehensively canvassed and gazetted, and therefore the senate does not need to process it further but to adopt.

Committee Observation: the Committee disagreed with this proposed amendment , stating that the decisions by the Senate are take by vote after deliberations and

cannot be coerced to adopt a report without members being convinced, and consequently rejected its incorporation into the Bill.

84. Clause 50 on Petition to the High Court on alteration of boundaries.

Concerning this Clause, the Ministry of Lands proposes to amend Clause 50(1) on appeals on decisions to alter a County boundary to the High Court to be within 21 days after gazettelement of such an alteration in accordance with Clause 43 and not 42;

Committee Observation: the Committee disagreed with this proposed amendment and consequently rejected its incorporation into the Bill. However they upheld the editorial proposal on the numbering.

85. In addition, the IEBC recommended that Clause 50(1) be amended by deleting the timelines or in the alternative to replace the 60 days period with six months, reason being that the legislature should not prescribe timelines for determination of cases, they may adopt the standard six months' timeline for all other matters touching on elections and boundaries generally.

Committee Observation: the Committee disagreed with this proposed amendment, bearing in mind that under the Bill, Petitions can only be brought to the Senate at least 12 months before an election court case on alteration of county Boundaries, and therefore such Petition should not take a long time. Consequently, the Committee rejected its incorporation into the Bill.

3.1. Additional Comments:

The following additional comments and proposals were made by the Stakeholders, of which the Committee took note of:

Ministry of Lands

86. Boundaries have been referred to by use of movable features like cairn of stones which can be disputed if moved. Hence the need to survey and map the boundaries and record them using coordinates (mathematical position)

Council of Governors

87. First schedule appears to be extracted from the Districts and provinces Act Cap 105A, which it also repeals. It is not clear how the dimensions we arrived at and that there is need to confirm whether the stated dimensions reflect actual delimitation on the ground. It would help minimise potential disputes.

Inter-Governmental Relations Technical Committee

88. Need to determine the role of the National Land Commission provided in section 5(2)a may be undertaken in consultation with the mediation committee.
89. Need to incorporate public participation and civic education in the process of dispute resolution and the subsequent alteration of the County boundaries.

National Cohesion and Integration Commission

90. NCIC suggests that for purposes of cohesion the proposed bill should also consider changing of the names of elective/administrative units. For instance, Turkana, Samburu, West Pokot, Meru, Taita Taveta, Kisii, Embu, etc. As we become more integrated, cosmopolitan and inclusive, the more ethnic based name becomes problematic.
91. Any alterations of county boundaries should be done only in extreme cases. Opening the alterations may open a pandora's box where regions/communities want to have their "own" counties hence balkanizing the country.
92. NCIC also recommends that each county should have its own cadastral map showing its boundaries coordinates, subdivision lines natural features and related details
93. NCIC has noted that the proposed legislation is not clear on the avenue or time frame for an appeal following the decision of the mediation committee established under section 6 of the proposed bill.

Independent Electoral and Boundaries Commission

94. Rearrangement of the clauses, clause 15 to be made 14 and vice versa. The proposal is that the provision on extension of time comes after dissolution.

Hashim and Lesagor advocates

95. The creation of Special Committee, mediation committees and their functions under sections 21,22 and 23 are Unconstitutional as they are subversive of the will of people in accordance with Article 188 as read together with 255(1)l of the Constitution.

Issa Mahat

96. The provisions of the District and Provinces Act of 1992 (CAP 105 of the Laws of Kenya) determines boundaries as districts and not as counties in line with the new constitutional dispensation of country governments and devolved systems of government.
97. The current boundary delineation as per the District and Provinces Act of 1992 has pushed the people of Garissa County three miles away from the Tana River and the same is discriminatory.
98. The three-mile strip across the river is obsolete as far as it does not take into consideration the needs of the people of Garissa County to acquire the benefits of the use of Tana River.

East Pokot Pastors Peace Initiative Fellowship, Religious Leaders (FBOs) & Council Of Elders

99. The CBO provided a claim of dispute where Pokot land was allegedly illegally moved to Turkana County in 1992 to date through persistent tempering of Google earth maps without their knowledge or any form of a consultative process.

CHAPTER FOUR: COMMITTEE RECOMMENDATIONS

4.1 Recommendations

100. Having considered the County Boundaries Bill (Senate Bills No. 6 of 2023) and the submissions received thereon, the Senate Standing Committee on Devolution and Intergovernmental Relations recommends that the Senate passes the Bill, with the proposed amendments. (Attached is a copy of the Committee Stage Amendments marked as *Annex 7*).

LIST OF ANNEXURES

<i>Annex 1</i>	Minutes of the Standing Committee on Devolution and Intergovernmental Relations
<i>Annex 2</i>	Message dated 14 th March, 2023 by the Speaker of the National Assembly conveying the Bill to the Senate
<i>Annex 3</i>	The County Boundaries Bill (Senate Bills No. 6 of 2023)
<i>Annex 4</i>	Advertisement published in the <i>Daily Nation</i> and <i>Standard</i> newspapers on Friday 24 th March, 2023
<i>Annex 5</i>	Matrix of the submissions received by the Committee on each clause of the Bill and on general matters relating to the Bill which also contains the list of organizations and individuals who presented submissions to the Committee on the Bill
<i>Annex 6</i>	Copies of stakeholder submissions on the Bill
<i>Annex 7</i>	The Committee Stage Amendments to the County Boundaries Bill (Senate Bills No. 6 of 2023)

Annex 1:

***Minutes of the Standing
Committee on Devolution and
Intergovernmental Relations***



MINUTES OF THE THIRTY NINTH SITTING OF THE SENATE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS HELD ON TUESDAY, 28TH MARCH, 2023 AT CAUCUS 110, GROUND FLOOR BOARDROOM, KICC BUILDING, AT 10:00 AM.

PRESENT

- | | |
|--|--------------------|
| 1. Sen. Sheikh Mohamed Abass, MP | - Chairperson |
| 2. Sen. Catherine Muyeka Mumma, MP | - Vice-Chairperson |
| 3. Sen. (Dr) Oburu Oginga, MGH, MP. | - Member |
| 4. Sen. Richard Momoima Onyonka, EBS, MP | - Member |
| 5. Sen. George Mungai Mbugua, MP | - Member |
| 6. Sen. David Wafula Wakoli, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|------------------------------------|----------|
| 1. Sen. Peris Pesi Tobiko, CBS, MP | - Member |
| 2. Sen. Mohamed Said Chute, MP | - Member |
| 3. Sen. Hezema M. Lemaletian, MP | - Member |

SECRETARIAT

- | | |
|-------------------------|--|
| 1. Ms. Sylvia Nasambu | - Clerk Assistant II |
| 2. Mr. Walters Omondi | - Legal Counsel II |
| 3. Ms. Ann Kigoro | - Research Officer II |
| 4. Mr. Desmond Rasugu | - Clerk Assistant III (taking minutes) |
| 5. Mr. Emmanuel Barasa | - Media Relations Officer III |
| 6. Mr. John Kampule | - Sergeant at Arms |
| 7. Mr. Johnstone Simiyu | - Audio Officer III |
| 8. Mr. Tobias Juma | - Intern |

MIN/SEN/DEVIR/192/2023

PRAYER

The Meeting was called to order at 10:10 am by the chairperson followed with a word of prayer by Ms. Sylvia Nasambu.

MIN/SEN/DEVIR/193/2023

ADOPTION OF THE AGENDA

The Agenda of the meeting was adopted with amendments after being proposed by the Vice-chairperson and seconded by Sen. George Mbugua, MP as follows:

1. Prayer
2. Adoption of the Agenda
3. Consideration of Bill digest on the County Boundaries Bill, 2023 (Senate Bills No. 6 of 2023)
4. Confirmation of Minutes of the Previous Meetings (6 sets)
5. Matters Arising from the Minutes of the Previous Meetings.
6. Any Other Business.
7. Date of the Next Meeting and Adjournment

MIN/SEN/DEVIR/194/2023

**CONSIDERATION OF BILL DIGEST ON THE
COUNTY BOUNDARIES BILL, 2023 (SENATE
BILLS NO. 6 OF 2023)**

The members were taken through the Bill digest on the County Boundaries Bill, 2023 (Senate Bill no. 6 of 2023) which seeks to define the boundaries of the Counties and provide a solution to the County border disputes, as well as give effect to article 188 of the Constitution. The digest also analysed the provisions of the Bill that outlines the process of constituting of a mediation Committee and the Independent County Boundaries Commission established for purposes of altering of a County Boundary.

Members were informed that the Committee should facilitate public participation and take into account the views received before submitting its report to the Senate within thirty days which lapse on Friday, 21st April, 2023.

Members were further informed that invitations for Submission of Memoranda had been done through a newspaper advert and letters to various stakeholders.

The Committee pointed some of the issues it should take into account as it considers the bill as follows:

1. To explore the implication of the bill on the Mandate of IEBC specifically on its function of County Boundaries.

2. The impact of the County Boundaries Commission on other electoral boundaries like constituency boundaries.
3. To make a clear distinction between administrative and regional boundaries.

MIN/SEN/DEVIR/195/2023

**CONFIRMATION OF MINUTES OF THE
PREVIOUS MEETINGS.**

The minutes of the thirty first sitting of the Committee that was held on Wednesday, 1st March, 2023 at 10:00am were confirmed as a true record of the proceedings after being proposed by Sen. George Mbugua, MP and Seconded by Sen. David Wakoli, MP.

The minutes of the thirty fifth sitting of the Committee that was held on Friday, 17th March, 2023 at 9:00am were confirmed with amendments after being proposed by Sen. (Dr) Oburu Oginga, MGH, MP and Seconded by Sen. David Wakoli, MP.

The minutes of the thirty sixth sitting of the Committee that was held on Friday, 17th March, 2023 at 11:30am were confirmed with amendments after being proposed by Sen. (Dr) Oburu Oginga, MGH, MP and Seconded by Sen. David Wakoli, MP.

The minutes of the thirty seventh sitting of the Committee that was held on Friday, 17th March, 2023 at 2:00 pm were confirmed with amendments after being proposed by Sen. (Dr) Oburu Oginga, MGH, MP and Seconded by Sen. David Wakoli, MP.

MIN/SEN/DEVIR/196/2023

**MATTERS ARISING FROM MINUTES OF
PREVIOUS MEETINGS**

There were no matters arising.

MIN/SEN/DEVIR/197/2023

ANY OTHER BUSINESS

There was no any other business.

MIN/SEN/DEVIR/198/2023

**ADJOURNMENT AND DATE OF NEXT
MEETING.**

The Chairperson adjourned the meeting at 11:08 am. The next meeting shall be held on notice.

SIGNED.....

DATE 18/04/23.....

SEN. SHEIKH MOHAMED ABASS, M.P
CHAIRPERSON, STANDING COMMITTEE ON DEVOLUTION AND
INTERGOVERNMENTAL RELATIONS.



MINUTES OF THE FORTIETH SITTING OF THE SENATE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS HELD ON THURSDAY, 13TH APRIL, 2023 AT COMMISSION BOARDROOM, FIRST FLOOR, COUNTY HALL BUILDING, AT 9:00AM.

PRESENT

- | | |
|-------------------------------------|--------------------|
| 1. Sen. Sheikh Mohamed Abass, MP | - Chairperson |
| 2. Sen. Catherine Muyeka Mumma, MP | - Vice-Chairperson |
| 3. Sen. (Dr) Oburu Oginga, MGH, MP. | - Member |
| 4. Sen. Peris Pesi Tobiko, CBS, MP | - Member |
| 5. Sen. Mohamed Said Chute, MP | - Member |
| 6. Sen. George Mungai Mbugua, MP | - Member |
| 7. Sen. Hezema M. Lemaletian, MP | - Member |
| 8. Sen. David Wafula Wakoli, MP | - Member |

ABSENT WITH APOLOGY

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| 1. Sen. Richard Momoima Onyonka, EBS, MP | - Member |
|--|----------|

IN ATTENDANCE

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|-------------------------------|--|
| 1. Hon. Mutula Kilonzo Junior | - Governor for Makueni County and Chairperson COG Committee on Legal Affairs Human rights and Intergovernmental Relations. |
| 2. Rev. Dr. Samuel Kobia | - Chairperson, National Cohesion and Integration Commission. |
| 3. Dr. Perminus Nyaga | - Member, IGRTC |
| 4. Ms. Sophie Amutavy | - Director Legal, IGRTC |
| 5. Mr. Issa Mahat | - Advocate of the High Court of Kenya. |
| 6. Ms. Irene Ogamba | - Director Legal Service, COG |

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|--------------------------|------------------------------------|
| 7. Mr. Nicodemus Mbiuka | - Head, Lands Council of Governors |
| 8. Mr. Kyalo Mwent | - Deputy Director Legal, NCIC |
| 9. Mr. Jackson Mwikamba | - Principal Legal Officer |
| 10. Ms. Hanan El-Kathiri | - Advocate, Issa Mahat Advocates |

SECRETARIAT

- | | |
|-------------------------|--|
| 1. Ms. Lucianne Limo | - Media Relations I |
| 2. Ms. Yunis Amran | - Fiscal Analyst I |
| 3. Ms. Sylvia Nasambu | - Clerk Assistant II |
| 4. Mr. Walters Omondi | - Legal Counsel II |
| 5. Mr. Desmond Rasugu | - Clerk Assistant III (taking minutes) |
| 6. Mr. John Kampule | - Sergeant at Arms |
| 7. Mr. Johnstone Simiyu | - Audio Officer III |
| 8. Mr. Tobias Juma | - Intern |

MIN/SEN/DEVIR/199/2023:

PRAAYER

The Meeting was called to order at 9:18 am by the chairperson followed with a word of prayer by Ms. Sylvia Nasambu.

MIN/SEN/DEVIR/200/2023

ADOPTION OF THE AGENDA

The Agenda of the meeting was adopted as presented after being proposed by Sen. George Mbugua, MP and seconded by Sen. Mohamed Chute, MP as follows:

1. Prayer
2. Adoption of the Agenda
3. Consideration of submissions on the County Boundaries Bill, 2023 (Senate Bill No. 6 of 2023)
4. Any Other Business.
5. Date of the Next Meeting and Adjournment.

MIN/SEN/DEVIR/201/2023: CONSIDERATION OF SUBMISSIONS ON THE COUNTY BOUNDARIES BILL, 2023 (SENATE BILLS NO. 6 OF 2023.

1) Submissions by the Council of Governors. (COG)

The Governor for Makeni County and Chairperson of the Legal Affairs, Human rights and Intergovernmental Relations committee of the Council of Governors, appreciated the work and efforts made towards the development of the County Boundaries Bill,

2023 as it is critical in providing a mechanism for resolving the many disputes revolving around County Boundaries.

He highlighted the areas of concern to the Council of Governors with specific proposals as follows:

1. Proposed that section 4 (1) of the bill which provides for the keeping of records of County Boundaries by the Cabinet Secretary, be amended by deleting the words electronic record and replacing it with georeferenced record.
2. Proposed that section 7(1) which provides for the membership of the Mediation Committee, be amended to include; one person who is not a resident of the affected counties nominated by the Council of Governors.
3. Proposed that Section 7(2) which provides for persons restricted from appointment to the Mediation Committee, be amended by deleting clause (b) which lists a public officer of the affected counties.
4. Proposed that section 10 (1)(a) which provides for membership of the secretariat to the mediation Committee, be amended to include that the public officers to serve in the secretariat, be drawn from the National and County Public Service of the affected counties, and, that the Cabinet Secretary shall consult the Council of Governors in the appointment of the secretariat.
5. Amend section 25 which provides for qualifications of a person to be appointed to the commission, to include possession of a relevant knowledge and experience in Land survey and physical planning.

He clarified that the Bill does not in any way clash with the mandate of the Independent and Electoral Boundaries Commission as its function on boundaries is limited to Constituencies and Wards. He further stated that IEBC can be consulted by the Mediation Committee and the County Boundaries Commission to provide necessary information and expertise knowledge on boundaries.

2) Submissions by the Intergovernmental Relations Technical Committee (IGRTC)

The Intergovernmental Relations Technical Committee made the following recommendations on the bill:

1. That section 5(1) which provides for the County Boundaries Mediation Committee established through a resolution of the Senate should be designated as a Dispute Resolution Committee so that this makes possible other mechanisms of dispute resolution like negotiation, conciliation and arbitration to be applied.
2. That Section 6 to expressly state whether the establishment of the Mediation Committee could be at the discretion of the Senate, so as to determine what would constitute compelling reasons for the Senate to reach such a resolution.

3. That section 7 on composition of the Mediation Committee, to include the requirement that the chairperson should be an accredited mediator.
4. That Section 7 to include the chairperson of IGRTC or his representative in the composition of the mediation committee.
5. That Section 19 on consideration of the petition by a special committee should avoid being restrictive on the alternative dispute resolution, and that it is crucial for the bill to incorporate all other mechanisms of ADR.
6. That Section 45 on Regulations, the Cabinet secretary to not only be consulting the Independent Electoral and Boundaries Commission but also include the County Governments and the Ministry of Lands & Physical Planning since they are key stakeholders.

They further recommended:

1. The need to incorporate public participation and civic education in the process of dispute resolution and the subsequent alteration of county boundaries.
2. The need to determine how the role of the National Lands Commission provided in section (5) (a) may be undertaken in consultation with the mediation committee.

3) Submissions by National Cohesion and Integration Commission. (NCIC)

The Chairperson of the Commission made the following general and specific Comments on the bill:

1. That since the Commission has amassed great experience and knowledge in mediating and resolving disputes between communities that border each other, they thus propose to be included in a resolution of County Boundary disputes as either part of the Mediation Committee or the Independent Commission.
2. That for purposes of national cohesion, the Commission proposes alteration of County names that are based on the major ethnic communities living there, e.g Meru, Kisii, Samburu, Embu counties etc,
3. That alteration of County boundaries should be done only in extreme cases lest this opens a pandora box for similar demands by many counties.
4. That all counties to have their own Cadastral maps showing its boundaries and exact geographic coordinates and such other related details.

The committee expressed contrary views to the proposal of renaming counties named on the basis of the ethnicity of majority of its resident community, since this is the natural identity of African tribes and should be encouraged as positive ethnicity.

4) Submission by Mr. Issa Ibrahim Mahat Advocate of the High Court of Kenya.

Mr. Issa Ibrahim Mahat introduced himself as a registered voter of Garissa County, born and raised in Ijara Constituency and stated that the bill in seeking to define the counties in Kenya, should take into consideration the provisions of the District and Provinces Act of 1992, which determines boundaries as districts and not counties. He further stated that the Act defines the boundaries of Garissa and Tana River County to the extent that the boundary area along the Tana River pushes Garissa County three miles away from the river.

He submitted that in proposing the new boundaries, the three long boundary that currently separates Garissa and Tana River ought to be removed.

MIN/SEN/DEVIR/202/2023 **ANY OTHER BUSINESS**

Members were informed that consideration of all the other submissions on the Bill shall take place in the next meeting.

MIN/SEN/DEVIR/203/2023 **ADJOURNMENT AND DATE OF NEXT MEETING.**

The Chairperson adjourned the meeting at 12:10 pm. The next meeting to be held on Monday, 17th April, 2023 at 2.00pm.

SIGNED.....



DATE.....

12/04/23

SEN. SHEIKH MOHAMED ABASS, M.P
CHAIRPERSON, STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS.



MINUTES OF THE FORTY FIRST SITTING OF THE SENATE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS HELD ON TUESDAY, 18TH APRIL, 2023 AT CAUCUS 110, FIRST FLOOR, KICC BUILDING, AT 9:00AM.

PRESENT

- | | |
|-------------------------------------|--------------------|
| 1. Sen. Sheikh Mohamed Abass, MP | - Chairperson |
| 2. Sen. Catherine Muyeka Mumma, MP | - Vice-Chairperson |
| 3. Sen. (Dr) Oburu Oginga, MGH, MP. | - Member |
| 4. Sen. Mohamed Said Chute, MP | - Member |
| 5. Sen. Hezena M. Lemaletian, MP | - Member |
| 6. Sen. David Wafula Wakoli, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|--|----------|
| 1. Sen. Richard Momoima Onyonka, EBS, MP | - Member |
| 2. Sen. Peris Pesi Tobiko, CBS, MP | - Member |
| 3. Sen. George Mungai Mbugua, MP | - Member |

SECRETARIAT

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|----------------------------|---|
| 1. Ms. Lucianne Limo | - Media Relations I |
| 2. Ms. Sylvia Nasambu | - Clerk Assistant II |
| 3. Mr. Walters Omondi | - Legal Counsel II |
| 4. Mr. Desmond Rasugu | - Clerk Assistant III (taking minutes) |
| 5. Ms. Celestine Jepkosgey | - Public Communications Officer III |
| 6. Mr. Benard Marwar | - Sergeant at Arms |
| 7. Mr. Johnstone Simiyu | - Audio Officer III |

MIN/SEN/DEVIR/204/2023:

PRAYER

The Meeting was called to order at 9:16 am by the chairperson, followed with a word of prayer by Ms. Sylvia Nasambu.

MIN/SEN/DEVIR/205/2023

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted as presented after being proposed by Sen. Mohamed Chute, MP and seconded by Sen. David Wakoli, MP as follows:

1. Prayer
2. Adoption of the Agenda
3. Confirmation of Minutes of Previous Meetings (4sets)
4. Matters Arising from Minutes of the Previous Meetings
5. Consideration of the County Boundaries Bill, 2023 (Senate Bills No. 6 of 2023)
6. Consideration of the Report of the Committee on the County Boundaries Bill, 2023 (Senate Bills No.6 of 2023)
7. Consideration of the Report of the Committee on the relocation of National Administrative Services from Chuka town to Kathwana town, the gazetted headquarters of Tharaka Nithi County.
8. Any Other Business.
9. Date of the Next Meeting and Adjournment

MIN/SEN/DEVIR/206/2023:

CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETINGS.

The minutes of the thirty fourth sitting of the Committee that was held on Thursday, 16th March, 2023 at 10:00 am were confirmed as a true record of the proceedings after being proposed by Sen. David Wakoli, MP and Seconded by MP.

The minutes of the thirty-eighth sitting of the Committee that was held on Tuesday, 21st March, 2023 at 10:00am were confirmed with amendments after being proposed by the Vice chairperson and seconded by Sen. Mohamed Chute, MP.

The minutes of the thirty ninth sitting of the Committee that was held on Tuesday, 28th March, 2023 at 10:00am were confirmed as a true record of the proceedings after being proposed by Sen. David Wakoli, MP and Seconded by the Vice Chairperson.

The minutes of the fortieth sitting of the Committee that was held on Thursday, 13th April, 2023 at 9:00 am were confirmed as a true record of the proceedings after being proposed by Sen. David Wakoli, MP and Seconded by Sen. Mohamed Chute, MP.

MIN/SEN/DEVIR/207/2023

MATTERS ARISING FROM MINUTES OF THE PREVIOUS MEEETINGS.

There were no matters arising.

MIN/SEN/DEVIR/208/2023

CONSIDERATION OF THE COUNTY BOUNDARIES BILL, 2023 (SENATE BILLS NO. 6 OF 2023)

The members were taken through the matrix of the submissions by various stakeholders on the County Boundaries Bill, 2023 (Senate Bills. No.6 of 2023). The matrix covered all the specific proposals by the stakeholders, and the Committee adopted the proposals with amendments.

MIN/SEN/ DEVIR/209/2023

CONSIDERATION OF THE REPORT OF THE COMMITTEE ON COUNTY BOUNDARIES BILL, 2023 (SENATE BILLS NO. 6 OF (2023)

The members were taken through the report on the County Boundaries Bill, 2023 (Senate Bills. No.6 of 2023) that covered the background, objective, overview and consequences of the Bill. It further gave an overview of public participation, highlighting the various stakeholders who submitted their memoranda. Additionally, the report analyzed a clause by clause synthesis of the stakeholders' and Committee's observations on each of the clauses. Further, the report stated the Committee's recommendation on the Bill, which is that the Senate Passes the Bill with the proposed amendments.

Consequently, the report was adopted by the Committee.

MIN/SEN/DEVIR/210/2023:

CONSIDERATION OF THE REPORT OF THE COMMITTEE ON RELOCATION OF NATIONAL ADMINISTRATIVE SERVICES FROM CHUKA TOWN TO KATHWANA TOWN, THE GAZETTED HEADQUARTERS OF THARAKA NITHI COUNTY.

The Members were taken through the comprehensive report of the Committee on the Statement sought by Senator for Tharaka Nithi County, Sen. Mwenda Gataya Mo:Fire,

MP, regarding the relocation of National Administrative Services from Chuka town to Kathwana town which is the gazetted headquarters of Tharaka Nithi County.

The Committee adopted the report with amendments, which were to have the term Taskforce in the recommendations on the Construction of the County Assembly Chambers, be replaced with Multi-Agency Technical Committee, which shall comprise of representative(s) of the:

1. County Executive Department in charge of Public Works and Housing
2. The County Assembly Service Board
3. The Ministry of Public Works and Housing
4. The Ethics and Anti- Corruption Commission
5. The Controller of Budget
6. The National Treasury; and
7. The Attorney General

MIN/SEN/DEVIR/211/2023 **ANY OTHER BUSINESS.**

There was no any other Business.

MIN/SEN/DEVIR/212/2023 **ADJOURNMENT AND DATE OF NEXT MEETING.**

The Chairperson adjourned the meeting at 11:25 am. The next meeting to be held on Thursday, 20th April, 2023.

SIGNED.....



DATE.....

18/04/2023

SEN. SHEIKH MOHAMED ABASS, M.P
CHAIRPERSON, STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS.

Annex 2:

**Message dated 14th March
2023 by the Right Hon.
Speaker of the National
Assembly**

~~App~~
Clear
Kindly deal.
16/3/23

THE SENATE
RECEIVED
16 MAR 2023
SPEAKER'S OFFICE

REPUBLIC OF KENYA

Telegraphic Address
'Bunge', Nairobi
Telephone 221291
Fax: 243694
E-mail: sna@parliament.go.ke



Speaker's Office
National Assembly
Parliament Buildings
P. O. Box 41842 - 00100
Nairobi, Kenya

M. Koeke
Free copy
16/3/23

OFFICE OF THE SPEAKER

When replying please quote

14th March, 2023

Our Ref: CORR/BILLS/SENATE
Your Ref: SSN/SNA/6/VOL II/021

The Rt. Hon. Amason Kingi, EGH, MP, MP
Speaker of the Senate,
Parliament Buildings,
P. O. Box 41842 - 00100
NAIROBI

RECEIVED
16 MAR 2023
DEPUTY CLERK

RECEIVED
16 MAR 2023

DLS
Kindly deal
Ep
17/3/23

Dear Amason,

RE: RESOLUTION ON THE COUNTY BOUNDARIES BILL, 2023
(SENATE BILLS NO. 6 OF 2023) AND THE PERSONS WITH
DISABILITIES BILL, 2023 (SENATE BILLS NO. 7 OF 2023)

The above matter refers.

Pursuant to Article 110(3) of the Constitution, I wish to respond as follows—

1. THE COUNTY BOUNDARIES BILL, 2023 (SENATE BILLS NO. 6 OF 2023).

The principal object of the Bill is to provide for the boundaries of all the forty-seven (47) counties and the establishment of a mediation committee to resolve boundary disputes between counties. The Bill further seeks to operationalize Article 188 of the Constitution by establishing a framework for the appointment of an Independent Commission to undertake any proposed alteration of county boundaries pursuant to a Resolution passed by Parliament. The Bill prescribes the qualifications required for appointment as a member of the Independent Commission, the functions and powers

THE SENATE
RECEIVED
17 MAR 2023
DIRECTOR LEGAL SERVICES

of the Commission and the manner of preparation and consideration of a Report on the alteration of county boundaries.

Paragraph 8 of Part 2 of the Fourth Schedule to the Constitution lists county planning and development, which includes land survey and mapping; and boundaries and fencing, as a function of county governments. The Bill is, therefore, a **Bill concerning county governments** in terms of Article 110(1)(a) and the Fourth Schedule to the Constitution and an **ordinary Bill** in terms of Article 110(2)(b) of the Constitution.

2. THE PERSONS WITH DISABILITIES BILL, 2023 (SENATE BILLS NO. 7 OF 2023).

The principal object of the Bill is to repeal and replace the Persons with Disabilities Act, 2003 to align it with the requirements of Article 54 of the Constitution which outlines the entitlements of persons with disabilities in relation to their treatment; access to education, facilities, public transport and information; use of appropriate means of communication; and access to assistive materials and devices. The Bill prescribes specific obligations of county governments in relation to the treatment and facilitation of persons with disabilities especially with regard to employment and mainstreaming; resource allocation; implementation of national policies; and preference in county procurement. Additionally, the Bill outlines various reliefs, exemptions and incentives that are to be availed to persons with disabilities and employers of persons with disabilities. These include exemption from income tax; and import duty and value added tax on assistive devices.

The Bill is a **Bill concerning county governments** in terms of Article 110(1)(a) of the Constitution to the extent that it outlines various obligations of county governments in relation to persons with disabilities. The Bill is an **ordinary Bill** in terms of Article 110(2)(b) of the Constitution.

Yours, *Sincerely*

Wetang'ula

THE RT. HON. MOSES WETANG'ULA, EGH, M.P.
SPEAKER OF THE NATIONAL ASSEMBLY

Annex 3:

The County Boundaries Bill
(Senate Bill No. 6 of 2023)

SPECIAL ISSUE

Kenya Gazette Supplement No. 15 (Senate Bills No. 6)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

SENATE BILLS, 2023

NAIROBI, 20th February, 2023

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THE COUNTY BOUNDARIES BILL, 2023
ARRANGEMENT OF CLAUSES

Clause

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- 2—Interpretation.

PART II – COUNTY BOUNDARIES

- 3—County boundaries.
- 4—Cabinet Secretary to keep electronic records.

**PART III – RESOLUTION OF COUNTY
BOUNDARY DISPUTES**

- 5—Establishment of a county boundaries mediation committee.
- 6—Appointment of members of a mediation committee.
- 7—Composition of the mediation committee.
- 8—Removal of a member of the mediation committee.
- 9—Remuneration and allowances.
- 10—Secretariat.
- 11—Role of a mediation committee.
- 12—Powers of the committee.
- 13—Report by the Committee.
- 14—Extension of timelines.
- 15—Dissolution of a mediation committee.

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- 16—Alteration of a county boundary
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- 18—Submission of a petition.
- 19—Consideration of petition by special committee.
- 20—Report of special committee.

21—Consideration of report of special committee by the Senate.

22—Consideration of report of special committee by the National Assembly.

PART V – INDEPENDENT COUNTY BOUNDARIES COMMISSION

23—Establishment of a commission.

24—Membership of the commission.

25—Qualifications.

26—Functions of the commission.

27—Powers of the commission.

28—Conduct of business and affairs of the commission.

29—Independence of the commission.

30—Tenure of office.

31—Remuneration and allowances.

32—Oath of office.

33—Secretary to the commission.

34—Secretariat and other facilities.

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36—Protection from personal liability.

37—Liability of the commission to damages.

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38—Inquiry by the commission.

39—Preliminary report on the proposed alteration of boundaries.

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41—Consideration of the final report by Parliament.

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43—Regulations.

44—Timeline for presentation of a petition.

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**FIRST SCHEDULE: BOUNDARIES OF
COUNTIES IN KENYA**

**SECOND SCHEDULE: REQUIREMENTS
FOR A PETITION**

THIRD SCHEDULE: FORM OF PETITION

**FOURTH SCHEDULE: CONDUCT OF
BUSINESS AND
AFFAIRS OF THE
COMMISSION**

**FIFTH SCHEDULE: OATH OF OFFICE
FOR MEMBERS OF
THE COMMISSION**

THE COUNTY BOUNDARIES BILL, 2023

A Bill for

AN ACT of Parliament to provide for county boundaries; to provide for a mechanism for the resolution of county boundary disputes; to give effect to Article 188 of the Constitution by providing for the procedure for alteration of county boundaries; to provide for the establishment of an independent county boundaries commission; and for connected purposes.

ENACTED by the Parliament of Kenya, as follows —

PART I — PRELIMINARY

1. This Act may be cited as the County Boundaries Act, 2023

Short title.

2. In this Act -

Interpretation.

“affected county” means —

(a) any county whose boundaries would be affected by a proposed alteration of county boundaries contained in a petition; or

(b) any county whose boundaries are disputed;

“boundary of a county” means the boundary of a county as set out in the First Schedule;

“Cabinet Secretary” means the Cabinet Secretary responsible for matters related to land and physical planning;

“commission” means an independent county boundaries commission established in accordance with section 23;

“county” means a county listed in the First Schedule to the Constitution;

“county executive committee member” means the county executive committee member for the time being responsible for matters related to land and physical planning in the county;

“dispute” means disagreements between two or more neighbouring counties over the possession, occupation or

control of land bordering the two or more neighbouring counties;

“mediation” means intervention of a dispute relating to a boundary of county;

“mediation committee” means a county boundaries mediation committee appointed in accordance with section 6;

“mediation party” means a party that participates in a mediation and whose agreement is necessary to resolve the dispute;

“petition” means an application prepared in the manner prescribed under the Second Schedule and in the form prescribed under Third Schedule;

“petitioner’s county” means the county in which a petitioner is a registered voter; and

“special committee” means a special committee established by a resolution of the Senate for the consideration of a petition.

PART II – COUNTY BOUNDARIES

3. (1) Pursuant to Article 6(1) of the Constitution, the territory of Kenya is divided into the forty-seven counties specified in the First Schedule to the Constitution.

County boundaries.

(2) The boundaries of the counties are as set out in the First Schedule to this Act.

4. (1) The Cabinet Secretary shall keep, and shall upon request by any person make available, an up-to-date electronic record of the boundaries of each county.

Cabinet Secretary to keep electronic records.

(2) In keeping the records under subsection (1), the Cabinet Secretary shall utilise the appropriate technology to ensure accurate identification of county boundaries.

(3) A person who unlawfully interferes with the records kept under this section commits an offence and is liable, upon conviction, to a fine of two million shillings or to five years imprisonment or to both.

PART III – RESOLUTION OF COUNTY BOUNDARY DISPUTES

5. (1) The Senate may pass a resolution for the establishment of a county boundaries mediation committee upon —

Establishment of a county boundaries mediation committee.

- (a) a request by the governor of any county whose boundary is disputed; or
- (b) a request by the senator of any county whose boundary is disputed;
- (c) a request by a registered voter in respect of any county whose boundary is disputed; or
- (d) a recommendation of the Senate, made under section 20, for the mediation of a boundary dispute.

(2) A person under subsection (1)(a) to (c) shall submit the request to the Senate together with —

- (a) evidence that notice was given to every county government of a county whose boundary is the subject of the dispute referred to in subsection (1) addressed to the governor and the county executive member of the county; and
- (b) a description, in writing, identifying the specific disputed county boundary.

(3) The Senate shall consider a request under subsection (2) within twenty-one days.

6. Where a resolution has been made by the Senate for the establishment of a mediation committee under section 5(1), the President shall, within fourteen days of receipt of the resolution appoint a mediation committee, with the approval of the Senate.

Appointment of members of a mediation committee.

7. (1) The mediation committee shall consist of —

Composition of the mediation committee.

- (a) a chairperson, who shall be an advocate of the High Court of Kenya with at least fifteen years' experience in alternative dispute resolution;
- (b) one person from each of the affected counties having resided therein for at least fifteen years, nominated by the respective governors;
- (c) a commissioner of the National Land Commission nominated by the National Land Commission from amongst the commissioners;
- (d) a licensed surveyor nominated by the Land Surveyors' Board established under the Survey Act; and

Cap. 299.

- (e) a public officer nominated by the Cabinet Secretary, who shall be the secretary to the committee, and who shall —
 - (i) be an *ex-officio* member; and
 - (ii) not have a right to vote.

(2) A person shall not qualify for appointment under subsection (1)(a) and (b) if the person —

- (a) has stood for an elective office in any of the affected counties in the last five years;
- (b) has been a public officer in any of the affected counties;
- (c) has been found guilty of professional misconduct by the respective professional body in the case of the Advocate.

8. (1) A member of the mediation committee may be removed from office by the President only for —

Removal of a member of the mediation committee.

- (a) gross violation of the Constitution or any other law;
- (b) gross misconduct, whether in the performance of the member's functions or otherwise;
- (c) physical or mental incapacity to perform the functions of office;
- (d) incompetence; or
- (e) bankruptcy.

(2) Before removal under subsection (1), a member of the mediation committee shall be —

- (a) informed, in writing, of the reasons for the intended removal; and
- (b) given an opportunity to put in a defence against any such allegations, either in person or through an advocate.

(3) Where a vacancy occurs in the membership of the mediation committee under subsection (1), the President shall appoint a replacement in accordance with section 8.

9. Members of a mediation committee shall be paid such remuneration or allowances as the Cabinet Secretary

Remuneration and allowances.

shall, on the advice of the Salaries and Remuneration Commission, determine.

10. (1) There shall be a secretariat to a mediation committee which shall consist of – Secretariat.

- (a) the secretary who shall be the head of the secretariat; and
- (b) such public officers within the public service who may be deployed or seconded to the secretariat as may be necessary for the effective functioning of the secretariat.

The Cabinet Secretary may, for purposes of subsection (1) (b), designate officers to serve in the secretariat and such officers shall include persons who have knowledge and at least five years' experience in physical planning or land survey.

(3) At the request of the mediation committee, the Cabinet Secretary may, on behalf of the mediation committee, engage a person whose expertise or knowledge is considered necessary for the execution of the mediation committee's mandate.

(4) For purposes of this Act, a public officer who is seconded to a mediation committee shall be required to comply with the Constitution, this Act and any orders and directions of the mediation committee.

11. (1) The role of the mediation committee shall be to Role of a mediation committee.

- (a) facilitate communication and negotiation between the mediation parties so as to assist the parties to reach an agreement regarding their dispute;
- (b) inquire into the dispute between the mediation parties;
- (c) obtain the necessary information required to aid in the resolution of the dispute;
- (d) offer the mediation parties options and new perspectives for consideration;
- (e) keep a record of the mediation proceedings;
- (f) record any agreement arrived at between the mediation parties; and

- (g) ensure that the mediation process or the agreement arrived at between the mediation parties does not result in the violation of the Constitution or any other law.

(2) In undertaking its role under subsection (1), a mediation committee shall —

- (a) remain impartial at all times;
- (b) avoid any conflict of interest regarding the dispute;
- (c) address any conflict arising during the mediation process expeditiously;
- (d) ensure that each mediation party is heard;
- (e) observe the rules of natural justice in handling the mediation process;
- (f) ensure public participation in the conduct of its proceedings; and
- (g) hold all communication between the mediation parties in confidence during the mediation process.

12. (1) A mediation committee shall have the powers of the High Court to —

Powers of the committee.

- (a) summon witnesses;
- (b) call for the production of books, plans and documents; and
- (c) examine witnesses on oath.

(2) A mediation committee may make such rules as are necessary for the conduct and management of its proceedings.

13. (1) The mediation committee shall, within three months of the resolution of the Senate to establish a mediation committee under section 5, report to the Senate on —

Report by the committee.

- (a) the decision arrived at; and
 - (b) any recommendation that it considers appropriate.
- (2) Where one of the outcomes of the mediation

process is a recommendation for the alteration of a boundary of any of the affected counties, the mediation committee shall submit its report to the President, the Senate and the National Assembly.

(3) The President shall, within fourteen days of receipt of a report, under subsection (2) appoint an independent county boundaries commission in accordance with Part V.

14. (1) The President may, with the approval of the Senate, extend the period under section 15(1) for not more than one month.

Extension of timelines.

(2) The period under section 15(1) may be extended only once.

15. (1) A mediation committee shall stand dissolved thirty days after submission of its report under section 16.

Dissolution of a mediation committee.

(2) During the period prescribed in subsection (1), the mediation committee shall wind up its affairs in an orderly manner and, in particular, it shall ensure that —

- (a) those aspects of its work that will be of value to other institutions are preserved, documented and transferred to the relevant institutions; and

its files and records are preserved and transferred to the Kenya National Archives and Documentation Service established under Section 3 of the Public Archives and Documentation Services Act (Cap 19).

(3) The terms of the members of a mediation committee shall expire upon the dissolution of the mediation committee.

PART IV- ALTERATION OF COUNTY BOUNDARIES

16. (1) The Boundaries of a county may, in accordance with Article 188 (1) of the constitution be altered only-

Alteration of a county boundary.

- (a) on the recommendation by an independent commission set up for the purpose by Parliament; and
- (b) a resolution passed by-
 - (i) the National Assembly, with the support of at least two-thirds of all the members of the

Assembly; and

(ii) the Senate, with the support of at least two-thirds of all the county delegations.

(2) Pursuant to Article 188 (2) of the Constitution, the boundaries of a county may be altered to take into account

- (a) population density and demographic trends;
- (b) physical and human infrastructure;
- (c) historical and cultural ties;
- (d) the cost of administration;
- (e) the views of the communities affected;
- (f) the objects of devolution of government; and geographical features.

17. (1) A petition to Parliament for the alteration of the boundary of a county may be made by —

Petition for alteration of the boundary of a county.

- (a) any person who is a registered voter;
- (b) an elected member of the county assembly of a county whose boundary is proposed to be altered;
- (c) the Senator of a county whose boundary is proposed to be altered;
- (d) a Member of the National Assembly representing a constituency within the county whose boundary is proposed to be altered; or
- (e) a county governor on behalf of a county government that proposes the alteration of its boundary.

(2) A petition made under subsection 17 (1)(a) shall be submitted to Parliament and supported by at least fifteen percent of the registered voters of the petitioner's county.

(3) A petition made under subsection 17 (1)(b) shall be submitted to Parliament together with a resolution of the county assembly supported by at least two-thirds of the elected members of the county assembly.

(4) A petition made under this section shall —

- (a) comply with the requirements for a petition set out

in the Second Schedule; and

(b) be in the form set out in the Third Schedule.

18. (1) A petition under section 17 shall be submitted to the Speaker of the Senate.

Submission of a petition.

(2) The Speaker of the Senate shall, within seven days of receipt of a petition under section 17 —

- (a) report to the Senate the receipt of the petition; and
- (b) refer the petition to a special committee of the Senate established for consideration of the petition.

19. In considering a petition referred to it under section 18(2)(b), the special committee of the Senate shall within thirty days —

Consideration of petition by special committee.

- (a) where the petition is presented under section 17(1)(a), obtain a certificate from the Independent Electoral and Boundaries Commission ascertaining that the petition is supported by at least fifteen percent of the registered voters of the petitioner's county;
- (b) consider the petition taking into account the provisions of Article 188 of the Constitution and undertake an inquiry into the issues raised in the petition;
- (c) determine whether mediation would be the appropriate means of addressing the issues raised in the petition; and
- (d) table a report of its findings and recommendations in the Senate.

20. (1) A special committee may recommend to the Senate —

Report of special committee.

- (a) that a boundary dispute be referred to a mediation committee to be established under section 5;
 - (b) the establishment of a commission in terms of section 23; or
 - (c) that the Senate does not recommend the establishment of the commission.
- (2) If the special committee makes a recommendation

under —

- (a) subsection (1)(a) or (b), the Senate shall, within seven days, consider the recommendations of the special committee; or
- (b) subsection (1)(c), no further proceedings shall take place in respect of the petition.

21. Where after the consideration of the report of the committee under section 20(2)(a) the Senate —

Consideration of report of special committee by the Senate.

- (a) approves mediation as the appropriate means of resolving a boundary dispute, the Speaker of the Senate shall, within seven days of the resolution of the Senate, forward the resolution to the President for establishment of a county boundaries mediation committee in accordance with section 5;
- (b) approves the recommendation of the special committee for the establishment of a commission, the resolution of the Senate shall be referred to the National Assembly for concurrence; or
- (c) does not approve the recommendation of the special committee, no further proceedings shall take place in respect of the petition.

22. (1) The National Assembly shall consider a resolution received under section 21 (b) within thirty days of receipt of the resolution.

Consideration of report of special committee by the National Assembly.

(2) If the National Assembly —

- (a) concurs with the resolution of the Senate for the establishment of a commission, a commission shall be established in accordance with section 23 of this Act; or
- (b) does not concur with the resolution of the Senate for the establishment of a commission, the petition shall be referred to a mediation committee in accordance with Article 115 of the Constitution.

(3) If the National Assembly fails to consider the resolution of the Senate within the specified time, the National Assembly is deemed to have approved the resolution of the Senate.

(4) Where the National Assembly approves the

resolution of the Senate, the Speaker of the Senate shall, within seven days of the approval by the National Assembly, submit the resolution to the President for the establishment of a commission in accordance with section 23.

(5) The mediation committee under subsection (2) shall, within twenty-one days of referral of the petition, consider the petition and may make a recommendation in terms of section 20 (1).

(6) If the mediation committee arrives considers and makes its recommendation within the period prescribed under subsection (5), each House shall vote to approve or reject the recommendation of the mediation committee.

(7) If the mediation committee recommends the establishment of a mediation committee, section 21 (a) shall apply with necessary modification.

(8) If the mediation committee recommends the establishment of a commission, subsection (4) shall apply with necessary modification.

(9) If the mediation committee fails to agree on a recommendation, no further proceedings shall take place in respect of the Petition.

PART V - INDEPENDENT COUNTY BOUNDARIES COMMISSION

23. Whenever Parliament, under section 22, resolves that an independent county boundaries commission be established, the President shall, within fourteen days of receipt of the petition, nominate members of a commission in accordance with this Part.

Establishment of a commission.

24. (1) A commission established under this Act shall consist of —

Membership of the commission.

- (a) a chairperson appointed by the President;
- (b) one commissioner of the Independent Electoral and Boundaries Commission, nominated by the Independent Electoral and Boundaries Commission;
- (c) one commissioner of the National Land Commission, nominated by the National Land

Commission;

- (d) the Principal Secretary responsible for matters related to land and physical planning or a representative of the Principal Secretary designated in writing;
- (e) two persons of the opposite gender, who are not residents of the affected counties, nominated by the Council of County Governors;
- (f) one person who is a licensed surveyor under the Survey Act and who are not resident in the affected counties, nominated by the Land Surveyors' Board; Cap 299.
- (g) a practicing advocate of fifteen years standing and who is not resident in the affected counties, nominated by the Law Society of Kenya; and
- (h) the secretary to the commission who shall be a public officer nominated by the Cabinet Secretary and who shall—
 - (i) be an *ex-officio* member; and
 - (ii) not have a right to vote.

(2) A person nominated to be a member of the commission under subsection (1) shall be appointed by the President with the approval of Parliament.

(3) In approving a nomination under subsection 1(b) and (c), Parliament shall consider only whether there is any potential conflict of interest with respect to the nominee.

25. (1) A person is qualified for appointment as a chairperson of the commission if such person qualifies to hold the office of a judge of the Supreme Court. Qualifications.

(2) A person is qualified for appointment as a member of the commission under section 24(1)(c) if such person —

- (a) is a citizen of Kenya;
- (b) holds a degree from a recognised university;
- (c) has proven relevant knowledge and experience in
 - (i) statistics; public administration; or

(ii) law; and

(d) meets the requirements of Chapter Six of the Constitution.

(3) A person is not qualified for appointment as a member of the commission under section 24 (1)(a), (e) or (f) if such person —

(a) is a member of Parliament;

(b) is a member of a county assembly;

(c) is a member of the executive body of a political party;

(d) holds or is acting in any office in the public service;

(e) has been removed from office for contravention of any law; or

(f) is an undischarged bankrupt.

(4) A person shall be qualified for appointment as the secretary if the person —

(a) possesses a degree from a recognised university;

(b) has had at least five years' proven experience at a management level;

(c) has proven relevant experience in either —

(i) management;

(ii) finance;

(iii) governance;

(iv) public administration;

(v) law; or

(vi) political science; and

(d) meets the requirements of Chapter Six of the Constitution.

(5) The commission shall be properly constituted notwithstanding a vacancy in its membership.

26. The functions of a commission under this Act shall be to inquire into a petition referred to it and to —

(a) make appropriate recommendations in accordance

Functions of the
commission.

with Article 188 of the Constitution; and

- (b) make any other recommendation as it may consider appropriate.

27. (1) A commission shall have all powers necessary for the execution of its functions under the Constitution, this Act and any other law.

Powers of the commission.

(2) Despite the generality of subsection (1), a commission shall have the powers —

- (a) of the High Court to —
 - (i) summon witnesses;
 - (ii) call for the production of books, plans and documents; and
 - (iii) examine witnesses on oath;
- (b) to obtain, by any lawful means, any information it considers relevant, including requisition of reports, records, documents and any information from any person, including governmental authorities, and to compel the production of such information for the proper discharge of its functions;
- (c) to interview any person or group of persons; and
- (d) to call upon any person to meet with the commission or its staff, or to attend a session or hearing of the commission subject to adequate provision being made to meet the person's expenses for the purpose.

28. (1) The conduct and regulation of the business and affairs of a commission established under this Act shall be as provided for in the Fourth Schedule, but subject thereto, the commission may regulate its own procedure.

Conduct of business and affairs of the commission.

(2) A commission shall prescribe rules for participation of the members of the public in its proceedings.

29. (1) In the performance of its functions, a commission shall not be subject to the direction or control of any person, office or authority.

Independence of the commission.

(2) A commission shall observe the principle of impartiality and the rules of natural justice in the exercise

of its powers and the performance of its functions.

(3) Every officer or institution at the national or county level shall accord a commission such assistance and protection as may be necessary to ensure its independence, impartiality and effectiveness in the discharge of its functions.

30. A commission shall stand dissolved within one month –

Tenure of office.

- (a) after the submission of its final report to Parliament; or
- (b) after the conclusion of any legal proceedings, to which the commission is enjoined as a party, arising from the work of the commission.

31. Members of a commission shall be paid such remuneration or allowances as the Cabinet Secretary shall, on the advice of the Salaries and Remuneration Commission, determine.

Remuneration and allowances.

32. The chairperson and members of a commission shall, before assuming office, take and subscribe to the oath or affirmation of office prescribed in the Fifth Schedule.

Oath of office.

33. (1) The secretary to a commission shall, in the performance of the functions and duties of office, be responsible to and report to the commission.

Secretary to the commission.

(2) The secretary shall, before assuming office, take and subscribe to the oath or affirmation of office prescribed in the Fifth Schedule.

34. (1) There shall be a secretariat of the commission which shall consist of –

Secretariat and other facilities.

- (a) the secretary who shall be the head of the secretariat; and
- (b) such other public officers as the Cabinet Secretary shall consider necessary for the effective functioning of the secretariat.

(2) The Cabinet Secretary shall, within seven days of the appointment of the commissioners –

- (a) provide such facilities as are necessary for the proper functioning of a commission;

- (b) second such public officers from relevant ministries and government agencies as may be required to constitute the secretariat to the commission; and
- (c) liaise with the other cabinet secretaries and heads of relevant government agencies for the seconding of such public officers as may be required.

(3) At the request of the commission, the Cabinet Secretary may, on behalf of the commission, engage any person whose expertise or knowledge is considered necessary for the execution of the commission's mandate.

(4) For purposes of this Act, a public officer who is seconded to a commission shall comply with the Constitution, this Act and any orders and directions of the commission.

35. (1) A member of a commission may be removed from office for —

Removal from office.

- (a) incompetence;
- (b) abuse of office;
- (c) gross misconduct;
- (d) failure, without reasonable excuse, to attend three consecutive meetings of the commission;
- (e) physical or mental incapacity rendering the person incapable of performing the duties of that office; or
- (f) gross violation of the Constitution or any other law.

36. Before removal under subsection (1), the member of the commission shall be —

- (a) informed in writing of the reasons for the intended removal; and
- (b) given an opportunity to put in a defence against any such allegations, either in person or through an advocate.

37. Where a vacancy occurs in the membership of the commission under subsection (1), the President shall appoint a replacement in accordance with the provisions for nomination and appointment of a member of the

commission.

38. No action done by a member of the commission or any officer, employee, or agent of the commission shall, if the action is done in good faith and in the course of executing the functions, powers or duties of the commission, render the member, officer, employee or agent personally liable for any action, claim or demand whatsoever.

Protection from personal liability.

39. The provisions of section 38 shall not relieve the commission of the liability to compensate or pay damages to any person for any injury to the person, the person's property or any of the person's interests caused by the exercise of any power conferred by this Act or any other written law or by the failure, whether wholly or partially of any works.

Liability of the commission to damages.

PART VI - INQUIRY AND REPORT OF THE COMMISSION

40. A commission established under section 23 shall, within ninety days of receipt of the petition —

Inquiry by the commission.

- (a) consider the petition and undertake any necessary inquiry into the issues raised in the petition;
- (b) invite the members of the public, the affected county governments and any other interested party to present their views on the petition; and
- (c) give the residents of the affected counties an opportunity to give their views on the petition.

41. (1) The commission shall, within fourteen days of the expiry of the period specified under section 40, prepare and publish a preliminary report setting out —

Preliminary report on the proposed alteration of boundaries.

- (a) the proposed alteration of the boundaries of the affected counties where the alternation is found to be necessary;
- (b) the specific geographical and demographical details relating to such proposed alteration;
- (c) an assessment of the effect of the proposed alteration of the boundary of a county and recommendations on the following in relation to a county government, where applicable, -

- (i) assets and liabilities;
 - (ii) employees in the respective county public service;
 - (iii) decisions made including licenses, permits, authorizations, rates, certificates, consents and contracts;
 - (iv) pending and potential legal proceedings;
 - (v) constituency and ward boundaries;
 - (vi) the basis for allocating among the counties the share of national revenue allocated to county governments; and
 - (vii) such other matter as the commission may determine;
- (d) mechanisms for the implementation and timelines within which the proposed alteration shall be implemented;
- (e) an assessment of the impact of the proposed alteration; and
- (f) any other information that the commission considers necessary.
- (4) The preliminary report under subsection (1) shall be —
- (a) published in —
 - (i) at least two newspapers with national circulation; and
 - (ii) the Kenya Gazette and the respective county gazettes published by the counties affected by the proposed alteration of the boundaries; and
 - (b) publicised through —
 - (i) at least two radio stations within the reach of the affected counties;
 - (ii) the commission's website; and
 - (iii) any other media that will enable the widest reach of the residents of the affected counties.

(5) The commission shall avail the preliminary report to the public for a period of fourteen days and shall invite representations from the public on the proposals contained in the report.

42. (1) The commission shall, within fourteen days of the expiry of the period specified in section 41 (1) –

Final report on the proposed alteration of boundaries.

- (a) review the preliminary report, taking into account the views received from the public on the report; and
- (b) submit a final report to the Speaker of the Senate either —
 - (i) recommending the alteration of the boundaries of a county in terms of Article 188 of the Constitution; or
 - (ii) recommending that the boundaries of a county do not be altered;
 - (iii) making such other recommendation as the commission may consider appropriate.

(6) The commission shall set out, in a report under subsection (1), the specific geographical and demographical details with respect to the proposed alteration.

43. (1) Where the commission —

Consideration of the final report by Parliament.

- (a) does not recommend the alteration of the boundaries of a county, no further action shall be taken in respect of the petition; or
- (b) recommends the alteration of the boundaries of a county, the Senate shall within fourteen days of receipt of the report resolve to either approve or reject the recommendation of the commission.

(7) The Speaker of the Senate shall, within three days of the decision of the Senate under subsection (1), refer the resolution of the Senate to the National Assembly for concurrence.

(8) If both Houses approve the recommendation of the commission to alter the boundaries of a county, the Speaker of the Senate shall *gazette* the resolution as a resolution of Parliament and the boundaries of the county shall be altered

as set out in the resolution of Parliament.

(9) A resolution by either House of Parliament to amend a recommendation of the commission to alter the boundaries of a county shall be supported by at least two-thirds of all the delegations in the Senate and two-thirds of all the members of the National Assembly.

44. (1) Where the National Assembly does not concur with the resolution of the Senate to recommend the alteration of the boundaries of a county under section 43, the resolution shall be referred to a parliamentary mediation committee in accordance with Article 113 of the Constitution.

Concurrence by Parliament on alteration of a boundary.

(10) The parliamentary mediation committee under subsection (1) shall, within twenty-one days of the referral of the resolution, consider the resolution and agree on a recommendation in terms of section 42(3).

(11) If the mediation committee arrives at a common recommendation, each House shall vote to approve or reject the resolution of the parliamentary mediation committee.

(12) If the mediation committee recommends the alteration of the boundaries of a county, section 42(3) shall apply with the necessary modifications.

(13) If the parliamentary mediation committee fails to agree on a recommendation, no further proceedings shall take place in respect of the resolution to alter the boundaries of a county.

PART VII - MISCELLANEOUS PROVISIONS

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

Regulations.

(14) In making regulations under this Act, the Cabinet Secretary shall consult the Independent Electoral and Boundaries Commission.

46. A petition shall not be admissible by the Senate where a general election is scheduled to be held within twelve months of the date of submission of the petition to the Senate.

Timeline for presentation of a petition.

47. (1) A resolution for the alteration of the boundary

Coming into effect of the

of a county under section 43(3) shall take effect in such manner as shall be set out in the resolution.

(2) Upon the gazettelement of the resolution of Parliament under section 43(3), the Independent Electoral and Boundaries Commission shall –

- (a) revise the register of voters provided for under the Elections Act;
- (b) in its report under section 36(5) of the Independent Electoral and Boundaries Commission Act, state how the resolution has been taken into account in the constituency and ward boundaries review process; and
- (c) submit a report referred under subsection (2)(b) to the Senate and the National Assembly for consideration.

(3) The Independent Electoral and Boundaries Commission, in preparing its final report under section 36(8) of the Independent Electoral and Boundaries Commission Act, shall take into account the views of the Senate and the National Assembly.

48. Where the Speaker of the Senate at any time receives more than one petition in respect of —

- (a) the same boundaries; or
- (b) the same county,

the Speaker may direct that the petitions be consolidated.

49. A petition under this Act may be withdrawn by the petitioner on notice to the other parties and to the Speaker of the Senate.

50. (1) A petition challenging the alteration of a county boundary under this Act shall be —

- (a) filed in the High Court within twenty-one days of the publication of the boundaries in the *Gazette* under section 42(3); and
- (b) determined within sixty days of the filing of the petition.

(2) Any appeal from a decision arising from a petition filed under subsection (2) shall be heard and determined

resolution.

Consolidation of consideration of petitions.

Withdrawal of a petition.

Petition to the High Court on alteration of boundaries.

within sixty days of the filing of the appeal.

51. (1) A person who wilfully obstructs any member, officer, employee or agent of a mediation committee or a commission established under this Act in the discharge of the lawful duties of the mediation committee or the commission, commits an offence and is liable, on conviction, to a fine of a maximum of one hundred thousand shillings, or to imprisonment for a term not exceeding one year, or to both.

Offences and penalties.

(15) An offence committed under this Act shall be a cognizable offence.

52. The Districts and Provinces Act is repealed.

Repeal of Cap 105A.

FIRST SCHEDULE

(s.3(1), s.3(2), s.7(2)(b))

BOUNDARIES OF COUNTIES IN KENYA**1. MOMBASA COUNTY**

Commencing at the centre of the mouth of Mtwapa Creek on the coast line of the Indian Ocean;

thence due east to the limit of the territorial waters of the Indian Ocean;

thence generally south-westerly by that limit to a point due east of the intersection of the high water mark of the Indian Ocean and the extended north-eastern boundary of L.R. No. 3855/15;

thence due west to that intersection;

thence north-westerly by that extended boundary to the most easterly corner of L.R. No. 3855/15, and continuing by that north-eastern boundary to the most northerly corner of that portion;

thence generally northerly by the generally western boundaries of L.R. Nos. 3855/14 and 3855/6 to the south-east corner of Likoni Commonage;

thence generally westerly and north-westerly by the southern and south-western boundaries of that commonage to its north-western corner;

thence north-easterly by part of the generally western boundary of L.R. No. 3855/75 to its intersection with the generally southern boundary of L.R. No. 3855/111;

thence generally westerly, northerly, again westerly and southerly by that boundary to its intersection with the north-eastern boundary of L.R. No. 3855/112;

thence generally south-westerly and southerly by the generally eastern boundary of that portion to a beacon 4 on the northern boundary of the Mtongwe-Bombo Creek road reserve;

thence south-westerly by that road reserve boundary to the edge of Bombo Creek;

thence generally westerly by the high water mark of that creek to a point west of the mouth of Majera River;

thence generally northerly by the centre channel of Bombo Creek and containing northerly across the waters of Port Reitz to the centre channel of Mwachi Creek;

thence north-westerly by that channel and the northern branch of that creek to the south-east corner of Subdivision No. 224 of Section VI, Mombasa Mainland North;

thence northerly by the eastern boundary of that subdivision and continuing northerly by part of the eastern boundary of Subdivision No. 909 and the eastern boundary of L.R. No. 4526 to the north-east corner of the latter portion on the southern boundary of the Mombasa-Nairobi main railway line reserve;

thence again northerly by part of the western boundary of Subdivision No. 1128 of Section VI, Mombasa Mainland North, across the railway reserve and the pipe-line reserve to the south eastern corner of subdivision No. 139/R of the same section;

thence north-easterly by the south-eastern boundary of that portion and the south-eastern boundary of Subdivision No. 296 of Section V, Mombasa Mainland North to the intersection of the latter boundary with the Msapuni River;

thence north-westerly up-stream by that river to its intersection with the generally eastern boundary of Subdivision No. 412/R, Section V, Mombasa Mainland North;

thence northerly by that boundary to its intersection with the south-eastern boundary of the former Mazeras Trading Centre;

thence north-easterly by that former trading centre boundary to its south-eastern corner;

thence north-easterly by a straight line to the most northerly corner of Subdivision No. 312 of Section V, Mombasa Mainland North;

thence northerly, north-easterly and south-easterly by the generally north-western and north-eastern boundaries of Sub-division No. 378 of Section V, Mombasa Mainland North to the intersection of the last named boundary with the high water mark of Tudor Creek;

thence generally easterly by that high water mark to its intersection with a straight line, being part of the boundary of Mombasa Municipality, from the most northerly corner Sub-division No. 607 of Section II, Mombasa Mainland North;

thence southerly by the north-eastern boundary of that subdivision to the north-west corner of Subdivision No. 642 of the same section;

thence easterly and southerly by the northern and eastern boundaries of that subdivision to its intersection with the generally northern boundary of Subdivision No. 546 of Section II, Mombasa Mainland North;

thence north-easterly and south-easterly by that boundary to its intersection with the centre line of the waters of Mwakirungi Creek;

thence easterly and northerly by that centre line to the centre of the Chalu (Mleji) River;

thence up-stream by that river to its intersection with a line running due south from the south-west corner of Subdivision No. 672 of Section II, Mombasa Mainland North, on the west bank of that river;

thence due north to that corner;

thence generally northerly by the generally western boundary of that subdivision and the north-western boundary of Subdivision No. 426 of the same section to the most northerly corner of that subdivision;

thence south-easterly by the north-eastern boundary of the same subdivision to its intersection with the western boundary of Subdivision No. 453 of the same section;

thence northerly by that boundary to its intersection with the southern boundary of Subdivision No. 435 of the same section;

thence westerly and generally northerly by the southern boundary and the extended western boundary of that portion to its intersection with the centre line of the Chalu (Mleji) River;

thence by that centre line up-stream to a point due west of the most southerly corner of the western part of Subdivision No. 436 of Section II, Mombasa Mainland North;

thence due west to that corner;

thence generally northerly and generally south-easterly by the generally western and north-eastern boundaries of that portion to the intersection of the latter extended boundary with Chalu (Mleji) River;

thence generally northerly up-stream by that river to its intersection with the extended south-western boundary of Subdivision No. 477 (western part) of Section II, Mombasa Mainland North;

thence north-westerly and northerly by that extended boundary and the western boundary of the same portion to the intersection of the latter boundary with the generally southern boundary of Subdivision No. 478 of the same section;

thence westerly and northerly by the generally southern and western boundaries of that portion to the intersection of the latter boundary with the south-western boundary of Subdivision No. 541 of the same section;

thence north-westerly, northerly and generally easterly by the south-western, western and northern boundaries of that portion, to the intersection of the last named boundary with the north-western boundary of Subdivision No. 479 of the same section;

thence by that boundary extended to its intersection with the centre line of the Chalu (Mleji) River;

thence generally north-westerly up-stream by that centre line to its intersection with the extended western boundary of Subdivision No. 488 of the same section;

thence generally northerly by that extended boundary and the western boundaries of Subdivision Nos. 489 and 490 of the same section to the north-west corner of the latter subdivision;

thence by part of the northern boundary of Subdivision No. 490 to its intersection with the north-west boundary of Subdivision No. 496 of the same section;

thence north-easterly by that boundary to its intersection with the south-western boundary of Subdivision No. 497 of the same section;

thence north-westerly by that boundary to the south-west corner of that subdivision;

thence westerly by the southern boundaries of Subdivisions Nos. 505A and 504 of the same section to the intersection of the latter with the south-eastern boundary of Subdivision No. 498 of the same section;

thence south-westerly, north-westerly and north-easterly by the south-eastern, south-western and north-western boundaries of that subdivision to its most northerly corner;

thence north-easterly by a straight line to the most northerly corner of Subdivision 506 of the same section;

thence generally north-easterly by part of the generally northern boundary of that subdivision, the northern boundary of Subdivision No. 620 of the same section and again by part of the generally northern boundary of Subdivision No. 506 to the most northerly corner of that subdivision;

thence north-easterly by a straight line to the most northerly corner of Subdivision No. 500 of Section II, Mombasa Mainland North;

thence generally easterly by the northern boundary of that subdivision to its intersection with the high water mark in Gungombe Creek;

thence due north to the centre line of the centre channel of that creek;

thence easterly by that centre line to its intersection with the centre line of the centre channel of Mtwapa Creek;

thence south-easterly by that centre line to the point of commencement.

2. KWALE COUNTY

Commencing at the north-western corner of Mackinnon Road Town;

thence south-easterly by the north-eastern boundary of that town to its north-eastern corner;

thence north-easterly by a straight line for approximately 13.8 kilometres (8¼ miles) to a point having U.T.M. grid reference EG 098056 due west of a cairn at the source of the Manjewa (Ngutu) River;

thence by a straight line due east to that cairn;

thence generally southerly and downstream by the course of that river to its confluence with the Mang'ombe (Maji ya Chumvi) River;

thence downstream by the course of that river to its intersection with the generally southern boundary of the railway reserve of the Nairobi-Mombasa main railway line;

thence generally south-easterly by that railway reserve boundary, and excluding all stations and other railway reserves, to the north-eastern corner of L.R. No. 4526;

thence by the eastern boundary of L.R. No. 4526 to the north-east corner of Subdivision No. 909, Section VI, Mombasa Mainland North;

thence southerly by part of the eastern boundary of that subdivision to the north-west corner of Subdivision No. 224 of the same section;

thence by the eastern boundary of Subdivision No. 224 to its south-east corner on the high water mark of the northern branch of Mwachi Creek;

thence by the centre channel of that branch and the centre channel of the water of Mwachi Creek to the waters of Port Reitz;

thence by a line southerly across the waters of Port Reitz to the waters of Bombo Creek;

thence in a generally southerly direction by the centre channel of the waters of Bombo Creek and by the centre channel of the Majera River to a point west of the mouth of that river;

thence in a generally easterly direction along the high water mark of Bombo Creek to the northern boundary of the main road from Mtongwe to Bombo Creek;

thence generally north-easterly by that road reserve boundary to a beacon 4 at the south-east corner of L.R. No. 3855/112;

thence generally northerly and north-easterly by the generally eastern boundary of L.R. No. 3855/112 to a beacon at the most southerly corner of L.R. No. 3855/111;

thence continuing generally northerly, easterly, southerly and again easterly by the generally southerly boundary of that portion to its intersection with the generally western boundary of L.R. No. 3855/75;

thence south-westerly by part of that boundary to the north-west corner of Likoni Commonage;

thence generally south-easterly and easterly, by the generally south-western and the southern boundaries of that commonage to its south-east corner;

thence generally southerly by part of the generally western boundary of L.R. No. 3855/6 and the generally western boundary of L.R. No. 3855/14 to the most northerly corner of L.R. No. 3855/15;

thence south-easterly by the north-eastern boundary of L.R. No. 3855/15 to its most easterly corner, and continuing by the north-eastern boundary of that portion extended to its intersection with the high water mark of the Indian Ocean;

thence by a straight line due east to the limit of the territorial waters in the Indian Ocean;

thence generally south-westerly by that limit to its intersection with the Kenya-Tanzania international boundary;

thence generally north-westerly by that international boundary to its intersection with the extension of the straight line between the summits of Kilibasi Hill and Kavuma Hill;

thence by that extended straight line east-north-easterly to the summit of Kavuma Hill and continuing by that straight line to the summit of Kilibasi Hill;

thence north-easterly by a straight line to the south-eastern corner of Mackinnon Road Town;

thence north-westerly and north-easterly by the south-western and north-western boundaries of that town to the point of commencement.

3. KILIFI COUNTY

Commencing at trigonometrical station 191/S/3 in the Lali Hills;

thence north-easterly by the extended straight line between trigonometrical stations 196/S/2 (Mangu) and 191/S/3 to the intersection of a line due west from Merifano on the Tana River;

thence south-easterly by a straight line to the centre of the mouth of the Mto Kilifi River;

thence due east by a straight line to the limit of the territorial waters in the Indian Ocean;

thence generally southerly and generally south-westerly by that limit to a point due east of the centre of Mtwapa Creek;

thence by a straight line to the centre of Mtwapa Creek;

thence by the centre line to the centre channel of Mtwapa Creek generally westerly and generally northerly to its intersection with the centre line of the centre channel of Gungombe Creek, and by the centre line of the centre channel of Gungombe Creek generally westerly to a point due of the intersection of the generally northern boundary of Subdivision No. 500 of Section II, Mombasa Mainland North, with the high water mark in Gungombe Creek;

thence by a straight line to that point of intersection on the high water mark;

thence westerly by that generally northern boundary of Subdivision No. 500 to the intersection of a straight line between the northernmost corner of Subdivision No. 506 of the same section and the most northerly corner of Subdivision No. 500;

thence westerly by that straight line to the most northerly corner of Subdivision No. 506;

thence by part of the generally northern boundary of Subdivision No. 506, the northern boundary of Subdivision No. 620 of the same section and again part of the generally northern boundary of Subdivision No. 506 to the north-west corner of the latter subdivision;

thence by a straight line south-westerly to the most northerly corner of Subdivision No. 498 of the same section;

thence by the north-western and south-western boundaries of Subdivision No. 498 to its most southerly corner;

thence by part of the south-eastern boundary of that subdivision to its intersection with the southern boundary of Subdivision No. 504 of the same section;

thence by the southern boundaries of Subdivision No. 504 and Subdivision No. 505A of the same section to the south-west corner of Subdivision No. 497 of the same section;

thence by the south-western boundary of Subdivision No. 497 to its southern corner;

thence by part of the north-western boundary of Subdivision No. 496 of the same section and part of the north-eastern boundary of Subdivision No. 490 of the same section to the north-west corner of the latter subdivision;

thence southerly by the western boundaries of Subdivision No. 490 and Subdivision Nos. 489 and 488 of the same section and continuing by the last boundary extended to the centre line of the Chalu (Mleji) River;

thence by the centre line of that river downstream to the point where it would intersect the extension of the north-western boundary of Subdivision No. 479, Section II, Mombasa Mainland North;

thence by that extended boundary and continuing by the north-western boundary of Subdivision No. 479 to its intersection with the north-eastern boundary of Subdivision No. 541 of the same section;

thence by part of the north-eastern boundary and northern, western and southern boundaries of Subdivision No. 541 to its intersection with the western boundary of Subdivision No. 478 of the same section;

thence by part of the western boundary of Subdivision No. 478 and generally southern boundary of the same subdivision to its intersection with the western boundary of Subdivision No. 477 (western part);

thence south-westerly by part of the western boundary of Subdivision No. 477 (western part) to its south-west corner;

thence by the south-western boundary of that subdivision and continuing by that boundary extended to the centre line of the Chalu (Mleji) River;

thence by the centre line of that river downstream to its intersection with the extension of the north-eastern boundary of the western part of Subdivision No. 436, Section II, Mombasa Mainland North;

thence by that extended boundary and the north-eastern, northern and western boundaries of Subdivision No. 436 (western part) to its most southerly corner on the west bank of the Chalu (Mleji) River;

thence by a straight line due east to the centre line of that river;

thence by the centre line of that river downstream to its intersection with the extension of the north-western boundary of Subdivision No. 435, Section II, Mombasa Mainland North;

thence by that extended boundary of Subdivision No. 435 to its north-western corner;

thence by the north-western and southern boundaries of Subdivision No. 453 of the same section to its intersection with and by part of the western boundary of Subdivision No. 453 the north-eastern boundary of Subdivision No. 426 of the same section;

thence by part of the north-eastern boundary and by the north-western boundary of Subdivision No. 426 to its western corner;

thence by part of the generally northern boundary and by the generally western boundary of Subdivision No. 672 of the same section to its intersection with the high water mark of the Chalu (Mleji) River, on the west bank;

thence by the centre line of that river downstream to the waters of Mwakirungi Creek;

thence generally southerly and westerly by the centre line of the waters of that creek to the intersection of the edge of that creek with the generally northern boundary of Subdivision No. 546, Section II, Mombasa Mainland North;

thence by that latter boundary north-westerly and generally south-westerly to its intersection with the eastern boundary of Subdivision No. 642 of the same section;

thence by the eastern and northern boundaries of Subdivision No. 642 to its north-west corner;

thence by the north-eastern boundary of Subdivision No. 607 of the same section to its most northerly corner;

thence by a straight line north-westerly following the boundary of Mombasa Municipality to a point on the line of high water of Tudor Creek;

thence generally westerly following that line of high water to its intersection with the generally north-western boundary of Subdivision No. 378, Section V, Mombasa Mainland North;

thence generally westerly and south-westerly by the generally northern and western boundaries of that subdivision to the most northerly corner of Subdivision No. 312 of the same section;

thence by a straight line south-westerly to the south-east corner of the former Mazeras Trading Centre;

thence by part of the south-eastern boundary of that former trading centre, south-westerly to its intersection with the generally eastern boundary of Subdivision No. 412/R, Section V, Mombasa Mainland North;

thence by the latter boundary generally southerly to its intersection with the Msapuni River;

thence by that river downstream to its intersection with the western boundary of Subdivision No. 136, Section V, Mombasa Mainland North;

thence by part of the western, the northern, eastern and south-eastern boundaries of Subdivision No. 136 to the latter's intersection with the Msapuni River;

thence by that river downstream to its intersection with the south-eastern boundary of Subdivision No. 296, Section V, Mombasa Mainland North;

thence by the south-eastern boundary of Subdivision No. 296, and the south-eastern boundary of Subdivision No. 139/R of the same section to the south-east corner of the latter subdivision;

thence by a straight line south-westerly across the pipeline reserve and the Nairobi-Mombasa road reserve and the railway reserve of the Nairobi-Mombasa main railway line to the north-west Corner of Subdivision No. 1128, Section VI, Mombasa Mainland North;

thence by part of the western boundary of Subdivision No. 1128 to the north-eastern corner of L.R. No. 4526 on the generally southern boundary of the before mentioned railway reserve;

thence generally north-westerly by that railway reserve boundary, and including all stations and other railway reserves, to its intersection with the Mang'ombe (Maji ya Chumvi) River;

thence generally northerly and up-stream by the course of that river to confluence with the Manjewa River;

thence continuing generally northerly and north-westerly and up-stream by the course of the Manjewa (Ngutu) River to its source marked by a cairn;

thence due west for a distance of approximately 24.1 kilometres (15 miles) to a point having U.T.M. grid reference EG 098056;

thence by a straight line north-easterly to a point on the generally northern bank of the Galana (Sabaki) River having a U.T.M. grid reference EG 243608;

thence north-easterly by a straight line to trigonometrical point 191/S/3 in the Lali Hills, the point of commencement.

4. TANA RIVER COUNTY

Commencing at the confluence of the Rojewero (or Mackenzie) River with the centre course of the Tana River;

thence easterly and downstream by the centre course of the Tana River to its confluence with a tributary known as the Ndajeri River;

thence northerly and up-stream by that river to its intersection with a line running parallel to and 4.8 kilometres (3 miles) north of the median line of the Tana River;

thence generally easterly and south-easterly by that parallel line to a point due north of the most westerly corner of Garissa Township on the eastern bank of the Tana River;

thence due south to that corner;

thence by the boundaries of that township, so that Garissa is excluded from Tana River County, to a beacon at the south-east corner of the township;

thence due east to the intersection of a line running parallel to and 4.8 kilometres (3 miles) east of the median line of the course of the Tana River;

thence generally south-easterly by that parallel line to a point having U.T.M. grid reference FH 348750;

thence south-easterly by a straight line to a point having geographical co-ordinates $40^{\circ} 15' E$ and $2^{\circ} 15' S$;

thence due south by the meridian $40^{\circ} 15' E$ to its intersection with a line running due west from the most southerly point on the perimeter of the former Witu Trading Centre;

thence due east to that point on the perimeter;

thence south-easterly by a straight line to the trigonometrical station Kimbarja;

thence east-north-easterly by a straight line to trigonometrical station Sita Pembe;

thence easterly by a straight line to the southern most point of Ras Tenewe;

thence due east to the limit of the territorial waters of the Indian Ocean;

thence south-westerly by that limit to a point due east of the centre of the mouth of the Mto Kilifi River;

thence due west to that centre;

thence north-westerly by a straight line to a point being the intersection of an extended straight line between trigonometrical station 196/S/2 (Mangu) and 191/S/3 in the Lali Hills and a line running due west from Merifano on the Tana River;

thence south-westerly by a straight line through trigonometrical point 191/S/3 in the Lali Hills to a point on the north bank of the Galana (Athi or Sabaki) River having U.T.M. grid reference EG 243608;

thence generally westerly and up-stream by that river to its intersection with an extended straight line through boundary pillars Hidilathi and Malka Jirma;

thence by that line through boundary pillar Malka Jirma to boundary pillars Hidilathi extended to its intersection with the Tiva River;

thence generally north-easterly and downstream by the course of that river to its intersection with the extended straight line from boundary pillar 166.Y.1 (Waldira) to boundary pillar confluence on the north side of the Tiva River;

thence generally north-easterly and downstream by that confluence to boundary pillar 166.Y.1 (Wildira);

thence north-westerly by a straight line to the boundary pillar Sawre to the intersection of that line by the Thua (Thawa) River;

thence generally north-easterly and downstream by that river to its intersection with the extended straight line from beacon Kandelongwe to boundary pillar Aboboka Meridian;

thence generally northerly by that straight line through boundary pillar Aboboka Meridian to boundary pillar Kandelongwe;

thence north-westerly by a straight line to trigonometrical beacon Katumba (SK 28);

thence again north-westerly by a straight line to the point of commencement.

5. LAMU COUNTY

Commencing at a point formerly known as Ngombe Well (geographical co-ordinates 40° 54' E and 1° 43' S) on the common boundary between the Garissa and Lamu County;

thence easterly by a straight line to B.P. No. 29 on the Kenya-Somalia international boundary;

thence due south by that international boundary to the high water mark of the Indian Ocean;

thence due east to the limit of the territorial waters in the Indian Ocean;

thence generally south-westerly by that limit to its intersection with a straight line easterly from trigonometrical beacon Sita Pembe, passing through the southernmost point of Ras Tenewe;

thence westerly by that straight line, passing through the southernmost point of Ras Tenewe, to trigonometrical beacon Sita Pembe;

thence west-south-westerly by a straight line to trigonometrical beacon Kimbarja;

thence north-westerly by a straight line to the most southerly point of the former Witu Trading Centre;

thence due west by a straight line to its intersection with Mkondo wa Fujo River;

thence generally southerly, south westerly, by that river and continuing with Ziwa la Ngombe River for approximately 12 kilometres to its intersection, with median line to a river grid reference FH 565314;

thence north-westerly and up-stream by the course of that river and continuing upstream with Mkondo wa Gambi River to its intersection with extended straight line due west from the east southerly point of the former with Witu Trading Centre;

thence due west by a straight line to its intersection with the meridian 40° 15' E;

thence due north by that meridian to its intersection with latitude 2° 15' S;

thence north-north-westerly by a straight line to a point having U.T.M. grid reference FH 348750;

thence north-easterly by a straight line to the point of commencement.

6. TAITA/TAVETA COUNTY

Commencing at a beacon MR on the Kenya-Tanzania international boundary;

thence easterly on a true bearing of $86^{\circ} 02'$ for a distance of 36,637 feet to the trigonometrical beacon Njugini;

thence southerly by part of the eastern boundary of original L.R. No. 9378 to its intersection with the Njugini River;

thence easterly and south-easterly downstream by that river to its confluence with the Ollaioni (Tsavo) River;

thence north-easterly and downstream by that river to its intersection with a line on a true bearing of $180^{\circ} 00' 23'$ and at a distance of 120 feet from a beacon MSE;

thence northerly by that line on the same true bearing to beacon MSE;

thence on the same true bearing for a distance of 32,009 feet through trigonometrical beacon Mid to a beacon t. 23;

thence on the same true bearing for a distance of approximately 300 feet to its intersection with the Rombo (or Ngare Len) River;

thence easterly and downstream by that river to its intersection with a line on true bearing of $187^{\circ} 02'$ and at a distance of 760 feet from the trigonometrical beacon Rocks;

thence by that line to that beacon and continuing on the same true bearing of $07^{\circ} 02'$ for 69,760 feet passing through Magoine Camp to beacon Lava;

thence on a true bearing of $53^{\circ} 46'$ for a distance of 10,555 feet to trigonometrical station Chamwie;

thence on a true bearing of $11^{\circ} 34'$ for a distance of 35,445 feet to trigonometrical beacon Ridge;

thence generally south-easterly by the generally north-western boundary of the western section of the Tsavo National Park to the trigonometrical point Chyulu 2;

thence generally north-easterly, southerly and easterly by that park boundary, including Mtito Andei, to its intersection with the western boundary of the Nairobi-Mombasa main road reserve;

thence south-easterly by that road reserve boundary to its intersection with the Tsavo River;

thence generally easterly and downstream by that river to its confluence with the Galana (Sabaki) River;

thence continuing generally easterly and downstream by that river to a point of its northern bank having U.T.M. grid reference EG 243608;

thence south-westerly by a straight line to the north-eastern corner of Mackinnon Road Town;

thence north-westerly, south-westerly and south-easterly by the north-eastern, north-western and south-western boundaries of that town to its south-eastern corner;

thence south-westerly by a straight line to the summit of Kilibasi Hill;

thence west-south-westerly by a straight line to Kavuma Hill and continuing that line to its intersection with the Kenya-Tanzania international boundary;

thence north-westerly, north-easterly and northerly by that international boundary to the point of commencement.

7. GARISSA COUNTY

Commencing at the road bridge over the Ewaso Ngiro (Nyiro) River, immediately south-west of Habaswein, on the Isiolo-Wajir road;

thence generally south-easterly by the centre line of that river, entering the Lorian Swamp, and continuing generally south-easterly and leaving that swamp by the centre line of the Lag Dera;

thence continuing generally south-easterly, easterly and north-easterly by the centre line of the Lag Dera to the intersection of the Kenya-Somalia international boundary at a point approximately 5.6 km (3.5 miles) north of Boundary Pillar No. 19;

thence due south by that boundary in a straight line for a distance of approximately 142.8 km (88.7 miles) to Boundary Pillar No. 23;

thence south-easterly in a straight line for a distance of approximately 105.9 km. (65.8 miles) to Boundary Pillar No. 28;

thence due south in a straight line for a distance of approximately 7.0 km (4.3 miles) to Boundary Pillar No. 29 situated near the shore of the Indian Ocean;

thence westerly by a straight line to a point formerly known as Ngombe Well (geographical co-ordinates 40° 54' E. and 1° 43' S.);

thence south-westerly by a straight line to a point at the south-western corner of Lamu County having U.T.M. grid reference FH 348750;

thence generally north-north-westerly by a line running parallel to and 4.8 kilometres (3 miles) east of the median line of the course of the Tana River to a point due east of a beacon at the south-east corner of Garissa Township;

thence due west to that corner beacon and continuing westerly by the southern boundary of that township to its south-western corner on the bank of the Tana River;

thence generally northerly and north-westerly by that township boundary to its most westerly corner;

thence due north by a straight line to the intersection of that line with the median running parallel to and 4.8 kilometres (3 miles) east of the course of the Tana River;

thence generally north-westerly and westerly by that median line to its intersection with the Ndajeri River;

thence generally northerly and up-stream by the course of that river to its intersection with the Kora Wells-Benane Road at a point immediately south-east of Kora Wells;

thence generally northerly by that road to Benane on the Galana Gof;

thence generally north-easterly by the thalweg of the Galana Gof to its intersection with the Mudo Gashi-Garissa Road immediately east of Mudo Gashi;

thence generally easterly by that road to Mudo Gashi on the Isiolo-Wajir road;

thence generally north-easterly by that road to the point of commencement.

8. WAJIR COUNTY

Commencing at the road bridge over the Ewaso Ngiro (Nyiro) River immediately south-west of Habaswein on the Isiolo-Wajir road;

thence north-westerly by a motorable track for a distance of approximately 56.3 kilometres (35 miles) to an intersection known as Hadado cross-roads;

thence by a motorable track north-easterly for a distance of approximately 21 kilometres (13 miles) to the intersection of the Lagh Bogal;

thence generally north-westerly by the Lagh Bogal to Arba-Jahan;

thence generally northerly by a motorable track known as the Locust Road for a distance of approximately 53 kilometres (33 miles) to a point in the vicinity of Dolo Barsiri due west of Duke Galla;

thence easterly by a straight line to Duke Galla;

thence north-north-easterly by a straight line to the intersection of a track at Fuldiko;

thence generally northerly by that track or stock route following a line to the east of Tuli Roba (hill) and west of Malbe Haradi (plain) and continuing generally northerly by that track or stock route to its intersection with a motorable track in the vicinity of Dedach Lokhole and Dedach Milsadetu;

thence generally easterly and north-easterly by that motorable track following the Nyatta Ridge for a distance of approximately 32 kilometres (20 miles) to the Buna-Moyale road;

thence continuing generally north-easterly by that motorable track, passing Kubi Bubi (hill) to the south, to an intersection at a point approximately 7 kilometres (4½ miles) north of Korondil (hill);

thence generally northerly by a motorable track for a distance of approximately 37 kilometres (23 miles) to its intersection with the Moyale-Mandera road;

thence continuing generally northerly by the main stock route to its intersection with the Kenya-Ethiopia international boundary in the vicinity of Kubi Kuyara (hill) also known as Godoma;

thence generally easterly and north-easterly by that international boundary to the intersection of a cut line at a point due north of the Gamada Mills;

thence due south by that cut line to its intersection with the Moyale-Derkali road on the southern slopes of Kufole Hills;

thence south-easterly by a cut line running between the two hills Buri and Belobli (Kubi Kalkalcha) to its intersection with a cut line running north from Hare Wale (water-pan);

thence southerly by that cut line for a distance of approximately 600 yards to the intersection of a cut line (known as the Gurreh Line) running south-easterly to the hill Bur Maiyo;

thence by that cut line south-easterly to Bur Maiyo (hill) and continuing south-easterly by a cut line to Abdurrahman's Well on the Lagh Kutulo;

thence generally south-easterly by the centre line of the Lagh Kutulo to the point where that lagh joins the most northerly limits of the Adabli Goochi flood plains in the vicinity of Megad;

thence south-easterly by the north-eastern extremity of the Adabli Goochi flood plains to Dedach Murti (watering place);

thence by a cut line running generally south-easterly and easterly and south of El Kura (Wells) to the intersection of that line with the Kenya-Somalia international boundary at a point approximately 8 km. (5 miles) south of Boundary Pillar No. 11;

thence due south by that boundary in a straight line for a distance of approximately 190 km. (118 miles) to the intersection of the international boundary with the centre line of the Lagh Dera at a point approximately 5.6 km. (3.5 miles) north of Boundary Pillar No. 19;

thence generally south-westerly, westerly and generally north-westerly by the centre line of the Dalka Eribka and the Lag Dera and continuing generally north-westerly, entering the Lorian Swamp and leaving by the centre line of the Ewaso Ngiro (Nyiro) River;

thence continuing generally north-westerly by the centre line of that river to the point of commencement.

9. MANDERA COUNTY

Commencing in the extreme north-eastern corner of Kenya at Boundary Pillar No. 1 of the Kenya-Somalia international boundary;

thence south-westerly by that boundary in a straight line for a distance of approximately 111.6 km. (69.3 miles) to Boundary Pillar No. 6;

thence south-westerly in a straight line for a distance of approximately 52.7 km. (32.7 miles) to Boundary Pillar No. 8;

thence due south in a straight line for a distance of approximately 63.4 km. (39.4 miles) to Boundary Pillar No. 11;

thence continuing due south in a straight line for a distance of approximately 8 km. (5 miles) to its intersection with a cut line at a point east of El Kura (Wells);

thence generally westerly and north-westerly by that cut line, running to the south of El Kura, to Dedach Murti (watering place) on the eastern extremity of the Adabli Goochi flood plains;

thence generally north-westerly by the north-eastern limits of the Adabli Goochi flood plains to the confluence of the Lagh Kutulo in the vicinity of Megad;

thence generally north-westerly by the centre of the Lagh Kutulo to its intersection with a cut line running north-westerly from Abdurrahman's Well;

thence north-westerly by that cut line to the summit of Bur Maiyo;

thence continuing north-westerly by a cut line (known as the Gurreh line) to the intersection of a cut line at a point approximately 8 kilometres (5 miles) north-east of Hara Wale (water-pan);

thence northerly by a cut line for a distance of approximately 600 yards to the intersection of a cut line running north-westerly;

thence by that cut line between the two hills Buri and Kubi Kalkalcha (Belobli) to its intersection with the Moyale-Derkali road on the southern slopes of the Kufole Hills;

thence by a cut line, due north, to the intersection of that line with the Kenya-Ethiopia international boundary to a point north of the Gamada hills;

thence generally north-easterly and easterly by that international boundary to Boundary Pillar No. 1 of the Kenya-Somalia international boundary, on the south bank of the Daua River, being the point of commencement.

10. MARSABIT COUNTY

Commencing at the summit of Forole (hill) on the Kenya-Ethiopia international boundary;

thence generally easterly by that international boundary to its intersection with a track about 27 kilometres (17 miles) east of Moyale in the vicinity of Kubi (hill) also known as Godoma;

thence generally southerly along the main stock route and continuing southerly to the intersection of a boundary cut (motorable track) with the south side of the Moyale-Mandera road;

thence continuing generally southerly by that motorable track between the two hills Hote Balanga and Hote Dadacha to a point approximately 7 kilometres (4½ miles) north of Korondil (hill);

thence south-westerly by a motorable track passing Kubi Bubi (hill) to its intersection with the Moyale-Buna road;

thence continuing generally south-westerly and westerly by that motorable track following the Nyatta Ridge and for a further distance of about 32 kilometres (20 miles) to the intersection of a track or stock route at a point in the vicinity of Dedach Milsadetu and Dedach Rokhole;

thence generally southerly and south-westerly by that track or stock route following a line via the Malbe Haradi (plain), the east side of Tuli Roba (hill) and Fuldiko to Duke Galla;

thence westerly by a straight line to its intersection with a motorable track known as the Locust Road in the vicinity of Dolo Barsiri;

thence southerly by that motorable track for distance of approximately 53 kilometres (33 miles) to Arba-Jahan;

thence south-westerly by a straight line to the water-pan Mado Dardetu;

thence southerly by a straight line to the water-pan Mado Delbeck;

thence south-westerly by a straight line to Sebei (Seepi) Rock;

thence northerly by a straight line to the Koya (Koiya) Wells or water-hole;

thence north-westerly by a straight line to the Serirua Wells or water-hole;

thence generally westerly and up-stream by the Merille (Lodosoit) lugga to its confluence with the Nabachakutuk (Napasha Kotok) lugga;

thence generally north-westerly and up-stream by the course of that river to its intersection with a straight line from the summit of Eilamoton (Ilamoton);

thence north-westerly by that straight line to that summit and continuing north-westerly by a series of straight lines through the summits of Lonyeri Pesho Hills, Kisiriit and Maramoru to Illaut water-hole;

thence generally north-westerly by the South Horr-Laisamis road to the junction with the South Horr-Baragoi road;

thence northerly and westerly by that latter road for approximately 10 kilometres (6 miles) to South Horr;

thence generally north-westerly by the generally eastern boundary of Mount Nyiru Forest to a beacon E in the vicinity of Lonjerin water-hole;

thence again north-westerly by a straight line to Sirima water-hole;

thence generally westerly by the Sirima River (seasonal) to Lake Turkana;

thence generally south-westerly and north-westerly by the shore line of that lake to its intersection with a line running due south from the trigonometrical beacon on North Island;

thence due north by that line through that trigonometrical beacon to its intersection with the Kenya-Ethiopia international boundary;

thence generally easterly and south-easterly by that international boundary to the point of commencement.

11. ISIOLO COUNTY

Commencing at the north-west corner of L.R. No. 5181 on the Ngare Ndare River;

thence generally northerly by that river to its intersection with an extended straight line through trigonometrical beacons Mukogodo and Lendili;

thence westerly by that line extended to its intersection with the Ewaso Ngiro (Nyiro) River;

thence generally northerly, easterly, south-easterly, north-easterly and again easterly downstream by that river to Chanler's Falls;

thence north-westerly by a straight line to the summit of a hill Timtu (or Puaa);

thence northerly by a straight line to a point on the Laga Lim between Kom Lola Well and Kom Galla Well;

thence north-westerly by a straight line to the south-west corner of a lava rock formation known as Funum Kurum, north-west of Toronwor water-hole;

thence northerly by a straight line to Sebei (Seepi) Rock;

thence north-easterly by a straight line to the water-pan Mado Delbeck;

thence north-north-easterly by a straight line to the water-pan Mado Derdetu;

thence north-easterly by a straight line to Arba-Jahan;

thence generally south-easterly by the Lagh Tito/Bogal to its intersection with the Merti-Wajir road;

thence generally south-westerly by that road for approximately 20 kilometres (13 miles) to Hadado crossroads;

thence south-easterly by a motorable track to its intersection with the Isiolo-Wajir road at a point approximately 2 kilometres (1½ miles) south west of Habaswein;

thence south-westerly by that road to Mudo Gashi;

thence easterly by the Mudo Gashi-Garissa road (D803) to its intersection with the thalweg of the Galana Gof;

thence south-westerly by that thalweg to Benane;

thence southerly by the Benane-Kore Wells road extended to a tributary of the Tana River known as Ndajeri River;

thence southerly and downstream by that tributary to its confluence with the Tana River;

thence westerly and up-stream by that river to its confluence with the Rojewero or Mackenzie River;

thence northerly and up-stream by that river to its confluence with the Murera or Bisanguracha River;

thence generally north-westerly up-stream by that river to Isula Kanini;

thence northerly by a straight line to the Kithima ya Mugoma Spring;

thence north-westerly by a straight line to trigonometrical beacon Kinna (109/Y/2);

thence north-westerly by a straight line to trigonometrical beacon Yakabasati (S.K.T. 2);

thence north-westerly by a straight line to trigonometrical beacon (95/Y/1) on the northern spur of Matalama about 8 kilometres (5 miles) north-east of Magado (Kombe) Crater;

thence south-westerly by a straight line to trigonometrical beacon Shaba (SKP. 230);

thence continuing south-westerly by a straight line to the old K.A.R. Wagon Camp (geographical co-ordinates approximately 37° 35' E, 0° 29' N) on the banks of the Isiolo River;

thence generally southerly by that river to its intersection with the northern boundary of Isiolo Town (L.R. No. 7918);

thence easterly, southerly, south-westerly and westerly by part of the northern, the eastern and part of the southern boundaries of the town to its intersection with the Isiolo River;

thence up-stream by that river and the Eastern Marania River to the intersection of the latter with the northern boundary of L.R. No. 2794;

thence north-westerly by that boundary to the north-east corner of L.R. No. 2792;

thence north-westerly, westerly and southerly by the generally northern and western boundaries of that portion to its south western corner;

thence south westerly by the north-western boundary of L.R. No. 2791 to the most westerly corner of that portion;

thence north-westerly by part of the northern boundary of L.R. No. 5181 to the point of commencement.

12. MERU COUNTY

Commencing at the north-western corner of L.R. No. 5181 on the Ngare Ndare River;

thence south-easterly by part of the northern boundary of that portion to the most westerly corner of L.R. No. 2791;

thence north-easterly by the north-western boundary of L.R. No. 2791 to the south-western corner of L.R. No. 2792;

thence northerly, easterly and south-easterly by the western and generally northern boundaries of the latter portion and continuing south-easterly by the boundary of L.R. No. 2794 to the Eastern Marania River;

thence downstream by the course of that river and the Isiolo River, to the southern boundary of Isiolo Town (L.R. No. 7918);

thence easterly by part of the southern boundary of that town, north-easterly and northerly by the eastern boundary and westerly by part of the northern boundary of that town to its intersection with the Isiolo River;

thence generally northerly by the centre course of that river for a distance of approximately 9 kilometres (5½ miles) to the old K.A.R. Wagon Camp (geographical co-ordinates approximately 37° 35' E., 0° 29' N.);

thence north-easterly by a straight line to trigonometrical beacon Shaba (SKP. 230);

thence continuing north-easterly by a straight line to trigonometrical beacon 95/Y/1 on the northern spur of Matalama, about 8 kilometres (5 miles) north-east of Magadol (Kombe) Crater;

thence south-easterly by a straight line to trigonometrical beacon Yakabasati (SK 2);

thence south-easterly by a straight line to trigonometrical beacon Kinna (109/Y/2);

thence south-easterly by a straight line to the Kithima ya Mugoma Spring;

thence southerly by a straight line to a point Isula Kanini on the Murera or Bisanguracha River;

thence generally south-easterly downstream by the centre course of that river to its confluence with the Rojewero or Mackenzie River;

thence downstream by the centre course of that river to its confluence with the Tana River;

thence up-stream by the centre course of Tana River to its confluence with the Ura River;

thence up-stream by the course of that river to its intersection with the eastern boundary of Thangatha Location;

thence southerly and again generally south-westerly by the generally eastern boundaries of Thangatha, Mbeu, Giaki, Kiagu and Mitunguu Locations boundary to the Mutonga River;

thence up-stream by Mutonga River to the confluence of Mutonga River and North Mara River;

thence generally westerly and up-stream by the centre course of North Mara River to its intersection with Mount Kenya Forest boundary;

thence westerly by a straight line to the summit of Mount Kenya (Batian);

thence north-westerly by a straight line to the point where the Liki River emerges from the Mount Kenya Forest approximately 3 kilometres (1¾ miles) from the most easterly corner of Nanyuki Town;

thence north-westerly and downstream by that river which forms part of the generally north-eastern boundary of Nanyuki Town to its

intersection with the generally northern boundary of the Timau-Nanyuki road reserve;

thence generally north-easterly by that road reserve boundary to its intersection with the generally western boundary of Timau Town;

thence northerly, north-easterly and south-easterly by the western, northern and part of the eastern boundaries of that township to its intersection with the generally northern boundary of the Timau-Isiolo road reserve;

thence generally north-easterly by that road reserve boundary to its intersection with the Engare Ndare River;

thence generally north-north-easterly and downstream by that river to the point of commencement.

13. THARAKA-NITHI COUNTY

Commencing at the summit of Mount Kenya (Batian);

thence north-easterly by a straight line to the intersection with the Mount Kenya Forest boundary at the northern corner of Chogoria Location;

thence south-easterly by the northern boundary of that location to its intersection with the Mutonga River;

thence generally easterly by that river to its intersection with the north-western corner of Tunyai Location;

thence north-easterly by the generally western boundary of Tunyai, Turima, Nkondi, Gatue, Gikingo and Kanjoro Locations boundary to the Ura River;

thence easterly by the course of that river to its intersection with the Tana River;

thence generally south-westerly, westerly and again generally south-westerly up-stream by the centre of that river to its confluence with the Mutonga River;

thence generally north-westerly up-stream by the course of that river to its confluence with the Thuci River;

thence generally south-westerly and westerly by the centre course of that river to its intersection with the Mount Kenya Forest boundary;

thence north-westerly by a straight line to the point of commencement.

14. EMBU COUNTY

Commencing at the summit of Mount Kenya (Batian);

thence south-easterly by a straight line to the intersection of the centre course of the Thuchi River with the Mount Kenya Forest boundary;

thence generally south-easterly and north-easterly by that river to its confluence with the Ruguti River;

thence generally easterly and downstream by that river to its confluence with the Mutonga River;

thence generally south-easterly and downstream by that river to its confluence with the Tana River;

thence generally southerly, westerly and north-westerly up-stream by that river to its intersection with the generally eastern boundary of the Thika-Sagana road reserve (B. 16/2);

thence generally northerly by that road reserve boundary to its intersection with road No. C219;

thence generally easterly by that road to its intersection with road No. C283 at a point approximately one thousand yards north of trigonometrical point Tana (Mutithi);

thence generally south-easterly by road No. C283 to its intersection with a sisal hedge being the western boundary of Karaba School;

thence north-north-easterly by that school boundary for a distance of 2,503 feet to a point 50 feet south of a furrow to the north of Karaba Village;

thence generally easterly by a line running parallel to and at a distance of 50 feet south of that furrow to its intersection with a line from road C283 east of Karaba Village;

thence east-south-easterly by that line for a distance of 1,530 feet to that road, this point being 2,370 feet north-east of the intersection of road C283 with a track south of Karaba Village;

thence generally north-easterly by that road and the Mushamba-Karaba road to its intersection with the Idhima River;

thence again generally north-easterly by the course of that river to its confluence with the Thiba River;

thence generally south-easterly downstream by that river to its confluence with the Rupingazi River;

thence generally northerly and up-stream by that river to its confluence with the Kiye River;

thence generally northerly by that river to its intersection with the generally southern boundary of the Mount Kenya forest;

thence north-westerly by a straight line to the point of commencement.

15. KITUI COUNTY

Commencing at the confluence of the Rojewero (or Mackenzie) Tana River;

thence south-easterly by a straight line to the trigonometrical beacon Katumba (SK 28);

thence continuing south-easterly by straight line to the beacon Kandelongwe;

thence generally southerly by a straight line through a boundary pillar Aboboka Meridian to its intersection with the Thua (Thowa) River;

thence generally south-westerly and up-stream by the course of that river to its intersection with a straight line joining boundary pillar Sawre on the north side of that river with boundary pillar 166.Y.1 (Waldira);

thence south-easterly by that line to boundary pillar 166. Y.1 (Waldira);

thence south-westerly by a straight line through boundary pillar confluence to the intersection of that line with the Tiva River;

thence generally south-westerly and up-stream by the course of that river to its intersection with the extended straight line joining boundary pillar Malka Jirma with boundary pillar Hidilathi;

thence south-easterly by that straight line through Hidilathi to Malka Jirma boundary pillar and extended to the Athi (Sabaki or Galana) River;

thence generally westerly and north-westerly and upstream by the course of that river to the intersection of the old Machakos-Kitui track;

thence generally north-easterly by the northern boundary of that track to its intersection with the Mwita Syano River;

thence up-stream by the centre course of that river and the Mbingoni River to its intersection with a cut and beacons line at a point on a true bearing of approximately $176^{\circ} 40'$ and at a distance of approximately 16,223 feet from a beacon Class;

thence by that cut and beacons line on a true bearing of $356^{\circ} 40'$ for a distance of approximately 16,223 feet to that beacon;

thence by a straight line on a bearing of approximately $86^{\circ} 41'$ for a distance of approximately 52,767 feet to the trigonometrical beacon Thatha (SKP. 221);

thence south-easterly by part of the straight line joining the trigonometrical beacons Thatha and Ndalai to its intersection with the Ngomolo River;

thence generally north-easterly and downstream by the centre course of that river to its confluence with the Kithioko River;

thence generally northerly and downstream by that river to its confluence with the Tana River;

thence generally northerly and north-easterly, downstream by that river to the point of commencement.

16. MACHAKOS COUNTY

Commencing at the confluence of the Kithioko and Tana Rivers;

thence generally southerly and up-stream by the Kithioko River to its confluence with the Ngomola River;

thence generally south-westerly and up-stream by that river to its intersection with a straight line being part of the line joining trigonometrical beacons Thatha and Ndala;

thence north-westerly by that line to the trigonometrical beacon Thatha (SKP. 221);

thence by a straight line on a bearing of approximately $266^{\circ} 41'$ for a distance of 52,767 feet to the trigonometrical beacon Class;

thence by a cut and beacons line on a bearing of approximately $176^{\circ} 40'$ for a distance of 16,223 feet to the intersection of the Mbingoni River;

thence generally south-easterly downstream by that river and the Mwita Syano River to the intersection of the old Machakos-Kitui track;

thence generally south-westerly by the northern boundary of that track to the intersection of the centre course of the Athi (Sabaki or Galana) River;

thence generally south-easterly and downstream by that river to its intersection with southern boundary of Kibauni Location;

thence generally south-westerly by that location boundary to its intersection with Thwake River;

thence up-stream by that river to its intersection with southern boundary of Iveti Location;

thence southerly-westerly by that location boundary to its intersection with southern boundary of Machakos Municipality;

thence generally south-westerly by that municipal boundary to its intersection with western boundary of Nairobi-Mombasa main railway line reserve;

thence generally north-westerly by that railway reserve boundary, including all the former trading centres on that line, to its intersection with the south-western boundary of L.R. No. 10021;

thence north-westerly and north-easterly by the south-western and western boundaries of that portion to the intersection of the latter boundary with the Kitengela River, which forms the generally south-eastern boundary of L.R. No. 10029;

thence generally south-westerly, up-stream by that river to its intersection with the generally western boundary of that portion;

thence northerly by that western boundary and south-easterly by the generally northern boundary to its intersection with the western boundary of the former Athi River Trading Centre;

thence northerly by part of that boundary to the intersection of the north-eastern boundary of the railway reserve of the Nairobi-Mombasa main railway line;

thence generally north-westerly by that railway reserve boundary to its intersection with the north-western boundary of L.R. No. 7149;

thence north-easterly by that boundary and continuing generally north-easterly by the generally northern boundary of L.R. No. 3864 to its most northerly corner on the western boundary of L.R. No. 7283/R;

thence north-westerly by part of the latter boundary and continuing north-westerly by the western boundary of L.R. No. 7340 to the north-west corner of that portion;

thence north-easterly and south-easterly by the northern and part of the eastern boundary of L.R. No. 7340 to its intersection with the north-westerly boundary of L.R. No. 8485;

thence north-easterly by the latter boundary and continuing north-easterly by part of the generally northern boundary of L.R. No. 3673 and continuing easterly by that boundary to its intersection with the Athi River;

thence generally north-easterly and south-easterly down-stream by that river to its intersection with the north-western boundary of original L.R. No. 2288 (G.L.);

thence north-easterly by that boundary to the Thika River;

thence continuing north-easterly by the extended south-east boundary of original L.R. No. 11488/R to the most easterly corner of that portion;

thence north-easterly by a straight line to the hill Zongololoni;

thence north-westerly by a straight line to the most easterly corner of L.R. No. 2307 on the Idhanga Hills;

thence again north-westerly by the north-eastern boundary of that portion to its most northerly corner;

thence westerly by part of the northern boundary of L.R. No. 2308 to its intersection with the generally south-eastern boundary of L.R. No. 3888 (G.L.);

thence north-westerly and easterly by that boundary to the most southerly corner of L.R. No. 3567;

thence north-easterly, north-westerly and south-westerly by the south-eastern, north-eastern and north-western boundaries to the most westerly corner of that portion on an unnamed river;

thence generally north-westerly up-stream by that river to its intersection with the north-western boundary of L.R. No. 2016;

thence south-westerly by the north-western boundary of that portion to the south-east corner of L.R. No. 4720;

thence north-westerly, north-easterly and again north-westerly by the generally eastern boundary of that portion to its intersection with the south-eastern boundary of L.R. No. 9452;

thence north-easterly by that boundary to the most easterly corner of that portion;

thence north-westerly by the north-eastern boundary of L.R. No. 9452 and the south-western boundary of L.R. No. 9450; to the most southerly corner of L.R. No. 10314;

thence north-westerly, north-easterly and easterly by the generally south-western, western and northern boundaries of that portion to the south-east corner of L.R. No. 9447/2;

thence northerly by the eastern boundary of that portion to its intersection with the eastern boundary of the Thika-Sagana road reserve south of the Thaba Thaba River;

thence north-easterly by that road reserve boundary to its intersection with the Tana River at the New Tana River Bridge;

thence generally easterly and downstream by that river to the point of commencement.

17. MAKUENI COUNTY

Commencing at the intersection of western boundary of Nairobi-Mombasa main railway line reserve with Mukaa Location boundary;

thence generally north-easterly by that location boundary and continuing generally northerly, easterly, southerly and north-easterly by the northern boundary of Kalama, Tulumani, Kiteta, Kisau and Kibauni Location boundaries to its intersection with the Athi River (Sabaki or Galana) River;

thence generally south-easterly and downstream by that river to its confluence with the Tsavo River;

thence generally westerly and up-stream by that river to the intersection of the western boundary of the Nairobi-Mombasa main road reserve;

thence generally north-westerly by that road reserve boundary to its intersection with the generally northern boundary of the western section of the Tsavo National Park;

thence westerly and northerly, including Mtito Andei, and generally south-westerly by the north-western boundary of that park to trigonometrical point Chyulu 2;

thence generally north-westerly by that park boundary to trigonometrical beacon Ridge;

thence generally northerly and north-westerly by a series of lines joining the summits of the Chyulu (Ngulia) Range for a distance of approximately 19 kilometres (12 miles) to trigonometrical beacon Chyulu 1;

thence north-westerly by part of the straight line joining trigonometrical beacons Chyulu 1 and Emali 4 kilometres (2½ miles) south of Sultan Hamud) to its intersection with the Kiboko River;

thence generally north-easterly by that river to its intersection with the south-western boundary of the Nairobi-Mombasa main railway line reserve, south-east of Kiboko Station;

thence generally north-westerly by that railway reserve boundary including the former trading centres on that line to the point of commencement.

18. NYANDARUA COUNTY

Commencing at the north-easterly corner of L.R. No. 10027 which lies on the south-eastern boundary of Rumuruti Forest;

thence generally south-easterly by the north-eastern boundaries of L.R. Nos. 10027, 2491/3, 2492/2 and the eastern boundary of L.R. No. 3260 to the south-east corner of the last named portion;

thence generally south-easterly by the northern boundaries of L.R. Nos. 3288 and 6397 to the most northerly corner of the latter portion;

thence generally south-easterly by the generally north-eastern boundaries of L.R. Nos. 6397, 5157 and 2508/2 to the south-eastern corner of the last named portion;

thence easterly, north-easterly and south-easterly by part of the generally northern and north-eastern boundaries of L.R. No. 9522 to the south-eastern corner of that portion;

thence generally westerly and south-westerly by the southern boundary of L.R. No. 9522 and the north-western boundaries of L.R. Nos. 7320 and 7321 to the most westerly corner of the latter portion;

thence generally south-easterly and easterly by the generally western and southern boundaries of L.R. No. 7321 to its south-eastern corner;

thence easterly, south-easterly and north-easterly by the generally south-western and part of the south-eastern boundary of L.R. No. 9484 to the most northerly corner of L.R. No. 9424/1;

thence south-easterly and westerly by the north-eastern and part of the southern boundaries of L.R. No. 9424/1 to the point of intersection with the generally eastern boundaries of Aberdare Forest;

thence southerly by part of that boundary for a distance of 3606.9 feet to a beacon B. 2;

thence south-westerly by a straight line to trigonometrical beacon Sattima (SKP. 106) on the summit of Ol Doinyo lesatima in the Aberdare National Park;

thence generally southerly by the watershed of the Aberdare Range to trigonometrical beacon Kinangop (Nyandarawa);

thence continuing generally southerly by that watershed to the Kyama (Kimakia) River;

thence generally westerly up-stream by an unnamed tributary of that river, to its source;

thence due south to a track;

thence south-westerly and north-westerly by that track to its intersection with the eastern boundary of the Thika-Njabini road reserve;

thence south-easterly by that road reserve boundary for a distance of about 4,200 feet to a point due north of the source of an unnamed tributary of the Chania River;

thence due south to that source;

thence generally southerly and downstream by that tributary to its confluence with the Chania River;

thence generally north-westerly and up-stream by that river to its confluence with the Sasamua River;

thence continuing generally north-westerly up-stream by the latter river to its intersection with the Kikuyu Escarpment Forest boundary east of Sasamua Dam;

thence generally south-westerly, south-easterly, south-westerly by that forest boundary to the most southerly corner of L.R. No. 1312/5;

thence north-westerly by the south-western boundary of that portion to the most southerly corner of L.R. No. 10469 at Kijabe Triangulation Point on Kijabe Hill;

thence generally northerly by the eastern boundary of that portion to its north-eastern corner;

thence north-easterly and north-westerly by the generally western boundary of L.R. No. 1310/8 to its north-western corner;

thence north-westerly by the western boundaries of L.R. Nos. 10783, 10782, 5257, 5256/R, 5256/2, 3480, 6236, 1960 and 5239 to the most westerly corner of the last named portion;

thence north-easterly by the north-western boundary of L.R. No. 5239 to its most northerly corner;

thence north-westerly by the north-eastern boundaries of L.R. Nos. 3491, 8758, 1301/3 and 8756 to the most northerly corner of the latter portion;

thence north-easterly by part of the south-eastern boundary of L.R. No. 10423/1 to its intersection with the Muruaki River;

thence generally north-westerly downstream by that river to its intersection with the eastern boundary of L.R. No. 7655;

thence south-westerly by part of that boundary and westerly by the southern boundary of the same portion to the most southerly corner of L.R. No. 425/6/R;

thence north-westerly and northerly by the western boundaries of L.R. Nos. 425/6/R, 425/10, 425/8 and 425/7 to the southeastern corner of L.R. No. 3989/7;

thence south-westerly and westerly by the southern boundaries of L.R. Nos. 3989/7 and 3989/1 to the intersection of the former with the Malewa River;

thence generally northerly up-stream by that river and the Olecolondo River to its intersection with the southern boundary of L.R. No. 5278;

thence south-westerly by that boundary and the southern boundary of L.R. No. 6559 and north-westerly by the southern boundary of L.R. No. 10217 to its south western corner;

thence north-north-westerly by the western boundary of that portion and part of the western boundary of L.R. No. 6221/2 to its intersection with the generally southern boundary of L.R. No. 10444/2;

thence south-westerly by that boundary to the most southerly corner of that portion;

thence north-westerly and generally westerly by the eastern and northern boundaries of L.R. No. 439/8 to its north-western corner;

thence generally northerly by the western boundaries of L.R. Nos. 1157/5, 10448, 8262 and 465/2/R, 465/20, 465/18 to the extreme south-west corner of Bahati Forest;

thence generally easterly and northerly by the southern, eastern and part of the northern boundaries of that forest to the intersection of the last named with the generally western boundary of L.R. No. 8809;

thence generally north-easterly and easterly by that boundary and the northern boundary of the same portion to the north-western corner of L.R. No. 3337/R;

thence generally north-easterly and south-easterly by the north-western and part of eastern boundaries of that portion to its intersection with the generally northern boundary of Ol Bolossat Forest;

thence generally north-easterly by that boundary to its intersection with the western boundary of L.R. No. 2915/7;

thence northerly and north-easterly by part of that boundary and the extended northern boundary to the intersection of the latter with the western boundary of Nyahururu Municipality;

thence south-easterly, easterly by the western and southern boundary of Nyahururu Municipality to south-eastern corner of Nyahururu Municipality;

thence northerly by part of that boundary and generally easterly by the generally northern boundary of the same portion, to the south-west corner of L.R. No. 9569;

thence generally north-easterly and north-westerly by the generally southern and part of the north-eastern boundaries of that portion to the most westerly corner of L.R. No. 2486;

thence north-easterly by the north-western boundaries of L.R. Nos. 2486 and 2490 to the south-western corner of L.R. No. 9385;

thence northerly and easterly by the western and part of the northern boundaries of that portion to the intersection of the latter with the north-western boundary of L.R. No. 2491/6;

thence north-easterly by that boundary and generally western and northern boundaries of L.R. No. 10027 to the point of commencement.

19. NYERI COUNTY

Commencing at the summit of Mount Kenya (Batian);

thence south-westerly by a straight line to the intersection of the generally southern boundary of Mount Kenya Forest with the Ruamuthambi River;

thence generally southerly by the river to its intersection with the generally northern boundary of Mwerua Location;

thence generally westerly by that boundary to its intersection with the generally northern boundary of Kiine Location;

thence generally westerly and generally southerly by the generally northern and generally western boundaries of the Kiine Location to the intersection of the Sagana River;

thence generally southerly downstream by that river to its confluence with the Mugono (Rutune) River;

thence generally westerly and north-westerly up-stream by that river to its source;

thence by a straight line to a cairn near that source;

thence north-westerly, south-westerly and again north-westerly by a cut and beacons line to its intersection with the Kiraya River;

thence generally northerly downstream by that river to its confluence with the Ruairi River;

thence generally south-westerly up-stream by that river to its southern source;

thence westerly by a straight line to a cairn near that source;

thence north-westerly by a straight line to a beacon A51 on the generally eastern boundary of the Aberdare Forest;

thence westerly and north-westerly by that boundary to the beacon A. 69;

thence due to north to the watershed dividing the head-waters of the Gikira and Gura Rivers (west and north of this boundary) and the north Mathioya River (east and south of this boundary);

thence generally north-westerly, generally westerly and generally south-westerly by that watershed to the trigonometrical beacon Kinangop in the Aberdare Range;

thence generally north-westerly by the watershed of the Aberdare Range to the trigonometrical beacon Sitima (SKP. 106) on the summit of Ol Doinyo Lesatima in the Aberdare National Park;

thence north-easterly by a straight line to a beacon B. 2 on the generally south-western corner of L.R. No. 9422/1;

thence northerly, easterly and north-westerly by part of that boundary to the most westerly corner of that portion, on the south-eastern boundary of L.R. No. 9484;

thence north-easterly by that boundary to its intersection with the northern boundary of South Laikipia Forest;

thence continuing north-easterly by that forest boundary and the north-western boundary of L.R. No. 2598 to the most northerly corner of the latter portion;

thence south-easterly by part of the north-eastern boundary of that portion to its intersection with the northern boundary of L.R. No. 3366;

thence easterly by that boundary and the northern boundary of L.R. No. 6306 to the most northerly corner of L.R. No. 5102;

thence southerly by part of the eastern boundary of that portion to its intersection with the generally northern boundary of L.R. No. 4773/2;

thence generally south-easterly by that boundary to its intersection with the Ewaso Nyiro River, which forms the north-western boundary of L.R. No. 11571;

thence generally southerly and up-stream by that river and generally south-easterly by the generally western and southern boundaries of that portion and the southern boundary of L.R. No. 1245 to the most southerly corner of the latter portion;

thence north-easterly and north-westerly by the generally eastern boundary of L.R. No. 1245 to its intersection with the Rongai River;

thence generally north-easterly up-stream by that river to its intersection with the eastern boundary of the Nyeri-Nanyuki railway reserve;

thence generally northerly, north-westerly and north-easterly by that railway reserve boundary (including Naro Moro Town and station reserve) to its intersection with the generally south-western boundary of Nanyuki Town;

thence south-easterly, north-easterly, again generally south-easterly and again north-easterly by the generally south-western and south-eastern boundaries of that town to its intersection with the Liki River;

thence generally south-easterly up-stream by that river for a distance of 3 kilometres ($1\frac{3}{4}$ miles) to the point where that river first emerges from Mount Kenya Forest and forms part of that forest boundary;

thence south-easterly by a straight line to the point of commencement.

20. KIRINYAGA COUNTY

Commencing at the summit of Mount Kenya (Batian);

thence south-easterly by a straight line to the point where the generally southern boundary of Mount Kenya Forest is intersected by the Kiyu River;

thence generally southerly and downstream by the course of that river to its confluence with the Rupingazi River;

thence generally southerly and downstream by the course of that river to its confluence with the Thiba River;

thence generally westerly up-stream by the course of that river to its confluence with the Idhima river;

thence generally south-westerly up-stream by that river to the intersection of the Mushamba-Karaba road;

thence generally south-westerly by that road to a point 2,370 feet north-east of the intersection of a track running south from Karaba Village;

thence west-north-westerly by a straight line for a distance of 1,530 feet to a point 50 feet from a furrow, north of Karaba Village;

thence generally westerly by a line running parallel to and at a distance of 50 feet from that furrow, to its intersection with a sisal hedge which form the western boundary of Karaba School;

thence south-south-westerly by that boundary for a distance of 2,503 feet to its intersection with road No. C. 283;

thence generally north-westerly by that road to its intersection with road No. C. 219 at a point approximately 1,000 yards north of trigonometrical point Tana (Mutithi);

thence generally westerly by that road to its intersection with the Thika-Sagana road reserve;

thence generally southerly by the eastern boundary of that road reserve to its intersection with the centre line of the Tana River;

thence generally north-westerly up-stream by that river to its confluence with the Sagana River;

thence generally northerly and easterly by the western and northern boundary of Kiine Location to its intersection with the generally northern boundary of Mwerua Location;

thence generally easterly by that northern boundary of Mwerua Location to its intersection with the Ruamuthambi River;

thence generally northerly up-stream by the centre course of that river to its intersection with the generally southern boundary of Mount Kenya Forest;

thence north-easterly by a straight line to the point of commencement.

21. MURANG'A COUNTY

Commencing at the trigonometrical beacon Kinangop in the Aberdare Range;

thence generally north-easterly, generally easterly and generally south-easterly by the watershed dividing the head-waters of the North Mathioya River (east and south of this boundary) and the Gikira and Gura rivers (west and north of this boundary) to a point due north of the beacon A. 69 on the boundary of the Aberdare Forest;

thence due south to that beacon;

thence south-easterly and easterly by part of that forest boundary to the beacon A. 51;

thence south-easterly by a straight line to the cairn named Suru Suru near the Suru Suru River;

thence southerly by a straight line to that source, and downstream by the course of that river to its intersection with a straight line joining a beacon on its north bank and the cairn near the southern source of the Ruarai River;

thence northerly by that straight line to the latter cairn;

thence easterly by a straight line to the source of the Ruarai River;

thence downstream by the course of that river to its confluence with the Kiraya River;

thence up-stream by the course of that river to the intersection of a cut and beacons line;

thence south-easterly, north-easterly and again southeasterly by that line to a cairn near the source of the Mugono River;

thence easterly by a straight line to that source;

thence generally south-easterly downstream by the course of the Mugono River and continuing downstream by the course of the Mugono (Rutune) River to its confluence with the Sagana (Tana) River;

thence generally south-easterly downstream by the course of that river to its intersection with the eastern boundary of the Thika-Sagana road reserve at the New Tana Bridge;

thence generally southerly by that road reserve boundary to its intersection with the Thaba Thaba River;

thence downstream by that river to its intersection on the south bank with the western boundary of L.R. No. 9449;

thence southerly by part of that boundary of L.R. No. 9449 to the north-east corner of L.R. No. 10314;

thence westerly, south-westerly and generally south-easterly by the northern, western and south-western boundaries of L.R. No. 10314 to the most westerly corner of L.R. No. 9450;

thence generally south-easterly by part of the generally south-western boundary of L.R. No. 9450 and the north-eastern boundary of L.R. No. 9452 to the most northerly corner of L.R. No. 4720;

thence continuing generally southerly by the generally eastern boundaries of L.R. No. 4720 to the most northerly corner of L.R. No. 3570;

thence north-easterly following the north-western boundary of L.R. No. 2016 to its intersection with an unnamed river;

thence generally south-easterly up-stream by the course of that river to its intersection with the north-western boundary of L.R. No. 3567;

thence by the north-western, north-eastern and south-eastern boundaries of L.R. No. 3567 to its most southerly corner;

thence westerly and south-easterly by the generally southeastern boundaries of L.R. No. 3888 (Government land) to the northern boundary of L.R. No. 2308;

thence easterly by part of that boundary to the most northerly corner of L.R. No. 2307;

thence south-easterly by the north-eastern boundary of L.R. No. 2307 to its most easterly corner on the Idhanga Hills;

thence by a straight line south-easterly to the hill Zongoloni, at the most easterly corner of L.R. No. 11488/1 (Government land);

thence by the south-eastern boundary of that portion and L.R. No. 11488/R and by that extended boundary to the Thika River;

thence generally north-westerly and westerly up-stream by the course of that river and continuing with Thika Municipality boundary to its intersection with Thika-Sagana road;

thence northerly, north-westerly, south-westerly by that municipality boundary to its intersection with Chania River;

thence generally north-westerly up-stream by that river to an unnamed tributary about 4 kilometres (2½ miles) downstream from the confluence of the Sasamua River with the Chania River;

thence up-stream by that tributary to its source in the vicinity of the Thika-Njabini road reserve;

thence due north to a point on the eastern boundary of that road reserve;

thence generally northerly by that road reserve boundary for a distance of about 4,200 feet to its junction with a track;

thence generally south-easterly and north-easterly by that track to a point due south and in the vicinity of the source of an unnamed tributary of the Kyama River (Kimakia River);

thence generally northerly by the watershed of the Aberdare Range to the point of commencement.

22. KIAMBU COUNTY

Commencing at the intersection of the Chania River with the generally eastern boundary of the Kikuyu Escarpment Forest;

thence generally south-easterly downstream by the course of that river to its intersection with the western boundary of Thika Municipality;

thence southerly by that boundary to its intersection with Thika-Sagana road;

thence south-westerly by that road to its intersection with the Thika River;

thence generally easterly and downstream by the course of the river to its intersection on the south bank with the north-western boundary of the original L.R. 2288 (Government Lands);

thence south-westerly by that boundary to its intersection with the Athi River;

thence generally north-westerly and south-westerly upstream by the course of that river to its intersection on the west bank with the north-eastern boundary on L.R. No. 11593;

thence north-westerly by that boundary to its intersection with the south-eastern boundary of L.R. No. 10903;

thence north-easterly, north-westerly, south-westerly and again north-westerly by the south-eastern and generally north-eastern boundaries of L.R. No. 10903 to the intersection of the latter boundary with the Nairobi River;

thence south-westerly up-stream by the course of that river to its intersection with the Gatharaini (Getathuru) River;

thence generally westerly up-stream by the course of the latter river to its intersection with the north-western boundary of the Nairobi-Ruiru-Thika road reserve;

thence north-easterly by that road reserve boundary to its intersection with the Kamiti River;

thence generally north-westerly up-stream by that river to its intersection with the generally western boundary of L.R. No. 7640 (original number 3741A);

thence south-westerly and south-easterly by the latter boundary to the most westerly corner of L.R. No. 8569/R;

thence south-westerly, by a straight line crossing the Nairobi-Kamiti road to the most northerly corner of L.R. No. 10502 and continuing south-westerly by the north-western boundary of that portion to its intersection with the centre line of the Kiu River;

thence downstream by the centre line of the river, crossing the Nairobi-Kamiti road to the point where the river is intersected by the north-western boundary of L.R. No. 71/5;

thence south-westerly by part of that boundary to its intersection with the eastern boundary of the Nairobi-Kamiti road reserve;

thence south-easterly by that road reserve boundary to its intersection with the Riara River;

thence westerly and up-stream by the course of that river to its intersection with the eastern boundary of the Kiambu Forest;

thence southerly and westerly by the eastern and southern boundaries of that forest to its south-western corner;

thence westerly and southerly by part of the northern and by the western boundaries of L.R. No. 3991 and continuing in a straight-line to the south-east corner of L.R. No. 76/32;

thence generally westerly and north-westerly by the southern boundaries of that portion to its intersection with the eastern boundary of the Nairobi-Kiambu road reserve;

thence south-easterly by that road reserve boundary to its intersection with the extended south-western boundary of L.R. No. 7153/3;

thence north-westerly by that extended boundary to the most southerly corner of that portion;

thence north-westerly by the south-western boundaries of L.R. No. 7153/2, 5974/3 and 7268 and continuing generally north-westerly by part of the northern boundary of L.R. No. 23 and the northern boundary of L.R. No. 22 to the north-west corner of the latter portion;

thence south-westerly by the north-western boundary of L.R. No. 22 to its intersection with the Ruiruaka River;

thence downstream by the course of that river to its intersection with the north-western boundaries of L.R. No. 21 on the south bank;

thence south-westerly by those boundaries to the Karura River;

thence downstream by the course of that river to its intersection with the north-western boundary of L.R. No. 18/6 on the south bank;

thence south-westerly by the north-western boundaries of that portion and of L.R. No. 7008 to the north-west corner of L.R. No. 5828;

thence north-westerly by the north-eastern boundaries of L.R. Nos. 3861 and 3862 and south-westerly by part of the north-western boundary of the latter portion to its intersection with the north-eastern boundary of L.R. No. 2951;

thence north-westerly and south-westerly by the north-eastern and north-western boundaries of L.R. No. 2951 to the Gitathuru River;

thence generally westerly up-stream by the course of that river to the intersection of the western boundary of L.R. No. 189/R (G.L.), the Kabete Experimental Farm;

thence generally southerly by the western boundaries of L.R. Nos. 189/R (G.L.), 4065 (G.L.) and again 189/R (G.L.), and by the northern and the north-western boundaries of L.R. No. 9912, and continuing southerly by the western boundaries of L.R. Nos. 189/R (G.L.), 9915 and again 189/R (G.L.) to the latter's intersection with the northern boundary of the main Nairobi-Nakuru road in the vicinity of the former Uthiru Trading Centre;

thence westerly by that road boundary for a distance of approximately 2 kilometres (1¼ miles) to its junction with the Dagoretti Road (C. 393) on the south side;

thence generally south-westerly and southerly by the generally western side of that road to the point where it intersects the northern boundary of L.R. No. 196;

thence westerly, south-westerly and again generally westerly by the north and north-western boundaries of L.R. No. 196 to the north-eastern corner of L.R. No. 197;

thence north-westerly by the north-eastern boundary of that portion and continuing north-westerly by the north-eastern boundary of L.R. No. 2377 to the north-west corner of that portion;

thence south-westerly by the north-western boundary of that portion to its intersection with the Mbagathi River;

thence north-westerly and up-stream by that river to its intersection with the generally southern boundary of Dagoretti Forest;

thence generally north-westerly by that forest boundary to a beacon Masai;

thence on a true bearing of $280^{\circ} 53' 20''$ for a distance of 62,841 feet to beacon;

thence on a true bearing of $38^{\circ} 11' 19''$ for a distance of 12,962 feet to a beacon M;

thence on a true bearing of $15^{\circ} 45' 42''$ for a distance of 7,798 feet to a beacon N;

thence on a true bearing of $15^{\circ} 45' 49''$ for a distance of 16,736 feet to a beacon P;

thence on a true bearing of $14^{\circ} 42' 28''$ for a distance of 8,377 feet to a beacon Q at the most southerly corner of L.R. No. 1192;

thence north-easterly by the south-eastern boundary of that portion to its intersection with the south-western boundary of L.R. No. 378/2;

thence south-easterly by part of that boundary to its most southerly corner;

thence north-easterly by the south-eastern boundaries of L.R. No. 378/2 and 378/1 to the latter's intersection with the generally western boundary of the Kikuyu Escarpment Forest;

thence generally northerly and north-westerly by that forest boundary to its most westerly point at the most southerly corner of L.R. No. 1312/5;

thence generally north-easterly, north-westerly, north-easterly to its intersection with south-western boundary of L.R. No. 10702;

thence north-easterly by that boundary and continuous with eastern boundary of L.R. Nos. 8339/2, 1310/7, 1310/6 to the south-eastern corner of L.R. No. 1310/5;

thence easterly by the southern boundary of L.R. Nos. 1310/A, 1310/3, 1310/2, 1310/1 to its intersection with boundary of Kikuyu Escarpment Forest;

thence generally north-easterly by that boundary to its intersection with the Sasumua River, east of the Sasumua Dam;

thence downstream by the course of the Chania River to the point of commencement.

23. TURKANA COUNTY

Commencing at the point common to the international boundaries of Kenya, Uganda and Sudan in the vicinity of Mount Zulia;

thence north-easterly and easterly by the Kenya-Sudan international boundary to the point common to the international boundaries of Kenya, Sudan and Ethiopia;

thence south-easterly by the Kenya-Ethiopia international boundary to a point at the north end of Lake Turkana due north of the trigonometrical beacon on North Island;

thence due south by a straight line through that beacon and continuing by that line due south to the intersection of that line with the generally western shore of Lake Turkana at a point north-west of the Turkwel Delta;

thence generally easterly and south-easterly by that shore line to a point due north of the summit of Teleki's Volcano at the southern end of Lake Turkana;

thence by a straight line to that summit;

thence south-easterly by a straight line to the western slopes of Mount Ejuk;

thence generally south-westerly along the top of the lava escarpment which forms the eastern edge of the Suguta Valley, to where that escarpment merges into Mount Losergoi;

thence along the western slopes of Mount Losergoi and continuing generally southerly along a line following the generally western slopes of a range of hills on the eastern side of the Suguta Valley to the falls on the Amaya River (geographical co-ordinates approximately 0° 55' N., 36° 24' E.);

thence generally north-westerly and downstream by that river to a point on a bearing of 83° 30' 18" from the summit of Ol Doinyo Lengere;

thence on a bearing of 263° 30' 18" to the summit of Ol Doinyo Lengere;

thence north-westerly by a straight line to the summit of Mount Silali;

thence westerly by a straight line to a point on the Suguta River immediately east of Kapeddo Post;

thence again north-westerly by a straight line to the summit of the hill Mugar (Mugu);

thence again north-westerly by a straight line to the confluence of the Kerio (Ndo) River with the Kolosia River;

thence up-stream by that river to its intersection with the Lotongot-Kolosia road at Katungun Wells;

thence by that road generally westerly to the water-hole at Lotongot;

thence generally westerly and downstream by a dry river bed to its junction with the River Wewe (Wei-Wei or Malmalte);

thence generally north-westerly downstream by that river to the ford Nainuk;

thence north-westerly by a straight line to Lokwien (Lokuyen) where the River Turkwel emerges from the Turkwel Gorge;

thence downstream by that river to its intersection with western boundary of Kaputin Location;

thence northerly by that location boundary and continuing with the western boundary of Lorengippi Location to its intersection with southern boundary of Lorugum Location;

thence westerly by that location boundary and continuing with the southern boundary of Lorengippi to its intersection with Kenya-Uganda international boundary;

thence generally northerly by the undemarcated section of that international boundary to the base of the Turkana Escarpment;

thence in a straight line to the pillar UK. 1 on the right bank of the river Kanamuton;

thence by straight lines each terminating at a pillar on the following true bearings and for the following approximate distances successively to a pillar UK. 180—

<i>From Beacon</i>		<i>To Beacon</i>		<i>Bearing</i>	<i>Distance (Feet)</i>
UK	7	UK	8	349° 05'	14,429
UK	8	UK	9	324° 31'	2,289
UK	9	UK	10	255° 11'	5,044
UK	10	UK	11	186° 50'	6,123
UK	11	UK	12	259° 21'	3,788
UK	12	UK	13	308° 23'	7,482
UK	13	UK	14	326° 56'	9,097
UK	14	UK	15	337° 19'	6,478
UK	15	UK	16	316° 59'	17,307
UK	16	UK	17	342° 32'	4,634
UK	17	UK	18	341° 49'	6,006
UK	18	UK	19	313° 27'	7,521
UK	19	UK	20	10° 36'	12,898
UK	20	UK	21	11° 10'	3,580
UK	21	UK	22	01° 26'	2,542
UK	22	UK	23	353° 19'	6,900
UK	23	UK	24	344° 56'	11,085
UK	24	UK	25	342° 28'	6,582
UK	25	UK	26	339° 02'	1,137
UK	26	UK	27	339° 12'	1,522
UK	27	UK	28	320° 39'	3,143
UK	28	UK	29	254° 05'	4,234
UK	29	UK	30	336° 57'	7,396
UK	30	UK	31	334° 27'	4,336
UK	31	UK	32	299° 28'	2,032
UK	32	UK	33	289° 05'	1,927
UK	33	UK	34	286° 38'	2,097
UK	34	UK	35	293° 29'	3,865
UK	35	UK	36	337° 06'	3,252
UK	36	UK	37	300° 25'	2,826
UK	37	UK	38	212° 32'	6,268
UK	38	UK	39	278° 58'	2,741
UK	39	UK	40	267° 07'	6,099
UK	40	UK	41	285° 33'	5,819
UK	41	UK	42	340° 39'	14,972
UK	42	UK	43	299° 36'	3,082
UK	43	UK	44	292° 40'	13,232
UK	44	UK	45	350° 00'	21,063

From Beacon		To Beacon		Bearing	Distance (Feet)
UK	46	UK	46	366° 32'	7,091
UK	46	UK	47	322° 05'	3,944
UK	47	UK	48	336° 20'	4,169
UK	48	UK	49	357° 35'	11,141
UK	49	UK	50	01° 55'	6,136
UK	50	UK	51	06° 03'	3,900
UK	51	UK	52	351° 33'	7,589
UK	52	UK	53	311° 09'	6,896
UK	53	UK	54	331° 38'	10,044
UK	54	UK	55	297° 32'	4,055
UK	55	UK	56	287° 46'	9,418
UK	56	UK	57	246° 06'	6,710
UK	57	UK	58	337° 07'	6,115
UK	58	UK	59	327° 13'	4,281
UK	59	UK	60	302° 27'	284
UK	60	UK	61	304° 01'	6,022
UK	61	UK	62	278° 07'	3,818
UK	62	UK	63	328° 52'	3,609
UK	63	UK	64	358° 53'	6,324
UK	64	UK	65	352° 44'	9,833
UK	65	UK	66	359° 35'	6,101
UK	66	UK	67	354° 59'	14,818
UK	67	UK	68	339° 01'	9,269
UK	68	UK	69	345° 27'	13,939
UK	69	UK	70	317° 01'	8,709
UK	70	UK	71	309° 00'	6,641
UK	71	UK	72	350° 05'	2,587
UK	72	UK	73	01° 55'	13,506
UK	73	UK	74	69° 27'	3,158
UK	74	UK	75	32° 11'	6,726
UK	75	UK	76	351° 43'	6,334
UK	76	UK	77	327° 08'	7,410
UK	77	UK	78	316° 44'	7,662
UK	78	UK	78A	346° 43'	3,498
UK	78A	UK	78B	74° 05'	658
UK	78B	UK	79	125° 56'	2,607
UK	79	UK	80	84° 01'	9,781
UK	80	UK	81	41° 33'	4,606

<i>From Beacon</i>		<i>To Beacon</i>		<i>Bearing</i>		<i>Distance (Feet)</i>
UK_ 81	UK_ 82	43°	42'	6,391		
UK_ 82	UK_ 83	34°	56'	3,320		
UK_ 83	UK_ 84	05°	17'	9,408		
UK_ 84	UK_ 85	05°	17'	8,946		
UK_ 85	UK_ 86	05°	18'	3,718		
UK_ 86	UK_ 87	353°	59'	11,720		
UK_ 87	UK_ 88	10°	53'	9,774		
UK_ 88	UK_ 89	09°	05'	11,610		
UK_ 89	UK_ 90	310°	36'	3,998		
UK_ 90	UK_ 91	289°	54'	13,971		
UK_ 91	UK_ 92	28°	52'	5,792		
UK_ 92	UK_ 93	346°	14'	4,695		
UK_ 93	UK_ 94	318°	59'	2,497		
UK_ 94	UK_ 95	317°	48'	9,847		
UK_ 95	UK_ 96	299°	12'	3,050		
UK_ 96	UK_ 97	271°	40'	5,820		
UK_ 97	UK_ 98	267°	44'	6,713		
UK_ 98	UK_ 99	252°	50'	4,525		
UK_ 99	UK_ 100	223°	44'	3,513		
UK_ 100	UK_ 101	199°	19'	13,434		
UK_ 101	UK_ 102	270°	43'	989		
UK_ 102	UK_ 103	26°	19'	1,348		
UK_ 103	UK_ 104	10°	40'	3,490		
UK_ 104	UK_ 105	07°	04'	4,979		
UK_ 105	UK_ 106	306°	06'	5,399		
UK_ 106	UK_ 107	305°	22'	6,438		
UK_ 107	UK_ 108	315°	26'	8,205		
UK_ 108	UK_ 109	336°	21'	8,769		
UK_ 109	UK_ 110	325°	27'	8,509		
UK_ 110	UK_ 111	259°	55'	2,194		
UK_ 111	UK_ 112	246°	16'	1,937		
UK_ 112	UK_ 113	259°	44'	907		
UK_ 113	UK_ 114	209°	30'	2,694		
UK_ 114	UK_ 115	253°	00'	766		
UK_ 115	UK_ 116	357°	54'	1,945		
UK_ 116	UK_ 117	354°	30'	1,137		
UK_ 117	UK_ 118	300°	39'	591		
UK_ 118	UK_ 119	288°	26'	1,514		

From Beacon	To Beacon	Bearing	Distance (Feet)
UK, 119	UK, 120	248° 08'	2,676
UK, 120	UK, 121	248° 27'	4,087
UK, 121	UK, 122	249° 56'	6,268
UK, 122	UK, 123	261° 56'	1,335
UK, 123	UK, 124	252° 43'	4,611
UK, 124	UK, 125	311° 49'	3,476
UK, 125	UK, 126	77° 52'	1,900
UK, 126	UK, 127	68° 20'	5,751
UK, 127	UK, 128	69° 32'	2,213
UK, 128	UK, 129	344° 54'	3,325
UK, 129	UK, 130	13° 18'	1,233
UK, 130	UK, 131	297° 02'	5,231
UK, 131	UK, 132	275° 51'	1,892
UK, 132	UK, 133	253° 20'	2,900
UK, 133	UK, 134	321° 01'	1,896
UK, 134	UK, 135	251° 53'	2,157
UK, 135	UK, 136	356° 51'	2,695
UK, 136	UK, 137	82° 40'	1,631
UK, 137	UK, 138	64° 58'	2,355
UK, 138	UK, 139	33° 23'	4,857
UK, 139	UK, 140	40° 56'	4,826
UK, 140	UK, 141	89° 35'	12,626
UK, 141	UK, 142	69° 03'	4,216
UK, 142	UK, 143	00° 05'	6,968
UK, 143	UK, 144	349° 22'	1,233
UK, 144	UK, 145	342° 13'	10,907
UK, 145	UK, 146	273° 11'	3,890
UK, 146	UK, 147	266° 38'	2,939
UK, 147	UK, 148	284° 15'	7,907
UK, 148	UK, 149	232° 46'	1,367
UK, 149	UK, 150	234° 05'	1,326
UK, 150	UK, 151	196° 35'	2,151
UK, 151	UK, 152	286° 30'	6,719
UK, 152	UK, 153	276° 30'	7,857
UK, 153	UK, 154	259° 24'	562
UK, 154	UK, 155	259° 18'	6,626
UK, 155	UK, 156	242° 15'	6,590
UK, 156	UK, 157	285° 28'	1,390

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<i>From Beacon</i>	<i>To Beacon</i>	<i>Bearing</i>	<i>Distance (Feet)</i>
UK. 157	UK. 158	321° 19'	224
UK. 158	UK. 159	05° 09'	797
UK. 159	UK. 160	08° 44'	7,980
UK. 160	UK. 161	64° 37'	5,256
UK. 161	UK. 162	64° 44'	4,290
UK. 162	UK. 163	45° 39'	1,958
UK. 163	UK. 164	28° 42'	600
UK. 164	UK. 165	15° 43'	12,045
UK. 165	UK. 166	13° 32'	8,426
UK. 166	UK. 167	04° 28'	1,847
UK. 167	UK. 168	296° 30'	12,366
UK. 168	UK. 169	316° 07'	12,882
UK. 169	UK. 170	288° 18'	7,280
UK. 170	UK. 171	355° 13'	6,533
UK. 171	UK. 172	72° 38'	11,338
UK. 172	UK. 173	13° 47'	3,042
UK. 173	UK. 174	00° 05'	5,313
UK. 174	UK. 175	333° 08'	9,457
UK. 175	UK. 176	296° 35'	6,799
UK. 176	UK. 177	333° 39'	11,091
UK. 177	UK. 178	37° 00'	9,935
UK. 178	UK. 179	331° 51'	14,674
UK. 179	UK. 180	312° 41'	4,444

thence on an approximate bearing of 307° for an approximate distance of 21,500 feet to the point of commencement.

24. WEST POKOT COUNTY

Commencing at the intersection of the Suam (Turkwel) River with the Kenya-Uganda international boundary;

thence generally, northerly by the undemarcated section of that international boundary to its intersection with northern boundary of Alale Location;

thence continuing generally south-easterly, northerly, southerly, northerly and southerly by northern location boundary of Alale Akoret to its intersection with north-eastern boundary of Chemorongit Location;

thence southerly by eastern boundary of Chemorongit, Kiwawa and Kasei Location boundaries to its intersection with Turkwel River;

thence up-stream by that river to its intersection with a straight line from the ford Nainuk;

thence south-easterly by a straight line to the ford Nainuk on the River Wewe (Wei-Wei or Malmalte);

thence generally south-easterly up-stream by that river to its junction with the dry river-bed leading from the water-hole in Lotongot;

thence up-stream by that dry river-bed to that water-hole;

thence by the Lotongot-Kolosia road generally easterly to where that road crosses the Kolosia River at Katungun Wells;

thence downstream by that river to its confluence with the Kerio (Ndo) River;

thence generally south-westerly up-stream by that river to its intersection with a cut line on its western bank (about 5 kilometres (3 miles) south of the confluence of the Chesegon River with the Kerio (Ndo) River;

thence south-westerly by a series of cut lines to the Chesegon River at a point Cheptuigen marked by a beacon;

thence up-stream by that river in a generally south-westerly direction to its confluence with the Mbagat River;

thence generally westerly, up-stream by that river to an upright rock slab Mbagat at the junction of the Cheptowi and Mbatowi gullies;

thence following the Cheptowi gully in a generally northwesterly direction to Kararanda (Siandoi);

thence following the Negowa Sigirof gully to its confluence with the Pewok Stream;

thence up-stream by that stream by Tingwan in a generally westerly direction to beacon corner on the south-eastern boundary of Lelan Forest;

thence generally westerly by that forest boundary to trigonometrical point Chesugo;

thence generally south-westerly by that forest boundary through trigonometrical points Kokwa Ara, Kamalagon, Kalelaigelat (75/S/10), Kipsait (SPK. 5) to beacon Kiptaberr;

thence north-westerly by a straight line to the most northerly corner of the Kapolet Forest at trigonometrical beacon Kaipos (75/S/5);

thence by a straight line on a true bearing of 237° 53' 33" and for a distance of 10,382.2 feet to a beacon NR/A/F;

thence south-westerly by the north-western boundary of L.R. No. 7145/2 to its intersection with the Saiwa River;

thence north-westerly up-stream by that river to its intersection with the north-western boundary of L.R. No. 6684;

thence south-westerly by that boundary and the northern boundary of L.R. No. 7424 to the north-western corner of the latter portion;

thence south-westerly by the western boundaries of L.R. Nos. 7424 and 8858 to the intersection of the latter with the Kabega River;

thence north-westerly, up-stream by that river to its confluence with an unnamed river;

thence continuing north-westerly by that unnamed river to its intersection with the south-eastern boundary of L.R. No. 5789;

thence north-eastern by part of that boundary and north-westerly by the north-eastern boundaries of L.R. Nos. 5789, 5788 and 5529 to the north-eastern corner of the last named portion;

thence westerly by the generally northern boundaries of L.R. Nos. 5529, 2037, 2035 and 10222/1 to the north-western corner of the last named portion;

thence northerly and south-westerly by the eastern and northern boundaries of L.R. No. 8026 to the point of commencement.

25. SAMBURU COUNTY

Commencing at a point on the shore of Lake Turkana due north of the summit of Teleki's Volcano;

thence generally north-easterly and northerly by the lake shore to a point due west of Sirima water-hole where the Sirima River (seasonal) enters Lake Turkana;

thence generally easterly by that seasonal river bed to Sirima water-hole;

thence south-easterly by a straight line to the intersection of that line with the generally eastern boundary of Mount Nyiru Forest at beacon E in the vicinity of Lonjerin water-hole;

thence continuing generally south-easterly by that forest boundary to South Horr;

thence by the South Horr-Baragoi road easterly and southerly for approximately 10 kilometres (6 miles) to the junction of the South Horr-Laisamis road;

thence generally south-easterly by that road to Illaut water-hole;

thence continuing generally south-easterly by a series of straight lines through the summits of Maramoro, Kisiriit and Lonyeri Pesho hills to Eilamoton (Ilamoton);

thence continuing south-easterly by a straight line to the Nabachakutuk (Napasha Kotok) lugga;

thence downstream by the course of that river to its confluence with the Merille (Lodosoit) lugga;

thence downstream and generally north-easterly by the course of that river to the Serirua Wells or water-hole;

thence south-easterly by a straight line to the Koya (Koiya) Wells or water-hole;

thence southerly by a straight line through Sebbei (Seepi) Rock and continuing southerly by a straight line to a point at the south-west corner of a lava rock formation known as Funum Kurum;

thence south-easterly by a straight line to a point lying between Kom Lola Well and Kom Galla Well on the Laga Lim (Kom);

thence southerly by a straight line to the summit of a hill Timtu (or Puaa);

thence south-easterly by a straight line to Chanler's Falls on the Ewaso Ngiro (Nyiro);

thence generally south-westerly, north-westerly and westerly upstream by that river to its confluence with the Kirimun River at the north-eastern corner of L.R. No. 8036;

thence generally westerly and north-westerly by the generally north-eastern boundaries of L.R. No. 8036 to its most northerly corner;

thence generally north-westerly, south-westerly and generally westerly by the generally northern boundaries of L.R. No. 8052 and continuing westerly by the northern boundary of L.R. No. 8051 to the north-eastern corner of L.R. No. 8050;

thence generally westerly and northerly by the generally northern boundary of the latter portion to its most northerly corner on the Amaya River;

thence generally north-westerly downstream by that river to the falls on that river, (geographical co-ordinates approximately 0° 55' N., 36° 24' E.);

thence generally northerly along a line following the generally western slopes of a range of hills on the eastern side of the Suguta Valley to the western slopes of Mount Losergoi;

thence generally north-easterly along the top of the lava escarpment which forms the eastern edge of the Suguta Valley to the western slopes of Mount Ejuk;

thence north-westerly by a straight line to the summit of Teleki's Volcano;

thence due north to the point of commencement.

26. TRANS NZOIA COUNTY

Commencing at a point on the Kenya-Uganda international boundary where the Suam River emerges from the crater of Mount Elgon;

thence generally north-easterly by that international boundary (downstream by the course of the Suam River) to its intersection with the northern boundary of L.R. No. 8026;

thence north-easterly and southerly by the northern and eastern boundaries of that portion to the north-western corner of L.R. No. 10222/1;

thence easterly by the northern boundary of that portion and the generally northern boundaries of L.R. 2035, 2037 and 5529 to the north-eastern corner of the last named portion;

thence south-easterly by the north-eastern boundaries of L.R. Nos. 5529, 5788 and 5789 to the most easterly corner of the last named portion;

thence south-westerly by part of the south-eastern boundary of L.R. No. 5789 to its intersection with an unnamed river;

thence south-easterly by that unnamed river to its confluence with the Kabega River;

thence continuing south-easterly by that river to its intersection with the western boundary of L.R. No. 8858;

thence north-easterly by that boundary and the western boundary of L.R. No. 7424 to the north-western corner of the latter portion;

thence north-easterly by the northern boundary of L.R. No. 7424 and the north-western boundary of L.R. No. 6684 to the intersection of the latter with the Saiwa River;

thence south-easterly downstream by that river to its intersection with the north-western boundary of L.R. No. 7145/2;

thence north-easterly by that boundary to a beacon NR/A/F;

thence by a straight line on a true bearing of $57^{\circ} 53' 33''$ and for a distance of 10,383.2 feet to trigonometrical beacon Kaipos (75/S/5) the most northerly corner of Kapolet Forest;

thence by the north-eastern boundary of that forest on a true bearing of $156^{\circ} 50' 30''$ and for a distance of 8,289.1 feet to a beacon B1;

thence continuing by that forest boundary on a true bearing $143^{\circ} 52' 02''$ and for a distance of 12,714.6 feet to a beacon T.B.7;

thence by a straight line on a true bearing of $147^{\circ} 38' 59''$ and for a distance of 14,479.3 feet to a beacon B3 on the northern boundary of L.R. No. 6904;

thence south-easterly by part of that boundary to a beacon IW at the most northerly corner of L.R. No. 5559;

thence south-easterly by the north-eastern boundaries of L.R. Nos. 5559 and 5595 to the most northerly corner of L.R. No. 8913;

thence again south-easterly by the north-eastern boundaries of L.R. 8913, original L.R. No. 3017 (G.L.), L.R. Nos. 2173/2 and 3020/3 to a beacon L at the north-eastern corner of the last named portion;

thence by the generally eastern boundaries of L.R. Nos. 3020/3, 2980, 9986, 6678 and 10113 to the north-west corner of L.R. No. 2225;

thence south-westerly by the western boundary of that portion, north-westerly by the north-eastern boundaries of original L.R. Nos. 2223 and 11601 and again south-westerly by the north-western boundary of the latter portion to its intersection with the Nzoia River;

thence generally westerly downstream by that river to its intersection with the southern boundary of L.R. No. 8986;

thence westerly by that boundary and north-easterly by part of the south-western boundary of the same portion to the intersection of the latter with the southern boundary of L.R. No. 7060;

thence generally south-westerly by that boundary, the southern boundary of L.R. No. 7059/2, part of the eastern and southern boundaries of L.R. No. 8987 and the south-eastern boundary of L.R. No. 7521, to the south-east corner of L.R. No. 7520;

thence again south-westerly by the generally southern boundaries of L.R. Nos. 7520, 8994 and 8979 to the south-west corner of the latter portion;

thence by a straight line to the south-east corner of L.R. No. 5777/3;

thence continuing south-westerly by the southern boundaries of L.R. Nos. 5777/3 and 5776/2 to the intersection of the latter with the Kamakoiwa River;

thence generally northerly and north-westerly up-stream by that river to its confluence with the Kaptasang River;

thence generally westerly up-stream by that river to its intersection with the south-western boundary of L.R. No. 6439/2;

thence north-westerly by that boundary to the south-western corner of that portion;

thence north-westerly and north-easterly by a cut and beacons line to its intersection with the Kimothon River;

thence generally north-westerly up-stream by that river for approximately 8 kilometres (4¼ miles) to its source;

thence north-westerly by a straight line to the point of commencement.

27. UASIN GISHU COUNTY

Commencing at the intersection of the Nzoia River with the eastern boundary of L.R. No. 1804/R;

thence generally easterly up-stream by that river to its intersection with the eastern boundary of L.R. No. 4366;

thence north-easterly by that boundary to its north-eastern corner;

thence south-easterly by the north-eastern boundaries of L.R. Nos. 11601 and 2223 to the south-western corner of L.R. No. 2225;

thence north-easterly and south-easterly by the western and northern boundaries of L.R. No. 2225 to the intersection of the latter boundary with the Chebororwa River;

thence generally north-easterly up-stream by that river to its intersection with the northern boundary of original L.R. No. 2210;

thence east-south-easterly by that northern boundary to a beacon NE at the north-eastern corner of the same portion;

thence generally southerly by the eastern boundaries of original L.R. Nos. 2210 and 3047 and part of the eastern boundary of L.R. No. 2226 to the intersection of the latter with the northern boundary of L.R. No. 2227;

thence east-south-easterly by that northern boundary to its intersection with the Charangai River;

thence generally south-westerly downstream by that river to its intersection with the northern boundary of L.R. No. 2231;

thence easterly by the northern boundaries of L.R. Nos. 2231 and 4635 to the intersection of the latter with the Moiben River;

thence generally southerly downstream by that river to its intersection with the northern boundary of L.R. No. 5347;

thence easterly by that boundary to the north-eastern corner of that portions;

thence southerly by part of the eastern boundary of L.R. No. 5347 to the intersection of the northern boundary of L.R. No. 10101;

thence south-easterly by the generally northern boundary of L.R. No. 10101 and southerly by the eastern boundary of the same portion and part of the eastern boundary of L.R. No. 3771/4 to the intersection of the last named with the northern boundary of L.R. No. 11451;

thence easterly, south-easterly, south-westerly and westerly by the northern, the generally eastern and the southern boundaries of that portion to the north-east corner of L.R. No. 11901;

thence generally southerly by the generally eastern boundary of L.R. No. 11091 to its intersection with the Kapkitoi River;

thence generally south-easterly downstream by that river to its intersection with the southern boundary of L.R. No. 7626;

thence westerly by the southern boundaries of L.R. Nos. 7626, 8568, 7628 and 7627 to the intersection of the last named with the eastern bank of the Arobobutch River;

thence generally south-easterly by that eastern bank and the low water mark on the eastern side of Lake Sergoit to a point due west of a cairn on the eastern shore;

thence due east to that cairn;

thence south-easterly by the eastern boundaries of L.R. Nos. 883/R, 9129, 9130, 8177 and 3975 to the south-eastern corner of the last named portion;

thence south-westerly by the eastern boundary of L.R. No. 1561 and part of the eastern boundary of original L.R. No. 10349 to the intersection of the latter with the generally north-eastern boundary of Kaptagat Forest;

thence southerly by the western boundary of Kaptagat Forest to the western boundary of Kipsirende Location;

thence continuing with eastern boundary of Kipsirende, plateau, Olare to the south-eastern boundary of L.R. No. 8449;

thence southerly and south-westerly by the generally eastern boundary of L.R. No. 6445;

thence easterly by the northern boundary of original L.R. No. 5687 across the railway reserve and continuing easterly by that northern boundary to the most westerly corner of L.R. No. 7210;

thence north-easterly and southerly by the north-western and eastern boundaries of that portion, to its south-eastern corner;

thence south-easterly by the north-eastern boundaries of L.R. No. 8003 to the north-western corner of Lembus Forest;

thence generally southerly and easterly by the western part of the southern boundaries of that forest to its intersection with south-eastern corner of Timboroa Forest;

thence north-westerly by that forest boundary to intersection with eastern boundary of Timboroa Location;

thence southerly by eastern boundary of that location to east-southern corner of L.R. No. 8925;

thence generally westerly by part of the generally northern boundary of that portion to its north-western corner on the generally northern boundary of the Tinderet Forest;

thence generally westerly by that forest boundary to a beacon Nr C4 the generally southern boundary of the Northern Tinderet Forest;

thence generally westerly and north-easterly by the generally southern and western boundaries of that forest excluding Serengonik Sub-location to its intersection with eastern boundary of Lessos Settlement;

thence easterly, northerly and generally north-westerly by that settlement boundary to the south-eastern corner of original L.R. No. 4281;

thence north-westerly by the northern boundaries of original L.R. No. 8743 and L.R. No. 8742 to the most southerly corner of L.R. No. 755472;

thence continuing north-westerly by the south-western boundaries of L.R. Nos. 7554/2, 7554/1, 4281, 7992, 689, 693/1, 10793, 6467, 9931, 8545, 748 and 7754 to the most westerly corner of the last named portion;

thence north-easterly by the north-western boundary of L.R. No. 7754 to its intersection with the southern boundary of L.R. No. 4354;

thence north-easterly by part of the northern boundary of L.R. No. 7754 and continuing north-easterly by the southern boundary of L.R. No. 770/2 to the south-eastern corner of the latter portion;

thence northerly by the eastern boundaries of L.R. No. 770/2 and 770/1 (G.L.) to the north-eastern corner of the latter portion on the Sosian River;

thence generally westerly and downstream by that river to its intersection with the eastern boundary of L.R. No. 6494;

thence south-westerly and north-westerly by the eastern and southern boundaries of that portion and continuing north-westerly by the southern boundaries of L.R. Nos. 755/2/2 and 11027 to the south-eastern corner of L.R. No. 11518;

thence south-westerly, north-westerly and westerly by the southern boundaries of L.R. Nos. 11518, 8833, 9585, 4282/R, 7824 and 4130 to the trigonometrical beacon 88S8 at the south-western corner of the last named portion;

thence north-easterly by the north-western boundaries of L.R. Nos. 4130 and 6176 to the most southerly corner of L.R. No. 4719;

thence north-westerly by the south-western boundary of that portion to its intersection with the northern boundary of the Turbo-Broderick Falls road reserve;

thence generally easterly by that road reserve boundary to its intersection with the southern boundary of the Eldoret-Tororo main railway line reserve at Kipkarren River Station;

thence generally north-easterly by that railway reserve boundary to its intersection with the Murogusi River;

thence generally north-easterly up-stream by that river to its intersection with the western boundary of L.R. No. 7446;

thence southerly by part of that boundary and south-easterly by the south-western boundary of the same portion, to its most southerly corner on the Sergoit River;

thence north-easterly and up-stream by the course of that river to its intersection with the generally western boundary of the former Turbo Trading Centre;

thence generally northerly, generally easterly and southerly by the western, northern and the eastern boundary of that former trading centre to the intersection of the named boundary with the Sergoit River;

thence generally north-easterly up-stream by that river to its intersection with the western boundary of L.R. No. 805/R;

thence north-westerly and north-easterly by that boundary to its intersection with the generally western boundary of the former Soy Trading Centre;

thence north-easterly by that boundary to its intersection with the eastern boundary of L.R. No. 8510/2;

thence northerly by that boundary and the eastern boundaries of L.R. Nos. 8403/2, 8403/1/R and 8488 to the intersection of the last named with the Kipsangwe River;

thence generally westerly downstream by that river to its intersection with the eastern boundary of L.R. No. 9505;

thence northerly by that boundary and the eastern boundary of L.R. No. 9504 to the intersection of the latter with the Little Nzoia River;

thence generally westerly and southerly downstream by that river to its intersection with the eastern boundary of L.R. No. 7223;

thence northerly by that boundary and the eastern boundary of L.R. No. 1804/R to the point of commencement.

28. ELGEYO/MARAKWET COUNTY

Commencing at the intersection of a cut line with the western bank of the Kerio (Ndo) River about 5 kilometres (3 miles) south of the confluence of the Kerio (Ndo) River and the Chesegon River;

thence generally southerly and up-stream by that river to its confluence with the Kureswa (Mogorua) River;

thence continuing generally southerly and south-westerly up-stream by that river to its source;

thence westerly to the lowest point on the watershed;

thence south-easterly by a straight line to trigonometrical beacon Kipkanyilat (SKP. 103);

thence south-westerly by a straight line to Borowett Hill (HAA 966186) on the northern boundary of Lembus Forest;

thence by that forest boundary due west to the north-eastern corner of L.R. No. 6259;

thence north-westerly by the north-eastern boundary of L.R. No. 8003 to the south-east corner of L.R. No. 7210;

thence northerly and south-westerly by the eastern and north-western boundaries of that portion to the north-eastern corner of original L.R. No. 5687;

thence westerly by the northern boundary of that portion, crossing the main Nakuru-Eldoret railway line reserve to the south-eastern corner of L.R. No. 6445;

thence north-easterly and northerly by the generally eastern boundary of that portion to the most southerly corner of L.R. No. 8849

thence north-easterly and north-westerly by the south-eastern and part of the north-eastern boundaries of L.R. No. 8849 to a beacon BR4;

thence on a true bearing of $33^{\circ} 01' 17''$ for a distance of 2,847.2 feet to a beacon BR5;

thence on a true bearing of $57^{\circ} 23' 37''$ for a distance of 1,776.1 feet to a beacon 12D;

thence on a true bearing of $104^{\circ} 32' 54''$ for a distance of 811.6 feet to a beacon 12E on the western boundary of the railway reserve;

thence across that railway reserve on a true bearing of $104^{\circ} 32' 54''$ for a distance of 200.4 feet to a beacon 12F on the eastern boundary of that railway reserve;

thence generally north-easterly and generally north-westerly by that railway reserve boundary to a beacon BR.11 which is on a true bearing of $80^{\circ} 39' 41''$ at a distance of 655.1 feet from a beacon 8A at the south-eastern corner of L.R. No. 6453;

thence easterly, northerly by the western boundary of Kabiemit Location including Kaptagat Forest to north-western corner of Kaptagat Forest;

thence northerly by the eastern boundary of L.R. No. 10349 and continuing northerly by eastern boundary of L.R. No. 1561 to the south-east corner of L.R. No. 3975;

thence north-westerly by the eastern boundaries of L.R. Nos. 3975, 8177, 9130 and 883/R to beacon Cairn on the eastern shore of Lake Sergoit;

thence due west by a straight line to its intersection with the low water mark of that lake;

thence northerly by that low water mark and the eastern bank of the Arobobutch River to its intersection with the southern boundary of L.R. No. 7627;

thence easterly by the southern boundaries of L.R. Nos. 7627, 7628, 8568 and 7626 to the intersection of the last mentioned boundary with the Kapkitoi River;

thence generally north-westerly downstream by that river which forms the eastern boundaries of L.R. Nos. 7626 and 9014 to its intersection with the eastern boundary of L.R. No. 11091;

thence northerly by the generally eastern boundaries of L.R. Nos. 11091 and 11451 to a beacon A on the eastern boundary of L.R. No. 3771/4;

thence northerly by part of that boundary and the eastern boundary of L.R. No. 10101 and generally north-westerly by the generally northern boundary of the latter portion to the north-eastern corner of L.R. No. 5347;

thence westerly by the northern boundary of that portion to its intersection with the Moiben River;

thence generally northerly up-stream by that river to its intersection with the northern boundary of L.R. No. 4635;

thence westerly by that boundary and the northern boundary of L.R. No. 2231 to the intersection of the latter with the Cherangani River;

thence generally north-easterly up-stream by that river to its intersection with the northern boundary of L.R. No. 2227;

thence westerly by that boundary to its intersection with the eastern boundary of L.R. No. 2226;

thence northerly by part of that boundary and the eastern boundaries of original L.R. Nos. 3047 and 2210 to the north-eastern corner of the last named portion;

thence westerly by the northern boundary of L.R. No. 2210 to its intersection with the Chebororwa River;

thence generally south-westerly downstream by that river to its intersection with the north-eastern boundary of L.R. No. 2225;

thence north-westerly and generally northerly by the northern and eastern boundaries of L.R. Nos. 2225, 10113, 6678, 9986, 2980 and 3020/3 to the north-east corner of the last portion;

thence north-westerly by the north-eastern boundaries of L.R. Nos. 3020/3, 2173/2, original L.R. No. 3017 and L.R. No. 8913 to the most northerly corner of the last portion;

thence north-westerly by the north-eastern boundaries of L.R. Nos. 5595 and 5559 to a beacon IW at the most northerly corner of the last portion;

thence westerly by part of the northern boundary of L.R. No. 6904 to a beacon B3;

thence by the north-eastern boundary of the Kapolet Forest by a straight line on a true bearing of $327^{\circ} 38' 59''$ and for a distance of 14,479.3 feet to a beacon T.B.7;

thence continuing by that forest boundary by a straight line on a true bearing of $323^{\circ} 52' 02''$ and for a distance of 12,714.6 feet to a beacon bl;

thence continuing by that forest boundary by a straight line on a true bearing of $336^{\circ} 50' 30''$ and for a distance of 8,289.1 feet to the trigonometrical beacon Kaibus;

thence south-easterly by a straight line to a beacon Kiptaberr on the generally south-eastern boundary of the Lelan Forest;

thence generally north-easterly by that forest boundary through trigonometrical points Kipsait (SKP. 5), Kalelaigelat (75/S/10), Kamalagon, Kokwa Ara to Chesugo;

thence generally easterly by that forest boundary to beacon Corner;

thence downstream by the Pewok Stream by Tingwan to its confluence with the Negowa Sigirot gully;

thence following that gully to Kararanda (Siandoi);

thence following the Cheptowi gully in a generally south-easterly direction to an upright rock slab called Mbagat at the junction of the Cheptowi and Mbatowi gullies;

thence generally easterly downstream by the Mbagat River to its confluence with the Chesegon River;

thence north-easterly downstream by that river to a point Cheptuigen marked by a beacon;

thence north-easterly by a series of cut lines to the point of commencement.

29. NANDI COUNTY

Commencing at the trigonometrical beacon 88S8 at the south-west corner of L.R. No. 4130;

thence easterly by the southern boundaries of L.R. Nos. 4130, 7824, 4282/R, 9585, 8833 and 11518 to beacon B232 at the south-western corner of L.R. No. 11027;

thence south-easterly by the south-western boundaries of L.R. Nos. 11027, 755/2/2 and 6494 to trigonometrical beacon SKP. 8 at the most southerly corner of the last named portion;

thence north-easterly by the south-eastern boundary of L.R. 6494 to its junction with the Sosian River;

thence generally easterly up-stream by the centre course of that river to the north-eastern corner of L.R. No. 770/1 (G.L.);

thence generally southerly by the generally eastern boundaries of L.R. Nos. 770/1 (G.L.) and 770/2 to a beacon at the south-eastern corner of the latter portion;

thence westerly by the southern boundary of L.R. No. 770/2 and part of the southern boundary of L.R. No. 4354 to the north-eastern corner of L.R. No. 5739/2;

thence generally southerly and south-westerly by the generally south-eastern boundaries of L.R. Nos. 5739/2 and 8714 to the south-eastern corner of the latter portion;

thence generally south-easterly by the generally south-western boundaries of L.R. Nos. 7754 and 7748 to the most southerly corner of the latter portion;

thence continuing south-easterly by the western boundary of L.R. No. 8545 to the north-western corner of L.R. No. 9931;

thence continuing south-easterly by the southern-western boundaries of L.R. Nos. 9931, 6467, 10793, 693/1, 689, 7992, 4281 and continuing generally easterly, south-easterly, westerly by the northern and eastern boundary of Koilot Location to the western corner of the Northern Tinderet Forest;

thence southerly by that forest boundary to its intersection with northern boundary of Mogobich Location;

thence easterly, southerly by Mogobich, Songhor and Miteitei Locations boundary to a beacon Nr. C4 at the north-eastern corner of L.R. No. 8,000;

thence generally southerly and south-westerly by the generally north-western boundary of Tinderet Forest to the most southerly corner of L.R. No. 5499;

thence south-easterly by a straight line to the most northerly point of L.R. No. 4010/4;

thence generally westerly by part of the generally southern boundary of Tinderet Forest to the eastern corner of L.R. No. 1454/4;

thence generally westerly by the generally southern boundaries of L.R. No. 1454/4 and original L.R. No. 1628 to the south-western corner of the latter portion;

thence generally northerly by the western boundaries of original L.R. No. 1628 and L.R. No. 6052, part of the western boundary of L.R. No. 6015/3 and the western boundary of L.R. No. 1625 to the intersection of the latter with the Ainomotua River;

thence generally westerly and downstream by the course of that river to its intersection with the eastern boundary of L.R. No. 1468;

thence generally north-westerly by the generally southern boundaries of that portion and L.R. 7057 to the intersection of the latter with the Kundos (Kapchure) River;

thence generally southerly and south-westerly down-stream by that river to the most northerly corner of L.R. No. 6008 (G.L.);

thence generally south-westerly by the north-western boundaries of L.R. No. 6008 (G.L.) and 1608 (G.L.) to a beacon at the south-western corner of L.R. No. 1608/1 (G.L.);

thence south-easterly by the south-western boundary of that portion for a distance of 65 feet to its intersection with the Kundos (Kapchure) River;

thence generally south-westerly downstream by that river to its intersection with the generally eastern boundary of original L.R. No. 1587/R (G.L.);

thence generally north-westerly and westerly by the generally eastern and northern boundaries of that portion to the south-eastern corner of original L.R. No. 1604/R (G.L.);

thence continuing westerly by the southern boundaries of original L.R. Nos. 1604/R (G.L.) and 1603 (G.L.) to the south-western corner of the latter portion;

thence northerly by the western boundary of original L.R. No. 1603 (G.L.) to the north-eastern corner of L.R. No. 1602/5;

thence north-westerly by the northern boundary of that portion to its north-western corner;

thence southerly by part of the western boundary of the same portion to the north-eastern corner of L.R. No. 7545/3;

thence generally westerly by the northern boundary of that portion following the foot of the Nandi Escarpment to the south-eastern corner of L.R. No. 2724 (G.L.);

thence north-easterly by the eastern boundary of that portion to its north-eastern corner;

thence westerly by the northern boundaries of L.R. Nos. 2724 (G.L.), 5446, 1494, 10419R and 10419/13 to the north-western corner of the latter portion;

thence generally north-westerly by the generally northern boundary of L.R. No. 654/R (G.L.) to the most northerly corner of that portion;

thence generally northerly by the generally eastern boundary of L.R. No. 654/18 to a beacon at the extreme north-eastern corner of that portion;

thence by a straight line north-easterly to the most northerly point of Kajulu Location about 1 mile south of Banja Market;

thence generally south-westerly by a line of cairns being the common boundary between Kajulu and Nyangori Locations to its intersection with the eastern boundary of the Kisumu-Kakamega road reserve (B. 2/1);

thence generally north-westerly by that road reserve boundary to its intersection with the southern boundary of the Nyangori Mission land;

thence north-easterly, north-westerly and south-westerly by part of the southern, the eastern and part of the northern boundaries of that mission land to its intersection with the eastern boundary of the Kisumu-Kapsabet road reserve;

thence generally northerly by that road reserve boundary to its intersection with the generally north-eastern boundary of Kapsengere Sub-location;

thence generally easterly and southerly by that boundary to its intersection with the north-western boundary of Kapkerer Sub-location to the Nyangori Location;

thence generally north-easterly and easterly by the north western and northern boundaries of that sub-location to its intersection with the generally eastern boundary of Banja Sublocation;

thence generally north-easterly by the eastern boundary of that sub-location and the generally eastern boundary of Kapsotik Sub-location to the north side of Serem road junction;

thence north-easterly by a straight line to the course of the Sous stream in the vicinity of Serem Market;

thence generally northerly downstream by that water-course to its confluence with the Chemongo stream;

thence northerly by a straight line to the confluence of the Garagoli and Maryan streams;

thence generally north-easterly and up-stream by the Garagoli stream to its confluence with the Sigong stream;

thence continuing generally north-easterly and easterly by the Sigong stream and the Sigong (North) stream to the source of the latter;

thence generally north-easterly following a shallow ditch to its intersection with the south-eastern boundary of the Eldoret-Kisumu main road reserve at Musasa Market;

thence on true bearing of $335^{\circ} 02' 40''$ for a distance of 7,883 feet to a beacon NN. 13;

thence on a true bearing of 331° 51' 30" for a distance of 10,835 feet to beacon NN. 14;

thence on a true bearing of 329° 48' 00" for a distance of 6,555 feet to beacon NN. 15;

thence on a true bearing of 312° 08' 40" for a distance of 7,964 feet to beacon NN. 16;

thence on a true bearing of 354° 29' 20" for a distance of 4,820 feet to beacon NN. 17;

thence on a true bearing of 310° 22' 30" for a distance of 9,198 feet to beacon NN. 18;

thence on a true bearing of 289° 36' 20" for a distance of 5,492 feet to beacon NN. 19;

thence on a true bearing of 318° 18' 50" for a distance of 2,496 feet to beacon NN. 20;

thence on a true bearing of 311° 08' 00" for a distance of 8,428 feet to the point of commencement.

30. BARINGO COUNTY

Commencing at the confluence of the Kolosia and Kerio Rivers on the boundary between the West Pokot and Turkana Counties;

thence south-easterly, by a straight line through the hill Mugar (Mugu) to a point on the Suguta River immediately east of Kapeddo Post;

thence due east by a straight line to the summit of Silali;

thence by a straight line south-easterly to the summit of Ol Doinyo Lengere;

thence by a straight line on a true bearing of 83° 30' 18" to the intersection of that line with the Amaya River;

thence south-easterly and up-stream by the course of that river to Amaya Falls;

thence continuing generally south-easterly and up-stream by the course of that river to the intersection of the generally north-western boundary of L.R. No. 8050 on its west bank;

thence generally south-westerly by the generally north-western boundary of L.R. No. 8050 and part of the generally north-western boundary of L.R. No. 8049 to a beacon Hillock situated at a point approximately half a mile north of the Mukutan River and one and a half miles east of Mukutan;

thence generally southerly and south-westerly by the generally western boundaries of L.R. No. 8049 and 8046 to a beacon Kop on Tikamur Hill at the north-west corner of L.R. No. 7822;

thence continuing by a straight line south-westerly on a true bearing of 204° 33' to the north-west corner of Ol Arabel Forest;

thence south-easterly by eastern boundary of that forest formed by eastern boundary of Mochongoi Location including part of Marmanet Forest to the western boundary of Marmanet Forest;

thence north-easterly by that forest boundary to the intersection of that boundary with southern boundary on Ol Arabel Forest;

thence generally south-westerly by that forest boundary to the most northerly corner of L.R. No. 10753;

thence generally south-westerly by the north-western boundary of that portion to the Waseges River;

thence generally south-easterly and southerly by that river to the intersection of the northern boundary of L.R. No. 10762 with its west bank;

thence south-westerly by the northern boundaries of L.R. No. 10762 and the original L.R. No. 2682/R (G.L.) to the north-west corner of the latter portion;

thence generally southerly by the western boundaries of original L.R. No. 2682/R (G.L.) and L.R. Nos. 8437, 8438, 8439, 2680, 7364 and 1168/R to the south-western corner of the last mentioned portion;

thence generally westerly and generally southerly by part of the northern and the western boundaries of L.R. No. 10851 to the south-western corner of that portion;

thence south-westerly by part of the generally north-western boundary of L.R. No. 9023 to its most westerly corner;

thence north-westerly by the generally northern boundaries of L.R. Nos. 475/7, 475/6 and 475/5 to the north-western corner of the last numbered portion;

thence generally north-westerly by the generally eastern and northern boundaries of L.R. No. 10939 to the eastern corner of L.R. No. 10938;

thence generally westerly by the eastern boundary of L.R. No. 10938 to its intersection with the Molo River;

thence generally northerly and downstream by the course of that river to the intersection of the northern boundary of L.R. No. 10938 on its western bank;

thence generally north-westerly, south-westerly and southeasterly by the northern, north-western and south-western boundaries of L.R. No. 10938 to the intersection of the last boundary with the Molo River;

thence generally south-westerly and up-stream by the course of the river to the intersection of the north-eastern boundary of L.R. No. 486/1/R on its western bank;

thence north-westerly and south-westerly by the north-eastern and north-western boundaries of L.R. No. 486/1/R to the intersection of the last boundary with the eastern boundary of the main Nakuru-Eldama Ravine road reserve;

thence generally north-westerly by the generally eastern boundary of that road reserve to the intersection of the extended north-western boundary of L.R. No. 487/26/4;

thence south-westerly by that extended boundary, crossing the aforementioned road reserve and continuing generally south-westerly by the north-western boundaries of L.R. Nos. 487/26/4, 487/27, 487/28/4, 486/29, and 9856 to the intersection of the last boundary with the Bissoi River which river forms part of the generally eastern boundary of the Mount Londiani Forest;

thence generally north-westerly, south-westerly, southerly and again south-westerly by the generally eastern boundaries of that forest to the most westerly corner of L.R. No. 8905/4;

thence by a straight line south-westerly to the south-eastern corner of L.R. No. 9697/1 on the generally western boundary of the aforementioned forest;

thence generally northerly and north-westerly by part of that forest boundary to a beacon D.48 at the north-eastern corner of L.R. No. 7597;

thence generally westerly by the Mount Londiani Forest boundary and the northern boundaries of L.R. Nos. 7597 and 9675 to the north-western corner of the latter portion;

thence north-easterly by a straight line crossing the main Nakuru-Eldoret railway reserve and continuing by that line to its intersection with the generally south-eastern boundary of L.R. No. 9577 at a point approximately 1,250 feet from the south-eastern corner of that portion;

thence generally south-westerly and northerly by the generally south-eastern and western boundaries of L.R. No. 9577 to the intersection of the last boundary with the south-western boundary of the Maji Mazuri Forest;

thence westerly by the northern boundary of Tinderet Forest and continuing with western boundary of Lembus Mosop Location boundary to south-eastern corner of Timboroa Forest;

thence generally northerly by the generally western boundaries of Lembus Forest to its north-western corner;

thence easterly by part of the northern boundary of that forest to Borowett Hill (HA 966 168) on that boundary;

thence north-easterly following the south-eastern boundary of Metkei Forest to a beacon Kipkanyilat (SKP. 103);

thence north-westerly by a straight line to the lowest point on the watershed immediately west of the source of the Kureswa or Mogorua River;

thence generally north-easterly and northerly and down-stream by the course of that river to its confluence with the Kerio (Ndo) River;

thence generally northerly and downstream by the course of that river to its confluence with the Kolosia River at a point on the common generally south boundary of Turkana County, being the point of commencement.

31. LAIKIPIA COUNTY

Commencing at the most northerly corner of L.R. No. 8050 on the Amaya River which forms part of the common boundary of the Samburu County;

thence generally southerly and easterly by the generally northern boundaries of L.R. Nos. 8050 and 8051 to the north-eastern corner of the latter portion;

thence continuing generally easterly, north-easterly, south-easterly and again generally easterly by the generally northern boundaries of L.R. Nos. 8052 and 8036 to the Ewaso Nyiro which river forms part of the common boundary of the Isiolo County;

thence generally southerly and south-westerly and up-stream by the centre course of the Ewaso Nyiro to the intersection on its eastern bank of the extended straight line from Ndare Ford on the Engare Ndare (river) through the trigonometrical beacons of Mukogodo and Lendili;

thence easterly by that straight line to its intersection with the Engare Ndare (River) at Ndare Ford;

thence generally southerly and up-stream by the course of that river to its intersection with the northern side of the Timau-Isiolo road reserve;

thence generally south-westerly by that road reserve boundary to the intersection of the generally eastern boundary of Timau Town;

thence north-westerly, south-westerly and southerly by the eastern, northern and western boundaries of that town to the intersection of the last boundary with the northern side of the Timau-Nanyuki Reserve;

thence continuing generally south-westerly by that road reserve boundary to its intersection with the Liki River;

thence south-easterly and up-stream by the course of that river, which forms part of the generally north-eastern boundary of Nanyuki Town, and continuing up-stream by the course of the Liki River to the intersection on the south bank of the southeastern boundary of Nanyuki Town;

thence south-westerly and generally north-westerly, northerly and again south-westerly and westerly by part of the generally southern boundaries of that town to the intersection of the eastern boundary of the Nyeri-Nanyuki railway reserve;

thence generally south-westerly, southerly, south-easterly and again southerly (excluding Naro Moru Town and station reserve) to the intersection of the Rongai River at the most southerly corner of L.R. No. 6361;

thence generally south-westerly and downstream by the course of that river to the intersection, on the south bank, of the north-eastern boundary of L.R. No. 1245;

thence south-easterly and south-westerly by the north-eastern and south-eastern boundaries of that portion to its most southerly corner;

thence generally north-westerly by the southern boundaries of L.R. Nos. 1245 and 11571 and generally northerly by part of the generally western boundaries of the latter portion to the Uaso Nyiro (Ewaso Ng'iro) which river forms the north-western boundary of L.R. No. 11571;

thence generally northerly and downstream by that river boundary to the intersection on its west bank of the northern boundary of L.R. No. 4773/2;

thence generally westerly by the northern boundaries of L.R. No. 4773/2 and northerly by part of the eastern boundary of L.R. No. 5102 to the most northerly corner of the latter portion;

thence generally westerly by the northern boundaries of L.R. Nos. 6306, 3366, 2598 and continuing generally westerly by the most northern boundary of the South Laikipia Forest to its intersection with the south-eastern boundary of L.R. No. 9484;

thence by that boundary generally south-westerly to the most southerly corner of that portion;

thence north-westerly and westerly by the south-western boundaries of L.R. No. 9484 and continuing westerly by the southern boundary of L.R. No. 7321 to its intersection with the generally eastern boundary of the Aberdare Forest;

thence generally north-westerly by that forest boundary to the intersection of the north-western boundary of L.R. No. 7321;

thence generally north-easterly and easterly by the north-western boundaries of L.R. Nos. 7321 and 7320 and continuing easterly by the northern boundaries of L.R. Nos. 2627/2/1, 3448 and part of the northern boundary of L.R. No. 2625 to the south-eastern corner of L.R. No. 9522;

thence north-westerly and south-westerly by the eastern and northern boundaries of L.R. No. 9522 to the south-eastern corner of L.R. No. 2508/2;

thence generally north-westerly by the eastern boundaries of the latter portion and of L.R. No. 5157 and continuing north-westerly by the north-eastern boundary of L.R. No. 6397 to the most northerly corner of that portion;

thence south-westerly by the northern boundaries of L.R. Nos. 6397 and 3288 to the south-eastern corner of L.R. No. 3260;

thence generally north-westerly by the eastern boundary of the latter portion and the north-eastern boundary of L.R. Nos. 2492/3, 2491/2 and 10027 to the intersection of the latter boundary with the south-eastern boundary of Rumuruti Forest;

thence south-westerly by part of that forest boundary and continuing generally south-westerly by the south-eastern and southern boundaries of L.R. No. 7183/2;

thence southerly by the western boundary of L.R. No. 9385 to the most northerly corner of L.R. No. 2490;

thence south-westerly by the north-western boundary of L.R. No. 2490 to the most northerly corner of L.R. No. 2486;

thence south-westerly by the north-western boundary of L.R. No. 2486 to its most westerly corner;

thence south-easterly by the south-western boundary of that portion to its most southerly corner;

thence south-westerly by the south-eastern boundary of L.R. No. 9569 to the north-east corner of L.R. No. 7522/1;

thence westerly by the northern boundary of L.R. No. 7522/1 and continuing generally westerly, southerly and north-westerly by the generally northern boundaries of L.R. No. 7522/4 to the extreme north-western corner of the latter portion;

thence southerly by part of the generally western boundary of L.R. No. 7522/2 to a beacon adjacent to the most easterly corner of Nyahururu Town;

thence south-westerly by a straight line to that corner;

thence north-westerly, south-westerly and south-easterly along the eastern, northern and western boundaries of the Nyahururu Town to the point of intersection by the extended northern boundary of L.R. No. 2915/7 on the western boundary of Nyahururu Town;

thence south-westerly by that extended boundary and southerly by part of the western boundaries of that portion to the north-eastern corner of Ol Bolossat Forest;

thence westerly by that forest boundary to the north-east corner of L.R. No. 10185;

thence generally southerly, westerly and northerly by the eastern and part of the southern boundaries of that portion to the north-east corner of L.R. No. 3337/2;

thence generally south-westerly by the generally northern boundaries of L.R. No. 3337/2 and 8809 to the north-eastern corner of L.R. No. 8808/2;

thence generally southerly, westerly and northerly by the eastern, southern and western boundaries of that portion to its north-western corner;

thence generally northerly and easterly by the western and northern boundaries of L.R. No. 6531/1 to the intersection of the last boundary with the western boundary of L.R. No. 2912/9 (G.L.);

thence generally north-westerly by part of the western boundary of L.R. No. 2912/2 (G.L.), the western and north-western boundary of L.R. No. 2912/4 and the north-western boundaries of L.R. No. 9469 to the intersection of the last boundary with the generally western boundary of the Marmanet Forest;

thence generally north-westerly by the western boundary of Mutitu to its intersection with eastern boundary of Mochongoi Location;

thence continuing northerly by common boundary of Mutito, Gituamba locations formed by the eastern boundary of Ol Arabel Forest to the north-western corner of that forest;

thence continuing north-easterly by a straight line on a true bearing of $24^{\circ} 33'$ to a beacon Kop at the north-west corner of L.R. No. 7822;

thence continuing north-easterly, north-westerly and again generally north-easterly by the generally western boundaries of L.R. Nos. 8046, 8049 and 8050 to the most northerly corner of the last portion on the Amaya River, being the point of commencement.

32. NAKURU COUNTY

Commencing at the south-western corner of L.R. No. 8808/2 which lies to the north-east of Bahati Forest;

thence generally southerly by part of the generally eastern boundary of L.R. No. 8807 to its intersection with the generally northern boundary of that forest;

thence south-easterly, generally southerly and south-westerly by part of the northern, the eastern and southern boundaries of that forest to its most southerly corner;

thence generally southerly by the western boundaries of L.R. Nos. 465/18, 465/20, 465/2/R, 8262, 10448 and 1157/5 and by the extended boundary of the last portion to the Mbaruk River;

thence generally northerly and easterly up-stream by the centre course of that river and continuing by the southern boundary of L.R. No. 10447 to its intersection with the western boundary of L.R. No. 10444/2;

thence south-easterly and north-easterly by the western and southern boundaries of that portion to its south-eastern corner;

thence southerly by part of the western boundary of L.R. No. 6221/2 and the western boundary of L.R. No. 10217 to the south-western corner of the last named portion;

thence south-easterly and north-easterly by the southern boundaries of L.R. Nos. 10217, 6559 and 5278 to the intersection of the last named with the Oleolondo River;

thence generally south-easterly and southerly downstream by that river and by the Malewa River into which the Oleolondo merges to its intersection with the northern boundary of L.R. No. 5234;

thence easterly by that northern boundary and the northern boundaries of L.R. Nos. 425/4 and 425/12 to the north-eastern corner of the latter portion;

thence southerly and south-easterly by the eastern boundary of L.R. No. 425/12 to its intersection with the northern boundary of L.R. No. 6506/3;

thence easterly and north-easterly by the generally northern boundary of that latter portion to its intersection with the Muruaki River;

thence generally south-easterly up-stream by that river to its intersection with the north-western boundary of L.R. No. 3787;

thence south-westerly by that boundary to its most westerly corner and continuing by a straight line to the north-eastern corner of L.R. No. 8756;

thence south-easterly by the north-eastern boundaries of L.R. Nos. 8756, 1301/3, 8758 and 3491 to the most easterly corner of the last named portion;

thence south-westerly and south-easterly by the north-western and south-western boundaries of L.R. No. 5239 to the north-western corner of L.R. No. 1960;

thence continuing south-easterly by the south-western boundaries of L.R. Nos. 1960, 6236, 3480, 5256/2, 5256/R, 5257, 10782, to the north-western corner of L.R. No. 1310/8;

thence generally southerly by the generally western boundaries of L.R. Nos. 1310/80, 8339/4, 8171, 1312/5 to the most southerly corner of the last named portion;

thence generally south-easterly and generally southerly by part of the generally western boundary of the Kikuyu Escarpment Forest to its intersection with the most easterly corner of L.R. No. 378/1;

thence south-westerly and north-westerly by the south-eastern and part of the south-western boundaries of L.R. Nos. 378/1 and 378/2 to the most easterly corner of L.R. No. 11192;

thence south-westerly by the south-eastern boundaries of L.R. No. 11192 to the most southerly corner of the latter portion;

thence north-westerly by the south-western boundaries of L.R. Nos. 11192 and 8395 to a beacon Quarantine 2 at the south-western corner of L.R. No. 8396;

thence north-westerly by the generally western boundary of L.R. No. 8396 to the south-western corner of L.R. No. 8398;

thence north-westerly by part of the south-western boundary of that portion to its intersection with the south-eastern boundary of L.R. No. 2662;

thence south-westerly by that boundary to its south-western corner;

thence generally north-westerly by the generally western boundaries of L.R. Nos. 2662, 1380 and 1381 (G.L.) to the most northerly corner of the last named portion;

thence north-westerly and north-easterly by the south-western and north-western boundaries of L.R. No. 10998 to the intersection of the last named boundary with the Marmonent River;

thence generally north-westerly up-stream by that river to its intersection with the south-western boundary of L.R. No. 7265;

thence north-westerly by that boundary to the most southerly corner of L.R. No. 1771;

thence northerly by the western boundary of that portion, to the most easterly corner of the Eastern Mau Forest;

thence south-westerly and north-westerly by the generally southern boundary of that forest to its intersection with the south-eastern boundary of L.R. No. 8669/3;

thence south-westerly by the south-eastern boundaries of L.R. Nos. 8669/3 and 8670 to the most southerly corner of the last named portion;

thence generally north-westerly by the generally south-western boundaries of L.R. Nos. 8670, 8671, 8674, 8675, 8678 and 8680 to the northern-western corner of the last named portion;

thence easterly by the northern boundaries of L.R. Nos. 8680 and 8679 to a beacon EDDIE;

thence south-easterly by the north-eastern boundaries of L.R. Nos. 8679 and 9467 to the north-western corner of L.R. No. 8668;

thence north-easterly by the north-western boundaries of L.R. Nos. 8668, 8667, 8666, 8665 and 8664 to the north-western corner of the last named portion;

thence north-easterly and north-westerly by the generally western boundary of L.R. No. 8663 to the south-western corner of L.R. No. 9583;

thence north-westerly by the south-western boundaries of L.R. Nos. 9583, 8657 and 11569 to the intersection of the last named boundary with the generally southern boundary of the Eastern Mau Forest;

thence generally north-westerly and generally south-westerly by that forest boundary to its intersection with the Amala River;

thence generally south-westerly downstream by that river to a beacon Amala River;

thence on a true bearing of $326^{\circ} 30'$ for a distance of 4,702 feet to beacon Peg 2;

thence on a true bearing of $315^{\circ} 55'$ for a distance of 4,347 feet to a beacon Peg 1;

thence on a true bearing of $303^{\circ} 35'$ for a distance of 6,780 feet to a beacon AN 7A;

thence on a true bearing of $325^{\circ} 08'$ for a distance of 7,860 feet to a beacon NPX;

thence on a true bearing of $350^{\circ} 30'$ for a distance of 24,280 feet to a beacon 69;

thence north-westerly by a straight line to the most southerly corner of L.R. No. 10785/2 (G.L.) on the generally north-western boundary of the Western Mau Forest;

thence generally north-easterly by that forest boundary to the north-eastern corner of L.R. No. 1888;

thence south-easterly by a straight line to the most northerly corner of L.R. No. 8772 on the generally south-eastern boundary of the Western Mau Forest;

thence generally easterly by that forest boundary and generally northerly by the eastern boundary of the same forest to the intersection of the latter with the generally southern boundary of the main Nakuru-Kisumu main railway line reserve;

thence generally westerly by that railway reserve boundary to its intersection with the generally eastern boundary of Londiani Town;

thence generally northerly by part of that town boundary to its most northerly corner on the generally north-western boundary of Mount Londiani Forest;

thence generally north-easterly by that forest boundary to the most southerly corner of L.R. No. 9577;

thence generally north-easterly by part of the generally south-eastern boundary of that portion to a point approximately 1,250 feet from the south-eastern corner of that portion;

thence south-westerly by a straight line to the north-western corner of L.R. No. 9675 on the boundary of the Mount Londiani Forest;

thence generally easterly, generally south-easterly and generally southerly by that forest boundary to the south-eastern corner of L.R. No. 9697/1;

thence by a straight line north-easterly to the most westerly corner of L.R. No. 8905/4 on the generally eastern boundary of Mount Londiani Forest;

thence north-easterly, northerly, generally north-easterly and generally south-easterly by that forest boundary to the most westerly corner of L.R. No. 9856;

thence north-easterly by the north-western boundaries of L.R. Nos. 9856, 487/29, 487/28/4, 487/27, 487/26/4 and by the extended north-western boundary of the last named portion to its intersection with the north-eastern boundary of the Nakuru-Eldama Ravine road reserve;

thence generally south-easterly by that road reserve boundary to its intersection with the north-western boundary of L.R. No. 486/1/R;

thence north-easterly and south-easterly by the north-western and north-eastern boundaries of that portion to the intersection of the latter with the Molo River;

thence generally north-easterly downstream by that river to its intersection with the south-western boundary of L.R. No. 10938;

thence north-westerly, north-easterly, south-easterly, generally southerly and easterly by the south-western, north-western, north-eastern and part of the generally eastern boundaries of L.R. No. 10938 to the north-eastern corner of that portion;

thence generally south-easterly by the generally north-eastern boundary of L.R. No. 10939 to its north-eastern corner;

thence generally south-easterly by the northern boundaries of L.R. Nos. 475/5, and 475/6 and 475/7 to the north-eastern corner of the last named portion;

thence north-easterly by the north-western boundary of L.R. No. 9023 to the south-western corner of L.R. No. 10851;

thence northerly and easterly by the western and part of the northern boundaries of that portion to the south-western corner of L.R. No. 1168/R;

thence generally northerly by the western boundaries of L.R. Nos. 1168/R, 7364, 2680, 8439, 8438, 8437 and original L.R. No. 2682/R (G.L.) to the north-western corner of the last named portion;

thence north-easterly by the northern boundaries of L.R. Nos. 2682/R (G.L.) and 10762 to the intersection of the latter with the Waseges River;

thence generally northerly and north-westerly downstream by that river to its intersection with the north-western boundary of L.R. No. 10753;

thence north-easterly and generally south-easterly by the north-western and north-eastern boundaries of L.R. No. 10753 to its south-eastern corner on the generally western boundary of Marmanet Forest;

thence continuing south-easterly by that forest boundary to the most northerly corner L.R. No. 9469;

thence south-westerly by the north-western boundary of that portion and the south-eastern boundaries of L.R. Nos. 6718 and 10474 to the south-eastern corner of the last named portion;

thence south-westerly and south-easterly by the generally eastern boundary of L.R. No. 2675/8 to the south-eastern corner of that portion;

thence south-easterly by the generally eastern boundaries of L.R. Nos. 5281, 5614, 6518/8, 6518/3 to the north-eastern corner of L.R. No. 6531/1;

thence westerly and south-westerly by the northern and western boundaries of that portion to its south-western corner;

thence continuing south-westerly by the generally western boundary of L.R. No. 8808/2 to the point of commencement.

33. NAROK COUNTY

Commencing at Boundary Pillar No. 17 on the Kenya-Tanzania international boundary;

thence on a true bearing of $346^{\circ} 46'$ to the confluence of the Kasumi (Chesumwe) River with the Migori (Gori) River;

thence generally north-westerly and downstream by the Migori (Gori) River to its intersection with the generally eastern boundary of L.R. No. 8060;

thence generally northerly and north-westerly by that boundary to the most northerly corner of that portion;

thence on a true bearing of $352^{\circ} 38' 46''$ for a distance of 10,964 feet to a beacon A;

thence on a true bearing of $45^{\circ} 48' 54''$ for a distance of its intersection with the south bank of the Sare River;

thence by that line extended to the centre course of that river;

thence generally easterly and up-stream by the centre course of that river to a beacon R at its source;

thence on a true bearing of $82^{\circ} 42' 45''$ for a distance of 4,669 feet to a beacon T;

thence on a true bearing of $73^{\circ} 41' 37''$ for a distance of 6,219 feet to a beacon Makenche;

thence on a true bearing of $76^{\circ} 37' 51''$ for a distance of 15,293 feet to a beacon Nyabitunya W;

thence on true bearing of $74^{\circ} 52' 56''$ for a distance of 3,435 feet to a beacon Nyabitunya;

thence on a true bearing of $75^{\circ} 42' 21''$ for a distance of 11,070 feet to a beacon Onanja;

thence on a true bearing of $76^{\circ} 33' 24''$ for a distance of 10,561 feet to a beacon Gap;

thence on a true bearing of $75^{\circ} 45' 49''$ for a distance of 16,076 feet to a beacon Kisuna;

thence on a true bearing of $76^{\circ} 05' 53''$ for a distance of 55,521 feet to trigonometrical point Gelegele;

thence south-easterly by a straight line to trigonometrical beacon Abossi;

thence continuing south-easterly by a straight line to the confluence of the Amala and Nyangoris River;

thence generally north-easterly up-stream by the centre course of the Amala River to its intersection with the generally south-western boundary of Trans-Mara Forest;

thence north-westerly and north-easterly by the south-western and north-western boundaries of that forest to its north-eastern corner;

thence on a true bearing of $170^{\circ} 30'$ for a distance of 24,280 feet to a beacon NPX;

thence on a true bearing of $145^{\circ} 08'$ for a distance of 7,860 feet to a beacon AN7A;

thence on a true bearing of $123^{\circ} 35'$ for a distance of 6,780 feet to beacon Peg 1;

thence on a true bearing of $135^{\circ} 55'$ for a distance of 4,347 feet to a beacon Peg 2;

thence on a true bearing of $146^{\circ} 30'$ for a distance of 4,702 feet to a beacon AMALA RIVER and continuing on the same true bearing to its intersection with the Amala River;

thence north-easterly up-stream by that river to its intersection with the generally southern boundary of the Eastern Mau Forest;

thence generally easterly, north-easterly and south-easterly by that forest boundary to its intersection with the south-western boundary of L.R. No. 11569;

thence south-easterly by the south-western boundaries of L.R. No. 11569, 8657 and 9583 to the south-western corner of the last named portion;

thence south-easterly and south-westerly by the generally western boundary of L.R. No. 8663 to the north-western corner of L.R. No. 8664;

thence south-westerly by the north-western boundaries of L.R. Nos. 8664, 8665, 8666, 8667 and 8668 to the north-western corner of the last named portion;

thence north-westerly and westerly by the north-eastern and northern boundaries of L.R. No. 8679 to the north-eastern corner of L.R. No. 8680;

thence continuing westerly by the northern boundary of that portion to its north-western corner;

thence generally south-easterly by the generally south-western boundaries of L.R. Nos. 8680, 8678, 8675, 8674, 8671 and 8670 to the most southerly corner of the last named portion;

thence generally north-easterly by the generally southeastern boundaries of L.R. Nos. 8670 and 8669/3 to the intersection of the last named with the generally southern boundary of the Eastern Mau Forest;

thence south-easterly and north-easterly by that forest boundary to the north-western corner of L.R. No. 1771;

thence southerly by the western boundary of that portion to the north-western corner of L.R. No. 7265;

thence south-easterly by the south-western boundary of that portion to its intersection with the Marmonet River;

thence generally south-easterly downstream by that river to its intersection with the north-western boundary of L.R. No. 10998;

thence south-westerly and south-easterly by the north-western and south-western boundaries of that portion to the most northerly corner of L.R. No. 1381;

thence generally south-westerly and generally south-easterly by the generally western boundaries of L.R. Nos. 1381, 1380 and 2662 to the most southerly corner of the last named portion;

thence north-easterly by the south-eastern boundary of L.R. No. 2662 to its intersection with the south-western boundary of L.R. No. 8398;

thence south-easterly by part of that boundary and the south-western boundary of L.R. No. 8396 to beacon Quarantine 2;

thence southerly by a straight line to trigonometrical beacon Nyukie on the summit of Ol Doinyo Nyukie (Suswa);

thence south-westerly by a straight line to Mosiro Hill;

thence generally southerly by the top line of Nguruman Escarpment to Ol Doinyo Lengdrale;

thence due south to the northern boundary of L.R. No. 3867 (the Lake Natron concession);

thence westerly and southerly by part of the northern and the western boundaries of L.R. No. 3867 to the south-western corner of that portion on the meridian 36° east of Greenwich and the Kenya-Tanzania international boundary;

thence north-westerly by that international boundary to the point of commencement.

34. KAJIADO COUNTY

Commencing at a beacon MR on the Kenya-Tanzania international boundary;

thence generally northerly and north-westerly by that international boundary to the south-western corner of L.R. No. 3867 being at the intersection of that international boundary and the 36° meridian east of Greenwich;

thence northerly and easterly by the western and part of the northern boundary of L.R. No. 3867 to the intersection of the latter boundary with a line due south from Ol Doinyo Lengdrale;

thence due north to Ol Doinyo Lengdrale;

thence generally northerly by the top line of Nguruman Escarpment to Mosiro Hill;

thence north-easterly by a straight line to trigonometrical beacon Nyukie on the summit of Ol Doinyo Nyukie (Suswa);

thence northerly by a straight line to a beacon Quarantine 2;

thence south-easterly by the south-western boundaries of L.R. Nos. 8395 and 11192 to the most southerly corner of the latter portion;

thence on a true bearing of $194^{\circ} 42' 28''$ for a distance of 8,377 feet to beacon P;

thence on a true bearing of $195^{\circ} 45' 49''$ for a distance of 16,736 feet to beacon N;

thence on a true bearing of $195^{\circ} 45' 42''$ for a distance of 7,798 feet to beacon M;

thence on a true bearing of $218^{\circ} 11' 19''$ for a distance of 12,962 feet to a beacon L;

thence on a true bearing of $100^{\circ} 53' 20''$ for a distance of 62,841 feet to beacon Masai on the generally southern boundary of the Dagoretti Forest;

thence south-easterly by that forest boundary to the point where the Mbagathi River emerges from the forest;

thence generally south-easterly downstream by that river to its intersection with the north-western boundary of L.R. No. 197;

thence south-westerly and south-easterly by part of the north-western boundary and the south-western boundary of that portion and continuing south-easterly by the south-western boundary of L.R. No. 5842/2 to the most southerly corner of that portion;

thence south-westerly and south-easterly by the north-western and south-western boundaries of L.R. No. 1161 and continuing south-easterly by the south-western boundary of L.R. No. 192/3 to the most southerly corner of that portion;

thence north-easterly by part of the south-eastern boundary of L.R. No. 192/3 to its intersection with the extended western boundary of L.R. No.193/4;

thence south-easterly by the western boundary of the latter portion to its most southerly corner on the corner on the generally north-western boundary of Ololua Forest;

thence north-easterly and generally south-easterly by the north-western and northern-eastern boundaries of that forest to its most easterly point on the Mbagathi River;

thence generally south-easterly downstream by that river and the Embakasi River which form part of the generally south-western boundary of Nairobi National Park and continuing by that park boundary to the north-western corner of L.R. No. 10029;

thence south-westerly, south-easterly and generally north-easterly by the western and part of the south-eastern boundaries of that portion to the intersection of the last named boundary with the generally north-western boundary of L.R. No. 10021;

thence south-westerly by part of that boundary to the most westerly corner of that portion;

thence south-easterly by the south-western boundary of L.R. No. 10021 to its intersection with the generally western boundary of the Nairobi-Mombasa main railway line reserve;

thence generally south-easterly by that railway reserve boundary excluding all former trading centres on that line, to its intersection with the Kiboko River, south-east of Kiboko Station;

thence generally south-westerly up-stream by that river to its intersection with the extended straight line joining trigonometrical beacons Chyulu 1 and Emali;

thence south-easterly by that straight line to trigonometrical beacon Chyulu 1;

thence generally south-easterly and southerly by a series of lines joining the summits of the Chyulu (Ngulia) Range for a distance of approximately 12 miles to trigonometrical beacon Ridge;

thence on a true bearing of $191^{\circ} 34'$ and for a distance of 35,445 feet to trigonometrical station Chamwic;

thence on a true bearing of $233^{\circ} 46'$ for a distance of 10,555 feet to a beacon Lava;

thence on a true bearing of $187^{\circ} 02'$ for a distance of 69,760 feet passing through Magoine Camp site to trigonometrical beacon Rocks, and continuing on that same true bearing for a distance of approximately 760 feet to the intersection of that line with the Rombo (or Ngare Len) River;

thence westerly and up-stream by the course of that river to a point which lies on a true bearing of $0^{\circ} 00' 23''$ and approximately 300 feet from a beacon t.23 on the south side of that river;

thence on a true bearing of $180^{\circ} 00' 23''$ for a distance of approximately 300 feet to the beacon t. 23;

thence continuing on that same true bearing for a distance of 32,009 feet and passing through trigonometrical beacon Mid to a beacon MSE and continuing by that same true bearing of $180^{\circ} 00' 23''$ for a distance of approximately 120 feet to the intersection of that line with the Ollaioni (Tsavo) River;

thence generally south-westerly and up-stream by the course of that river to the confluence of the Njugini River;

thence generally north-westerly and westerly and up-stream by the course of that river to its intersection with the eastern boundary of original L.R. No. 9378;

thence northerly by part of that boundary to trigonometrical beacon Njugini;

thence on a true bearing of $266^{\circ} 02'$ for a distance of 36,637 feet to the point of commencement.

35. KERICHO COUNTY

Commencing at the intersection of Kericho-Sotik road reserve with generally northern boundary of L.R. No. 8270;

thence generally northerly by that road reserve boundary to a point of approximately $\frac{1}{2}$ mile south-west of the confluence of two unnamed rivers south of Kipsonoi River;

thence north-easterly by a straight line to that confluence;

thence continuing generally north-easterly downstream by an unnamed river to its confluence with the Kipsonoi River;

thence generally north-westerly downstream by that river to its confluence with the Sondu River;

thence generally north-westerly downstream by the centre course of that river to a point on a bearing of $181^{\circ} 01' 56''$ and at a distance of 50 feet approximately from a beacon CK;

thence on a bearing of 01° 01' 56" for a distance of 50 feet approximately to a beacon CK;

thence by straight lines each terminating at a beacon on the following true bearings and for the following approximate distances successively to a beacon CK 7—

From Beacon	To Beacon	Bearing	Distance (feet)
CK.	CK. 1	01° 01' 56"	152
CK. 1	CK. 2	15° 24' 34"	346
CK. 2	CK. 3	351° 40' 47"	1,890
CK. 3	D	356° 58' 29"	1,275
D	CK. 4	337° 22' 25"	205
CK. 4	CK. 5	337° 15' 31"	1,893
CK. 5	CK. 6	348° 28' 19"	1,411
CK. 6	CK. 7	356° 27' 44"	3,441
CK. 7	CK. 7X	57° 33' 19"	55
	(in the centre Burara (Asao) River)		

thence generally northerly, downstream by that river to its intersection with a line on a bearing of 234° 41' 58" and at a distance of 113 feet from a beacon CK 8;

thence on a true bearing of 54° 41' 58" for a distance of 113 feet to that beacon;

thence by a straight line each terminating at a beacon on the following true bearings and for the following approximate distance successively to a beacon CK 21—

From Beacon	To Beacon	Bearing	Distance (feet)
CK. 8	CK. 9	54° 41' 58"	1,372
CK. 9	CK. 10	83° 26' 38"	758
CK. 10	CK. 11	61° 07' 26"	480
CK. 11	CK. 12	68° 48' 49"	1,483
CK. 12	CK. 13	59° 38' 50"	1,683
CK. 13	CK. 13X	51° 23' 23"	766
CK. 13X	CK. 13XA	57° 24' 16"	677
CK. 13XA	CK. 14	36° 10' 07"	927
CK. 14	CK. 15	44° 04' 58"	1,944
CK. 15	CK. 15X	52° 56' 46"	676
CK. 15X	CK. 16	42° 49' 10"	1,548
CK. 16	CK. 17	49° 18' 28"	2,976
CK. 17	CK. 18	50° 54' 13"	1,003
CK. 18	CK. 19	49° 33' 19"	1,182
CK. 19	CK. 20	49° 14' 05"	766
CK. 20	CK. 21	31° 32' 00"	1,956
CK. 21	CK. 21B	46° 16' 49"	522

thence continuing on the same true bearing of 46° 18' 49" to its intersection with the centre course of the Awach River;

thence generally northerly downstream by that river to its intersection with an extended straight line from beacon CK 22 through beacon CK 22A;

thence on a true bearing of 25° 08' 20" for a distance of approximately 165 feet through beacon CK 22A to Beacon CK 22;

thence by straight lines each terminating at a beacon on the following true bearing and for the following distances successively to beacon CK55—

<i>From Beacon</i>	<i>To Beacon</i>	<i>Bearing</i>	<i>Distance (feet)</i>
CK. 22	CK. 23	358° 07' 38"	1,254
CK. 23	CK. 24	8° 35' 28"	1,403
CK. 24	CK. 25	8° 12' 40"	819
CK. 25	CK. 28	2° 20' 11"	485

<i>From Beacon</i>	<i>To Beacon</i>	<i>Bearing</i>	<i>Distance (feet)</i>
CK. 26	CK. 27	11° 05' 00"	825
CK. 27	CK. 28	17° 23' 18"	242
CK. 28	CK. 29	353° 49' 10"	635
CK. 29	CK. 30	348° 49' 55"	436
CK. 30	CK. 31	12° 18' 58"	731
CK. 31	CK. 32	10° 42' 28"	811
CK. 32	CK. 33	31° 28' 43"	946
CK. 33	CK. 34	14° 46' 41"	1,036
CK. 34	CK. 35	354° 00' 33"	1,816
CK. 35	CK. 36	1° 02' 52"	856
CK. 36	CK. 37	18° 14' 24"	1,491
CK. 37	CK. 38	6° 36' 34"	3,377
CK. 38	CK. 39	5° 58' 12"	1,944
CK. 39	CK. 40	5° 35' 21"	2,231
CK. 40	CK. 41	13° 48' 54"	1,476
CK. 41	CK. 42	18° 18' 37"	3,832
CK. 42	CK. 43	17° 29' 44"	1,231
CK. 43	CK. 44	28° 53' 34"	431
CK. 44	CK. 45	49° 02' 49"	2,870
CK. 45	CK. 46	40° 56' 09"	1,456
CK. 46	CK. 47	76° 30' 49"	1,367
CK. 47	CK. 48	76° 39' 41"	4,756
CK. 48	CK. 49	83° 10' 33"	2,402
CK. 49	CK. 50	73° 31' 37"	3,215
CK. 50	CK. 51	31° 37' 10"	3,942
CK. 51	CK. 52	27° 31' 53"	4,669
CK. 52	CK. 53	30° 43' 21"	4,576
CK. 53	CK. 54	51° 09' 34"	101
CK. 54	CK. 55	21° 23' 22"	1,297

thence by a line on a true bearing of $26^{\circ} 42' 10''$ for a distance of 5,246 feet through CK56 to its intersection with the centre course of the Nyando River;

thence generally south-easterly and easterly up-stream by that river to its confluence with the Kipchoriet River;

thence generally north-easterly up-stream by that river to its intersection with the eastern boundary of L.R. No. 3113;

thence north-westerly by that boundary across the main Nakuru-Kisumu railway reserve and continuing generally north-westerly by the eastern boundary of L.R. No. 11089 to the northern-east corner of the latter portion;

thence westerly by the northern boundaries of L.R. Nos. 11089, 1445/5 and 7550 to the north-western corner of the last named portion;

thence north-westerly by the north-eastern boundaries of L.R. Nos. 4492, 6030 and 4193/8 to the most northerly corner of the last named portion;

thence south-westerly by the north-western boundary of L.R. No. 4193/8 to its intersection with the north-eastern boundary of L.R. No. 5433/2;

thence north-westerly by the north-eastern boundaries of L.R. Nos. 5433/2, 5433/1 (G.L.), 7575/1 and 11257/1 to the south-eastern corner of L.R. No. 5481;

thence westerly, north-westerly and northerly by the southern and generally western boundaries of L.R. Nos. 5481 and 1629/R to the north-western corner of the last named portion;

thence east-north-easterly by the northern boundary of the same portion and the northern boundary of L.R. No. 11257/3 to the north-eastern corner of the latter portion;

thence north-easterly, south-easterly by the generally northern boundaries of L.R. No. 1453/R and continuing south-easterly by the northern boundary of L.R. No. 7297 to the north-western corner of L.R. No. 1448/2;

thence easterly by the northern boundary of L.R. No. 1448/2 to its intersection with the north-western boundary of L.R. No. 11060;

thence north-easterly by the north-western boundaries of L.R. Nos. 11060, 11059, 4010/1 and 4010/4 to the most northerly point of that portion;

thence north-westerly by a straight line to the most southerly corner of L.R. No. 5499 on the generally north-western boundary of Tinderet Forest;

thence generally north-easterly and northerly by that forest boundary to a beacon Nr C4 at the north-eastern corner of L.R. No. 8000;

thence generally easterly by that forest boundary to the north-western corner of L.R. No. 8925;

thence generally easterly by the northern boundary of that portion to its intersection with the generally north-eastern boundary of Tinderet Forest;

thence generally south-easterly by that forest boundary to its intersection with the generally north-western boundary of Mount Londiani Forest;

thence generally south-westerly by the latter forest boundary to the most northerly corner of Londiani Town;

thence generally southerly by part of the eastern boundary of that town to its intersection with the southern boundary of the main Nakuru-Kisumu railway reserve;

thence generally easterly by that railway reserve boundary to the north-eastern corner of the western Mau Forest;

thence generally southerly and generally westerly by the eastern and part of the generally south-eastern boundary of that forest to the most northerly corner of L.R. No. 8772;

thence north-westerly by a straight line to the north-eastern corner of L.R. No. 1888, on the generally north-western boundary of the Western Mau Forest;

thence generally south-westerly by part of that forest boundary to the most southerly corner of L.R. No. 10785/2 (G.L.);

thence south-easterly by a straight line to its intersection with Kiptiget River;

thence south-westerly by that river to its intersection with western boundary of South Western Mau Forest;

thence generally northerly, westerly, northerly by that forest boundary to its intersection with the southern boundary of Chaik Location;

thence westerly, south-westerly by that location boundary and continuing southerly by eastern boundary and Kisiara, Litein and Techoget Locations;

thence generally westerly by the southern boundary of Techoget to its intersection with Sotik Urban Council boundary;

thence westerly by that boundary to its intersection with Kipsonoi River;

thence northerly downstream by that river to its intersection with northern boundary of L.R. No. 8270;

thence westerly, southerly by that boundary to the point of commencement.

36. BOMET COUNTY

Commencing at the trigonometrical point Gelegele at the southern corner of L.R. No. 8997;

thence generally northerly by the Manga Hill Ridge to the south-west corner of L.R. No. 3644/10;

thence generally easterly by the southern boundaries of that portion to its south-eastern corner;

thence north-easterly by the south-eastern boundaries of L.R. Nos. 3644/10, 5460/3 and 5460/1 to the most easterly corner of the last named portion;

thence north-westerly by part of the generally western boundary of L.R. No. 10099/2 to the most southerly corner of L.R. No. 946/1;

thence continuing north-westerly by the south-western boundary of L.R. No. 946/1 and part of the south-western boundary of L.R. No. 5411 to the intersection of the latter with the generally north-western boundary of the Kisii-Sotik road reserve;

thence generally north-easterly by that road reserve boundary to its intersection with the eastern boundary of the Kericho-Sotik road reserve;

thence generally northerly by that road reserve boundary to the intersection with generally northern boundary of L.R. No. 8270;

thence generally northerly by that road reserve boundary to its intersection with generally northern boundary of L.R. No. 8270;

thence generally north-easterly by that boundary to its intersection with Kipsonoi River;

thence up-stream by that river to its intersection with Sotik Urban Council boundary;

thence easterly by that boundary to its intersection with northern boundary of Kipletudo Location;

thence easterly by that location boundary to its intersection with Mogosiek Location boundary;

thence northerly by the western boundary of that location and continuing generally with the western and northern boundary of Kimulot and Saosa to its intersection with West Mau Forest boundary;

thence south-westerly, south-easterly by that boundary to its intersection with Kiptiget River;

thence generally north-easterly up-stream by that river to its intersection with Nakuru-Kericho County boundary;

thence southerly-easterly by that common County boundary by a straight line to the north-easterly corner of the Trans-Mara Forest;

thence south-westerly and south-easterly by the north-western and south-western boundaries of that forest to the intersection of the latter boundary with the Amala River;

thence generally north-easterly up-stream by that river to its intersection with Nakuru-Kericho County boundary;

thence north-westerly by a straight line to the trigonometrical beacon Abossi;

thence continuing north-westerly by a straight line to the trigonometrical beacon Gelegele, the point of commencement.

37. KAKAMEGA COUNTY

Commencing at the confluence of the Namayakalo with the Nang'eni River;

thence generally north-easterly and up-stream by the course of the Namayakalo River for a distance of approximately 2 kilometres (1¼ miles) to a point south-west of Munami Market;

thence north-easterly by a straight line for a distance of approximately 1.6 kilometres (1 mile) to that market;

thence generally northerly following that part of the boundary between Bukhayo Location (Busia County) and the Wanga Location (Kakamega County), to the Sio River;

thence generally easterly and up-stream by the course of that river to the confluence of the Kabula River;

thence generally south-easterly and up-stream by the course of that river to a point approximately 0.4 kilometres (¼ of a mile) west of Kabula Market;

thence south-easterly by a straight line to its intersection with the Bungoma-Mumias road (C. 590) at a point approximately 0.8 kilometres ($\frac{1}{2}$ mile) south of Kabula Market;

thence east-south-easterly by a straight line to the source of the Sikendeloba, a tributary of the Khalaba River;

thence generally south-easterly and downstream by that tributary to its confluence with the Khalaba River;

thence generally north-easterly and up-stream by the course of that river for a distance of approximately 4 kilometres ($2\frac{1}{2}$ miles);

thence south-easterly by a straight line to the source of the Msamba River;

thence generally south-easterly and downstream by the course of that river to its confluence with the Nzoia River;

thence generally north-easterly, generally northerly and generally easterly and up-stream by the centre course of that river to the intersection on the south bank of the eastern boundary of L.R. No. 1804/R at a point north-west of Moi's Bridge;

thence generally southerly by the eastern boundaries of L.R. Nos. 1804/R and 7223 to the south-west corner of L.R. No. 11564;

thence generally northerly and easterly by the southern boundary of that farm following the course of the Little Nzoia River to the north-east corner of L.R. No. 9504;

thence southerly by the eastern boundaries of L.R. Nos. 9504 and 9505 to the intersection of the latter boundary with the Kipsangwe River;

thence up-stream by the course of that river to the north-west corner of L.R. No. 10248;

thence southerly by the western boundaries of that farm and of part of the western boundary of L.R. No. 10249 to the north-east corner of L.R. No. 8510/2;

thence by the eastern boundary of that farm to its intersection with the generally northern boundary of the former Soy Trading Centre;

thence by the generally western boundaries of the former Soy Trading Centre and L.R. No. 805/R to the intersection of the western boundary of that farm with the Sergoit River;

thence generally south-westerly, downstream by the course of that river, to its intersection with the generally eastern boundary of the former Turbo Trading Centre;

thence generally northerly, westerly and southerly by the generally eastern, northern and western boundaries of that former trading centre to the intersection of the last boundary with the Sergoit River;

thence south-westerly and downstream by the course of that river which forms the south-eastern boundary of L.R. No. 7446 to its most southerly corner;

thence north-westerly by the south-western boundary of that farm and northerly by part of the western boundary to its intersection with the Murogusi River;

thence south-westerly and downstream by the course of that river which forms the south-eastern boundaries of L.R. Nos. 3832/3 and 3832/1, and part of the south-eastern boundary of L.R. No. 7825, to the intersection of that river with the generally western boundary of the railway reserve of the Eldoret-Tororo main railway line;

thence generally south-westerly by that railway reserve boundary to its intersection with the northern boundary of the Turbo-Webuye Falls road reserve at Kipkarren River Station;

thence generally westerly by that road reserve boundary to its intersection with the south-western boundary of L.R. No. 4719;

thence south-easterly by part of the latter boundary to the most northerly corner of L.R. No. 6176;

thence south-westerly by the western boundaries of L.R. Nos. 6176 and 4130 to the most westerly corner of the latter farm at beacon 88S8;

thence on a true bearing of $131^{\circ} 08' 00''$ for a distance of 8,428 feet to beacon NN. 20;

thence on a true bearing of $138^{\circ} 18' 50''$ for a distance of 2,496 feet to beacon NN. 19;

thence on a true bearing of $109^{\circ} 36' 20''$ for a distance of 5,492 feet to beacon NN. 18;

thence on a true bearing of $130^{\circ} 22' 30''$ for a distance of 9,198 feet to beacon NN. 17;

thence on a true bearing of $174^{\circ} 29' 20''$ for a distance of 4,820 feet to beacon NN. 16;

thence on a true bearing of $132^{\circ} 08' 40''$ for a distance of 7,964 feet to beacon NN. 15;

thence on a true bearing of $149^{\circ} 48' 00''$ for a distance of 6,555 feet to beacon NN. 14;

thence on a true bearing of $151^{\circ} 51' 30''$ for a distance of 10,835 feet to beacon NN. 13;

thence on a true bearing of $155^{\circ} 02' 40''$ for a distance of 7,883 feet to beacon NN. 12;

thence on a true bearing of $181^{\circ} 52' 00''$ for a distance of 16,106 feet to beacon NN. 11;

thence on a true bearing of $200^{\circ} 45' 10''$ for a distance of 6,762 feet to beacon NN. 10;

thence on a true bearing of $299^{\circ} 20' 40''$ for a distance of 4,991 feet to beacon NN. 9;

thence on a true bearing of $171^{\circ} 16' 10''$ for a distance of 13,626 feet to beacon NN. 8;

thence on a true bearing of $135^{\circ} 00' 00''$ for a distance of 450 feet to beacon NN. 7;

thence on a true bearing of $158^{\circ} 12' 50''$ for a distance of 8,939 feet to beacon NN. 6;

thence on a true bearing of $151^{\circ} 35' 10''$ for a distance of 4,355 feet to beacon NN. 5;

thence on a true bearing of $154^{\circ} 46' 00''$ for a distance of 7,077 feet to beacon NN. 4;

thence on a true bearing of $150^{\circ} 14' 10''$ for a distance of 3,046 feet to beacon NN. 3;

thence on a true bearing of $159^{\circ} 38' 30''$ for a distance of 1,187 feet to beacon NN. 2;

thence on a true bearing of $155^{\circ} 49' 30''$ for a distance of 5,211 feet to beacon NN. 1;

thence on a true bearing of $172^{\circ} 07' 10''$ for a distance of 2,458 feet to beacon SKP. 11 (Chakiakak);

thence on a true bearing of $267^{\circ} 35' 18''$ for a distance of 6,188 feet to beacon 19NE;

thence on a true bearing of $280^{\circ} 30' 46''$ for a distance of 2,087 feet to beacon Kipsogur;

thence on a straight line on a true bearing of $201^{\circ} 35' 28''$ to its intersection with Ikuywa River;

thence westerly up-stream to its intersection with Yala River;

thence up-stream to its intersection with eastern boundary of South Idakho Location;

thence southerly, then westerly by the southern boundary of that location and continuing to the southern boundary of East Kisa and West Kisa Locations to its intersection with common boundary of Kakamega and Siaya Counties;

thence northerly, westerly, northerly by the southern boundary of West Kisa Location and continuing with the western boundary of South Marama, South Wanga and Koyonzo Locations to the point of commencement.

38. VIHIGA COUNTY

Commencing at the intersection of northern boundary of West Bunyore Location with common boundary between Vihiga and Siaya;

thence easterly by that boundary and continuing with the northern North Bunyore, West Maragoli, East Maragoli and Shamakhokho Locations to its intersection with a line on true bearing of 201° 35' 28" from Kipsogur;

thence southerly by the same true bearing to beacon RB;

thence on a true bearing of 273° 42' 22" for a distance of 5,037 feet to beacon FE;

thence on a true bearing of 198° 24' 53" for a distance of approximately 11,048 feet to the centre course of the Yala River;

thence downstream by the centre course of that river to its intersection with a line bearing 28° 35' 34" from a beacon NW on the south bank of that river;

thence by that line through beacon NW on a true bearing of 208° 35' 34" and for a distance of approximately 3,098 feet to the Mchomekek River;

thence up-stream by the course of that river to its intersection with the east or south side of the Eldoret-Kisumu main road reserve;

thence south-westerly by that road reserve boundary for a distance of approximately 1.6 kilometres (1 mile) to a point where the road turns sharply north-west;

thence by a line generally south-westerly to the confluence of the Kibeita and Mwala streams on the south side of the Eldoret-Kisumu main road reserve;

thence by a straight line south-westerly to its intersection with the south-eastern boundary of the aforementioned road reserve at a point approximately 0.8 kilometres (½ mile) north of Musasa Market;

thence southerly by that road reserve boundary to Musasa Market;

thence generally south-westerly following a shallow ditch to the source of the Sigong (North) stream;

thence continuing generally south-westerly to the confluence of the Sigong and Garagoli streams;

thence following the Garagoli stream to its confluence with the Maryan stream;

thence generally southerly by a straight line to the confluence of the Chemongo and Sous streams;

thence continuing generally southerly up-stream by the Sous stream to its source in the vicinity of Serem Market;

thence continuing south-westerly, by a straight line, to the intersection of that line with the north side of the Serem road junction;

thence continuing generally south-westerly by the generally eastern boundaries of the Kapsotik and Banja Sub-locations to the intersection of the generally northern boundary of the Kapkerer Sub-location of the Nyang'ori Location;

thence continuing generally westerly and south-westerly by the generally northern and north-western boundaries of the latter sub-location to its intersection with the generally north-eastern boundary of Kapsengere Sub-location;

thence by that boundary generally westerly to its intersection with the eastern side of the Kisumu-Kapsabet road reserve;

thence generally southerly by that road reserve boundary to its intersection with the northern boundary of the Nyang'ori Mission land;

thence north-easterly, south-easterly, south-westerly and north-westerly by part of the generally northern, the eastern, the southern and part of the generally western boundaries of the Nyang'ori Mission land to the intersection of the generally northern boundary of the Kisumu Location of Kisumu County;

thence generally westerly by that location boundary to its intersection with the north-eastern boundary of Maseno Town;

thence generally north-westerly, south-westerly and southerly by that town boundary to its south-western corner;

thence southerly, westerly and northerly by eastern, southern and western boundary of South Bunyore Location and continuing with western boundary of West Bunyore Location to the point of commencement.

39. BUNGOMA COUNTY

Commencing at a point on the Kenya-Uganda international boundary in the vicinity of Hot Springs where the Suam River emerges from the crater of Mount Elgon;

thence south-easterly by a straight line to the source of the Kimothon River;

thence continuing generally south-easterly and downstream by the course of that river for a distance of approximately 7 kilometres (4½ miles) to the intersection of a cut and beacons line with the south bank;

thence south-westerly and south-easterly by that cut and beacons line to a beacon at the south-western corner of L.R. No. 6439/2;

thence continuing generally south-easterly by the south-western boundary of portion to its intersection with the Kaptesang River;

thence generally easterly, south-easterly, south-westerly and generally southerly downstream by the course of that river and the Kamakoiwa River to the intersection of the southern boundary of L.R. No. 5776/2 with the east bank of that river;

thence east-north-easterly by the southern boundaries of L.R. Nos. 5776/2 and 5777/3 and continuing across a road of access to the south-western corner of original L.R. No. 8979;

thence generally north-easterly by the southern boundaries of the latter portion and of L.R. No. 8994 to the Ewaso Rongai River;

thence continuing generally north-easterly and up-stream by the course of that river to the intersection of the southern boundary of L.R. No. 8987 with the east bank;

thence continuing east-north-easterly and generally northerly by the southern boundaries and part of the eastern boundary of that portion to the intersection of the extreme southern boundary of L.R. 7059/2;

thence continuing east-north-easterly by the southern boundary of that portion and the southern boundary of L.R. No. 7060 to the intersection of the latter boundary with the western boundaries of L.R. No. 8986;

thence south-westerly and generally east-north-easterly by part of the western and the southern boundaries of that portion to the intersection of the latter boundary with the Nzoia River;

thence downstream by that river to its confluence with the Msamba River;

thence up-stream by the course of that river for a distance of approximately 6 kilometres (4 miles) to its source;

thence north-westerly by a straight line for a distance of approximately 1 mile to the Khalaba River;

thence downstream by the course of that river for a distance of approximately 4 kilometres (2½ miles) to its confluence with its tributary, the Sikendeloba River;

thence generally westerly by the course of that river, and continuing along the alignment of that river for a distance of approximately 1 mile to the Bungoma- Mumias road (C.590), at a point approximately 0.8 kilometres (½ mile) south of Kabula Market;

thence north-westerly for a distance of approximately 1 mile to the source of the Kabula River;

thence downstream by the course of that river to its confluence with the Sio River;

thence generally westerly and downstream by the course of that river to the intersection of the generally western boundary of West Bukusu Location;

thence generally northerly by that location boundary to the intersection of the generally western boundary of South Myanga Sub-location;

thence generally north-westerly and north-easterly by the generally western boundaries of South Myanga and North Myanga Sub-locations to a bridge on the Bungoma-Lukolisi road (C.5049) where that road crosses the Mosokota River;

thence generally north-westerly by the generally western boundary of North Myanga Sub-location to a bridge on the Tororo-Bungoma railway line;

thence generally northerly by a track to the most north-easterly corner of Lupida Sub-location;

thence generally easterly by the southern boundary of Kocholia Sub-location for a distance of approximately $\frac{1}{4}$ of a mile to the most-westerly corner of West Sibot Sub-location;

thence generally north-easterly and northerly by the generally western boundary of that sub-location to a point on the Malakisi River approximately 1.6 kilometres (1 mile) north-west of Bitobo School;

thence up-stream by the course of that river in a generally north-easterly direction to its confluence with a tributary named Kisawiyi;

thence generally north-westerly to the highest point on a hill known as Mwaliye, approximately $\frac{3}{4}$ of a mile west of the former Malakisi Trading Centre;

thence generally north-easterly to the north-western corner of that former trading centre;

thence north-easterly by that former trading centre boundary for a distance of approximately $\frac{1}{4}$ of a mile to the intersection of a track which forms part of the generally western boundary of Malakisi Location;

thence generally north-easterly and northerly by the generally western boundary of that sub-location to a point on the Malakisi River approximately 1.6 kilometres (1 mile) north-west of Bitobo School;

thence up-stream by the course of that river in a generally north-easterly direction to its confluence with a tributary named Kisawiyi;

thence generally north-westerly to the highest point on a hill known as Mwaliye, approximately 1.2 kilometres ($\frac{3}{4}$ of a mile) west of the former Malakisi Trading Centre;

thence generally north-easterly to the north-western corner of that former trading centre;

thence generally north-westerly, easterly by the western and northern boundary of Malakisi Location and continuing with southern boundary of Namumbila and Lwandanyi Locations to intersection with the Kabukara River;

thence generally north-westerly and downstream by the course of that river to its confluence with the Lwakaka (Lwakhakha) River, which forms part of the Kenya-Uganda international boundary;

thence generally north-easterly and up-stream by the centre line of that river to its source (at a latitude of approximately $1^{\circ} 06' 23''$ N.);

thence easterly by a straight line for a distance of approximately 17,600 feet to the second highest summit of Mount Elgon at an altitude of approximately 14,140 feet;

thence northerly by a straight line for a distance of approximately 17,500 feet to the point of commencement.

40. BUSIA COUNTY

Commencing at a point on the Kenya-Uganda international boundary at the confluence of the Kabukara River with the Lwakaka (Lwakhakha) River;

thence generally south-easterly and up-stream by the northern and eastern boundary of North Teso Location to its intersection with northern boundary of Central Teso Location;

thence generally south-westerly by the western boundary of that location and continuing with the eastern boundary of East Bukhayo, Central Bukhayo, Marachi East, to its intersection with east-southern corner of Marachi Central;

thence westerly by southern boundary of Marachi Central and Marachi West to its intersection with eastern boundary of Samia North Location;

thence generally south westerly by that boundary and continuing with eastern boundary of Samia South, East Bunyala, South Bunyala to its intersection with Kenya-Uganda international boundary at a point in Lake Victoria north-west of Mageta Island;

thence by a straight line north-westerly to the most southerly point of Sumba Island;

thence by the south-western and western shores of that land to its most northerly point;

thence by a straight line north-easterly to the centre of the mouth of the Sio River;

thence up-stream by the centre line of that river to its confluence with the Sango River;

thence up-stream by the centre line of the Sango River to its source, marked by Boundary Pillar X covered by a cairn of stones;

thence by a straight line on a true bearing of $40^{\circ} 56' 08''$ for a distance of 502.7 feet to a stone;

thence by a straight line on a true bearing of 40° 58' 00" for a distance of 933.6 feet to Boundary Pillar Y near the main Mumias-Busia road;

thence by straight lines each terminating at a boundary pillar on the following bearings and for the following distance successively —

From Pillar	To Pillar	Bearing	Distance (feet)
B.P. Y	B.P. 1	58° 27' 17"	2,384
B.P. 1	B.P. 2	51° 43' 55"	483
B.P. 2	B.P. 3	44° 08' 44"	1,512
B.P. 3	B.P. 4	51° 24' 49"	590
B.P. 4	B.P. 5	41° 08' 52"	1,007
B.P. 5	B.P. 6	49° 08' 07"	978
B.P. 6	B.P. 7	67° 43' 11"	959
B.P. 7	B.P. 8	54° 07' 02"	1,228
B.P. 8	B.P. 9	70° 09' 26"	550

thence by the last line extended for a distance of approximately 54 feet to Alupe River;

thence downstream by the centre line of that river to its confluence with the Kame River;

thence downstream by the centre line of the Kame River to its intersection with the eastern boundary of the Busia-Tororo road, which boundary is 100 feet distant from, and parallel to, the centre line of that road;

thence by that eastern boundary of that road northerly to its intersection with the Malaba River;

thence up-stream by that river and the Lwakhakha River to the point of commencement.

41. SIAYA COUNTY

Commencing at trigonometrical pillar New Samia at the north-west corner of North Ugenya Location on the boundary between Western and Nyanza provinces;

thence by that location boundary south-easterly, by a straight line, to the source of the Okhakhala River;

thence continuing generally south-easterly downstream by the course of that river to its confluence with the Guala River;

thence generally northerly and up-stream by the course of that river to the confluence of the Ofula Stream;

thence easterly by that stream to its source;

thence continuing by the generally northern boundary of North Ugenya, Sihayi, and East Ugenya Location and continuing south-easterly by East Ugenya Location boundary to its intersection with Uholo North Location;

thence southerly by the eastern boundary of Uholo North and Uholo East Location to its intersections with the Viratsi River;

thence generally south-westerly, and downstream by the course of that river to its confluence with the Adoho River which forms the north-eastern boundary of Yiro sub-location of South Ugenya Location;

thence generally north-easterly and up-stream by the course of that river for a distance of approximately 2.8 kilometres (1¼ miles) to its confluence with the Okwero River;

thence generally north-easterly and up-stream by that river to its source at the most northerly corner of Ruwe Sublocation at a point approximately quarter of a mile south of Musanda Village;

thence south-easterly by a motorable track which forms the north-eastern boundary of Ruwe Sub-location to the Viratsi River;

thence generally south-easterly and south-westerly by the generally eastern boundaries of Yiro Sub-location to the Sega River;

thence up-stream and generally easterly by the course of that river which forms part of the north-eastern boundary of the Malanga Sub-location and the northern boundary of the Regea Sub-location, both of which are in the North Gem Location, to the intersection of the eastern boundary of Regea Sub-location on the south side of the Sega River;

thence generally southerly, south-westerly and westerly, including Regeya Village, to the north-east corner of Maliera Sub-location of the North Gem Location;

thence southerly, south-easterly and again southerly by the generally eastern boundaries of Maliera Sub-location to the northern boundary of the Nyawara Sublocation of South Gem Location;

thence generally easterly and south-easterly by part of the latter sub-location boundary to the intersection of the north-western boundary of the Nyamnia Sublocation of the North Gem Location;

thence generally northerly and generally easterly by the latter sub-location boundary and continuing northerly by the north-western boundary of the Anyiko Sub-location of the North Gem Location to the Sawoso River;

thence generally south-easterly and north-easterly and up-stream by the course of that river to its source;

thence by a straight line north-easterly to the source of the Tartaru (Tatiro) Stream;

thence generally easterly and south-easterly by that stream to its confluence with the Yala River;

thence generally south-easterly, southerly and south-westerly by part of the common boundary between the (North) Gem and Kisa locations which boundary is formed partly by the Yala River, and continuing south-easterly and southerly by that location boundary to its intersection with the northern boundary of the Yala-Kaimosi road reserve (C. 535) in the vicinity of Ebukambuli Market;

thence south-westerly and generally southerly by the common boundary between (North) Gem and Kisa locations to the Edzawa River;

thence south-westerly and downstream by the course of that river for approximately $\frac{1}{2}$ a mile;

thence generally southerly by part of the common boundary between the North Gem and Bunyore locations to the point where that boundary intersects the west side of the Yala-Maseno road reserve (B. 8);

thence south-easterly by that road reserve boundary for approximately $\frac{3}{4}$ of a mile to its intersection on the west side, with the southern boundary of the Marenyo Sub-location of the North-Gem Location;

thence westerly by part of that boundary to the intersection of the eastern boundary of Lihanda Sub-location;

thence generally southerly and south-westerly by the generally eastern boundaries of the Lihanda and Uranga Sub-locations of the North Gem Location and continuing generally southerly and south-westerly by the common boundary between the South Gem and Seme Locations, to its intersection with the generally northern boundary of Rata Sub-location of the Seme Location;

thence generally south-westerly and south-easterly by the generally northwestern and south-western boundaries of the Seme Location to the latter's intersection with the north shore of the Kavirondo Gulf;

thence by prolongation of the last boundary by a straight line on a true bearing of $161^{\circ} 30''$ (approximately) for a distance of about 9 statute miles to its intersection with a straight line, which is defined as a straight line from a point in the Kavirondo Gulf midway between Ndu (Ndere) Island to the north and the most northerly point of the shore line between Homa Point and Kenda to the south running southwesterly to a point between Homa Point to the south-east and the south-east shore of Uyoma Location of Siaya District to the northwest;

thence by part of the latter straight line south-westerly to the point aforementioned midway between Homa Point and the nearest point on the shore of Uyoma;

thence by a straight line south-westerly to a point midway between Uyoma Point and White Rock Point;

thence westerly and northerly by the centre line of Rusinga Channel to its intersection with a line running east of the most northerly point of Ngothe Island;

thence by the latter straight line due west to its intersection with the Kenya-Uganda international boundary;

thence generally northerly by that international boundary to a point in Lake Victoria north-west of Mageta Island and due west of a point on the lake shore line where that shore line is intersected by the north-western boundary of the Yimbo Location of the Siaya District;

thence due east by a straight line to that point of intersection;

thence generally north-easterly by part of the generally western boundary of Yimbo Location and continuing generally, crossing the Yala Swamp, by the western boundary of the Busonga Location to the intersection of that boundary with the south bank of the Nzoia River at a point north-north-west of Siamungu Market;

thence generally north-easterly and up-stream by the course of that river to the intersection of the generally western boundary of North Ugenya Location;

thence by part of the generally western boundary of that location, north-easterly, easterly, generally southerly and generally northerly to Odima Hill;

thence generally north-easterly by part of the generally western boundary of North Ugenya Location to the point of commencement.

42. KISUMU COUNTY

Commencing at the intersection of the common boundary between the South Gem and Seme Locations with the generally northern boundary of Rata Sub-location of the Seme Location;

thence generally easterly and generally southerly by that sub-location boundary to its intersection with the north-western boundary of the Kolunje Sub-location of the Seme Location;

thence generally north-easterly by that boundary to its intersection with the common boundary of the Seme and Kisumu Locations;

thence generally northerly by that common boundary to a point common to the Seme, Kisumu and Bunyore Locations boundaries;

thence north-easterly by the common boundary between the Bunyore and Kisumu Locations to its intersection with the generally south-western boundary of Maseno Town;

thence generally northerly and north-easterly by the generally western and north-western boundaries of that town to its most northerly corner;

thence generally south-easterly by the generally north-eastern boundary of Maseno Town to its intersection with the generally northern boundary of the Kisumu Location;

thence generally easterly by part of that boundary to its intersection with the western boundary of the Maseno Sub-location of Kisumu Location;

thence generally south-westerly and generally north-easterly by part of the western and generally southern boundaries of that sub-location to the generally north-eastern boundary of the Kisumu Location;

thence generally south-easterly and generally north-easterly by that location boundary to its intersection with the generally eastern boundary of the Kisumu-Kakamega road reserve (B. 2/1);

thence generally south-easterly by that road reserve boundary to its intersection with the common boundary of the Nyang'ori and Kajulu Locations on the north side of that road reserve;

thence generally north-easterly by that common boundary which is marked by a line of cairns to the most northerly point of Kajulu Location approximately one mile south of Banja Market;

thence by a straight line south-westerly to a beacon at the extreme north-eastern corner of L.R. No. 654/18;

thence generally southerly by the generally eastern boundaries of that portion to a beacon at the most northerly corner of L.R. No. 654/R;

thence following the line at the foot of the Nandi Escarpment generally south-easterly by the generally north-eastern boundary of L.R. No. 654/R to the north-western corner of L.R. No. 10419;

thence easterly by the northern boundaries of L.R. Nos. 10419, 1494 and part of the northern boundary of L.R. No. 5446 to its intersection with the northern boundary of L.R. No. 2724 (Waterfall Reserve);

thence north-easterly and south-westerly by the northern and eastern boundaries of that reserve to the north-western corner of L.R. No. 7545/3;

thence generally easterly, and continuing to follow the foot of the Nandi Escarpment and by the generally boundaries of L.R. Nos. 7545/3, 7545/1 (G.L.) and again 7545/3 to a beacon at the north-eastern corner of L.R. No. 7545/3 and on the western boundary of L.R. No. 1602/5;

thence northerly and south-easterly by part of the western and the northern boundary of the latter portion to the north-western corner of L.R. No. 1603;

thence southerly and easterly by the western and southern boundary of original L.R. No. 1603 and continuing easterly by the southern boundaries of L.R. Nos. 1604/R and 1605 to the north-eastern corner of original L.R. No. 1587/R;

thence south-easterly by part of the generally eastern boundaries of original L.R. No. 1587/R to the most northerly corner of original L.R. No. 1587/1 (Kiboin Salt Lick);

thence south-westerly, south-easterly, north-easterly and again south-easterly by the generally eastern boundaries of original L.R. No. 1587/R to the Kundos (Kapchure) River;

thence generally north-easterly and up-stream by the course of that river to its intersection with the south-western boundary of L.R. No. 1608/1;

thence by the boundary, north-westerly for a distance of approximately 65 feet to a beacon at the south-western corner of L.R. No. 1608/1;

thence north-easterly by the north-western boundaries of L.R. Nos. 1608 and 6008 to a beacon at the most northerly corner of the latter portion on the eastern bank of the Kundos (Kapchure) River;

thence generally north-easterly and northerly and up-stream by the course of that river to its intersection, on the eastern bank, with the southern boundary of L.R. No. 7057;

thence south-easterly by the southern boundaries of L.R. Nos. 7057 and 1468 to the intersection of the latter boundary with the Ainomotua River;

thence generally easterly and up-stream by the course of that river to its intersection with the eastern boundary of L.R. No. 3106 on the southern bank of that river;

thence generally southerly by the eastern boundary of that portion, parts of the western boundaries of L.R. Nos. 1625 and 6015/3 and the western boundaries of L.R. Nos. 6052, original L.R. Nos. 1628, 1629/R and 5481 to the south-western corner of the last named portion;

thence easterly by the southern boundary of L.R. No. 5481 to its south-eastern corner;

thence south-easterly by the south-western boundary of L.R. No. 11257/3 to a beacon at its most southerly corner on the south-eastern bank of an unnamed water course which forms part of the north-western boundary of L.R. No. 4193/8;

thence north-easterly by that water-course boundary to the most northerly corner of that portion;

thence south-easterly by the north-eastern boundaries of L.R. Nos. 4193/8, 6030 and 4492 to the most easterly corner of the last named portion;

thence easterly by the northern boundaries of L.R. Nos. 7550, 1445/4 and 11089 to the north-eastern corner of the last-named portion;

thence generally southerly by the eastern boundary of that portion crossing the Fort Ternan-Muhoroni road and railway reserve and continuing generally southerly by the eastern boundary of L.R. No. 3113 to its intersection with the Kipchoriet River which forms the southern boundary of that portion;

thence south-westerly and downstream by that river boundary to its confluence with the Nyando River;

thence generally westerly and north-westerly and downstream by the course of that river to its intersection with a line on a true bearing of $26^{\circ} 42' 10''$ from beacon CK. 56 on the south side of that river;

thence by that line on a true bearing of $206^{\circ} 42' 10''$ through beacon CK. 56 and for a distance of approximately 5,246 feet to beacon CK. 55;

<i>From Beacon</i>	<i>To Beacon</i>	<i>Bearing</i>	<i>Distance (feet)</i>
CK. 48	CK. 47	256° 39' 14"	4,756
CK. 47	CK. 46	259° 30' 49"	1,367
CK. 48	CK. 45	220° 56' 08"	1,459
CK. 45	CK. 44	229° 02' 48"	2,870
CK. 44	CK. 43	208° 53' 34"	431
CK. 43	CK. 42	197° 29' 44"	1,231
CK. 42	CK. 41	199° 18' 37"	3,833
CK. 41	CK. 40	193° 46' 54"	1,476
CK. 40	CK. 39	185° 35' 21"	2,231
CK. 39	CK. 38	185° 53' 12"	1,844
CK. 39	CK. 37	185° 38' 34"	3,377
CK. 37	CK. 36	199° 14' 24"	1,491
CK. 36	CK. 35	181° 02' 52"	956
CK. 35	CK. 34	174° 00' 33"	1,815
CK. 34	CK. 33	194° 46' 41"	1,036
CK. 33	CK. 32	211° 28' 43"	946
CK. 32	CK. 31	199° 42' 26"	811
CK. 31	CK. 30	192° 16' 58"	731
CK. 30	CK. 29	168° 49' 55"	436
CK. 29	CK. 28	173° 49' 19"	635
CK. 28	CK. 27	197° 23' 18"	242
CK. 27	CK. 26	191° 05' 00"	825
CK. 26	CK. 25	182° 20' 11"	465
CK. 25	CK. 24	189° 12' 40"	919
CK. 24	CK. 23	198° 35' 28"	1,403
CK. 23	CK. 22	179° 07' 38"	1,254

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a beacon for the following

thence on a true bearing of 205° 08' 20" for a distance of approximately 165 feet through beacon CK. 22A to the centre course of the Ririsik River;

thence generally southerly by the course of that river to its intersection with an extended line between beacon CK. 21 and CK. 21B;

thence on a true bearing of 226° 18' 49" for a distance of approximately 522 feet through beacon CK. 21B to beacon CK. 21;

thence by straight lines each terminating at a beacon for the following bearings and distances successively—

<i>From Beacon</i>	<i>To Beacon</i>	<i>Bearing</i>	<i>Distance (feet)</i>
CK. 21	CK. 20	211° 32' 00"	1,956
CK. 20	CK. 19	229° 14' 05"	768

<i>From Beacon</i>	<i>To Beacon</i>	<i>Bearing</i>	<i>Distance (feet)</i>
CK. 19	CK. 18	229° 33' 19"	1,182
CK. 18	CK. 17	230° 54' 13"	1,003
CK. 17	CK. 16	229° 18' 28"	2,976
CK. 16	CK. 15X	222° 49' 10"	1,548
CK. 15X	CK. 15	232° 56' 46"	676
CK. 15	CK. 14	224° 04' 56"	1,944
CK. 14	CK. 13XA	216° 10' 07"	927
CK. 13XA	CK. 13X	237° 24' 16"	677
CK. 13X	CK. 13	231° 23' 23"	766
CK. 13	CK. 12	239° 38' 50"	1,683
CK. 12	CK. 11	248° 48' 49"	1,483
CK. 11	CK. 10	241° 07' 26"	480
CK. 10	CK. 9	263° 26' 38"	758
CK. 9	CK. 8	234° 41' 58"	1,372

thence on a true bearing of 234° 41' 58" for a distance of approximately 113 feet to the centre course of the Buara (Asao) River;

thence generally southerly and up-stream by the centre course of that river to beacon CK. 7X in the centre of the river bed;

thence on a true bearing of 237° 33' 19" for a distance of approximately 55 feet to beacon CK. 7;

thence by straight lines each terminating at a beacon for the following bearings and distances successively—

<i>From Beacon</i>	<i>To Beacon</i>	<i>Bearing</i>	<i>Distance (feet)</i>
CK. 7	CK. 6	176° 27' 44"	3,341
CK. 6	CK. 5	168° 28' 29"	1,411
CK. 5	CK. 4	167° 15' 31"	1,693
CK. 4	D	157° 22' 25"	205
D	CK. 3	176° 58' 29"	1,275
CK. 3	CK. 2	171° 40' 47"	1,680
CK. 2	CK. 1	185° 24' 34"	348
CK. 1	CK.	181° 01' 56"	152

thence continuing on that bearing of 181° 01' 56" for a distance of approximately 50 feet to the centre course of the Sondu River;

thence generally south-westerly, westerly and north-westerly downstream by that river to its mouth in Kavirondo Gulf, Lake Victoria;

thence by a straight line due north-west for a distance of five statute miles;

thence by a straight line westerly to a point midway between the most southern point of Ndu (Ndere) Island and the most northern point of the shore between Homa Point and Kendu;

thence south-westerly by part of the straight line in the direction to a point midway between Homa Point and the nearest point on the shore of Uyoma, as far as a point on that straight line where a line extended of the south-western boundary of the Same Location from the northern shore of the Kavirondo Gulf on a true bearing of 161° 30' (approximately) intersects;

thence by the latter straight line north-westerly on a true bearing of 341° 30' (approximately) for a distance of about 9 statute miles to the intersection of the south-western boundary of the Same Location with the northern shore of the Kavirondo Gulf;

thence generally north-westerly and north-easterly by the generally south-western and north-western boundaries of the Same Location to the point of commencement.

43. HOMA BAY COUNTY

Commencing at the confluence of Nyatutu and Sondu (Miriu) rivers;

thence south-westerly by the southern boundary of Kabondo East, Kabondo West, East Kasipul, Central Kasipul, South Kasipul, West Kasipul to the intersection with eastern boundary of Gem East Location;

thence southerly and westerly by that eastern and southern boundary of Gem East Location and continues with southern boundary of Gem West to its intersection with eastern boundary of Central Kabuoch Location;

thence south westerly by eastern boundary of Central Kabuoch and South Kabuoch and continuing westerly by the southern boundary of South Kabuoch, Kanyodoto East, Kanyodoto West and Kwabai locations;

thence north-westerly by generally south-western boundary of Kwabai locations to its intersection with Gwasi East location and continuing with southern boundary of that location to the Kenya-Tanzania international boundary;

thence generally northerly by the Kenya-Uganda international boundary to a point in Lake Victoria at the intersection of a straight line running due west from the most northerly point of Ngothe Island;

thence by that straight line due east to the most northerly point of Ngothe Island and continuing by that line to its intersection with the centre line of the Rusinga Channel between Rusinga Island, and Uyoma Point;

thence generally south-easterly by the centre line of that channel and generally north-easterly between Uyoma point and While Rock Point to a point in the Kavirondo Gulf between Homa Point to the south-east and the south-eastern shore of Uyoma Location of Siaya County to the north-west;

thence continuing generally north-easterly by a straight line to a point in the Kavirondo Gulf midway between Ndu (Ndere) Island to the north and the most northerly point of the shore line between Homa Bay and Kendu to the south;

thence generally easterly by a straight line to a point in the Kavirondo Gulf approximately 5 statute miles north-west of the mouth of the Sondu River;

thence generally south-easterly, easterly and generally southerly and up-stream by the centre of that river to the point of commencement.

44. MIGORI COUNTY

Commencing at the intersection of North Kamagambo and Gem East Locations with the common boundary of Kisii County;

thence southerly by the eastern boundary of North Kamagambo and South Kamagambo Locations and continuing southerly and westerly by the generally eastern and southern boundary of West Kamagambo, East Sakwa and South Sakwa Locations;

thence southerly by eastern boundary of Kanyamkago South, Suna East, Bukira East, Nyambasi East, Bwirege West, Bwirege East Locations to the boundary pillar No. 17 on the Kenya-Tanzania international boundary;

thence generally north-westerly by that international boundary to the intersection with a line due east from the shore of Lake Victoria;

thence easterly by that line and continuing with northern boundary of West Karungu Location, and southerly by the West Karungu, East Karungu, North Kadem locations to its intersection with western boundary of Kanyamkago North Location;

thence north-easterly, southerly by the northern boundary of Kanyamkago North Location to its intersection with western boundary of West Sakwa Location;

thence north-easterly by the western boundary of that location and continuing with North Sakwa, West Kamagambo East Kamagambo Locations and continuing with northern boundary of North Kamagambo Location to the point of commencement.

45. KISII COUNTY

Commencing at the trigonometrical point Gelegele at the most southerly corner of original L.R. No. 8997;

thence on a true bearing of $256^{\circ} 05' 53''$ for a distance of 55,521 feet to a beacon Kisuna;

thence on a true bearing of $255^{\circ} 45' 49''$ for a distance of 16,076 feet to a beacon Gap;

thence on a true bearing of $256^{\circ} 33' 24''$ for a distance of 10,561 feet to a beacon Onanja;

thence on a true bearing of $255^{\circ} 42' 21''$ for a distance of 11,070 feet to a beacon Nyabitunya;

thence on a true bearing of $254^{\circ} 52' 56''$ for a distance of 3,435 feet to a beacon Nyabitunya W;

thence on a true bearing of $256^{\circ} 37' 37''$ for a distance of 15,293 feet to a beacon Makenche;

thence on a true bearing of 253° 41' 37" for a distance of 6,219 feet to a beacon T;

thence on a true bearing on 262° 42' 45" for a distance of 4,669 feet to a beacon R at the source of the Sare River;

thence generally westerly and downstream by the course of that river to the intersection of the south-eastern boundary of L.R. No. 8059 on the south side;

thence continuing generally westerly, northerly by generally western boundary of Gitenga, South Mugirango Central, South Mugirango Chache, South Wanjare and North Wanjare Locations which forms the common boundary between Kisii, Migori and Homa Bay Counties to its intersection with north-western corner of Bugesero Location;

thence north-easterly by northern boundary of Bogusero, Kiomooncha, Mwamonari, Kegogi to the point of intersection between West Mugirango and Kegogi Locations;

thence southerly by generally eastern boundary of Kegogi, Ngenyi and continuing westerly by that location boundary and continuing generally southerly over Manga Ridge by eastern boundary of Sensi and Nyatieko Location to its intersection with Kisli Municipality boundary;

thence generally southerly by that municipality boundary and continuing generally south-easterly by generally north-eastern boundary of Nyaribari Kiogoro, Nyaribari Keumbu, Nyaribari Central, Nyaribari Masaba to the point of commencement.

46. NYAMIRA COUNTY

Commencing at the confluence of the Nyatutu and Sondu rivers;

thence generally southerly and up-stream by the centre of that river to confluence with the Kipsonoi River;

thence generally south-westerly and up-stream by an unnamed tributary of the Kipsonoi/Sondu rivers for a distance of approximately ½ a mile;

thence continuing generally south-westerly by a straight line to the intersection of the eastern (or south-eastern) boundary of the Kericho-Sotik road reserve;

thence generally southerly by that road reserve boundary to its intersection with the Kisii-Sotik road reserve;

thence generally south-westerly by the north-western boundary of that road reserve to its intersection with the south-western boundary of L.R. No. 5411;

thence south-easterly by part of the latter boundary and by the south-western boundaries of L.R. Nos. 946/1 and 10099/2 to a beacon at the most easterly corner of L.R. No. 5460/1;

thence south-westerly by the south-eastern boundaries of L.R. Nos. 5460/1, 5460/3 and 3644/10 to a beacon at the most southerly corner of the last portion;

thence north-westerly and westerly by the southern boundaries of L.R. No. 3644/10 to a beacon at its south-west corner;

thence generally southerly, north-westerly and again generally, southerly by the Manga Hill Ridge to the trigonometrical point Gelegele at the most southerly corner of original L.R. No. 8997;

thence north-westerly by a straight line to its intersection with south-western boundary of East Kitutu Location;

thence north-westerly by that boundary and continues with north-westerly, north-easterly, easterly by Central Kitutu Location boundary to its intersection with western boundary of Ekerubo Location;

thence northerly by the western boundary of that location and continuing northerly by western boundary of Keera and West Mugirango Location to its intersection with common boundary between Homa Bay, Kisii and Nyamira Counties;

thence northerly by that boundary and continuing generally north-westerly by Bosamaro, Keera location to its intersection with West Mugirango Location;

thence generally western by that location boundary to its intersection with common boundary between Homa Bay, Kisii and Nyamira Counties;

thence north-easterly by northern boundary of West Mugirango, North Mugirango, North Mugirango Chache to the point of commencement.

47. NAIROBI CITY COUNTY

Commencing at the intersection of the Riara River with the eastern boundary of the Nairobi-Kamiti road reserve;

thence north-westerly by that road reserve boundary to its intersection with the north-western boundary of L.R. No. 71/7;

thence north-easterly by that boundary to its intersection with the Kiu River;

thence up-stream by the centre course of that river, crossing the Nairobi-Kamiti road reserve, to its intersection with the north-western boundary of L.R. No. 10502;

thence north-easterly by that boundary to the most northerly corner of that portion;

thence continuing north-easterly by a straight line, crossing the Nairobi-Kamiti road to the most westerly corner of L.R. No. 8569/R;

thence generally north-westerly and north-easterly by the generally south-western and north-western boundaries of L.R. No. 7640 (original number 3741A) to the intersection of the latter boundary with the Kamiti River;

thence generally easterly and south-easterly and down-stream by the course of that river to its intersection with the north-western boundary of the Nairobi-Ruiru road reserve;

thence south-westerly by that road reserve boundary to its intersection with the Gatharaini (Gitathuru) River;

thence generally easterly and downstream by that river to its confluence with the Nairobi River;

thence north-easterly and downstream by that river to its intersection with the generally north-eastern boundary of L.R. No. 10903;

thence south-easterly, north-easterly, again south-easterly and south-westerly by the generally north-eastern and part of the south-eastern boundaries of that portion to the intersection of the last named boundary with the most northerly corner of L.R. No. 11593;

thence south-easterly by the north-eastern boundary of that portion to its intersection with the centre course of the Athi River;

thence generally south-westerly and up-stream by the centre course of that river to its intersection with the generally northern boundary of L.R. No. 3673;

thence westerly and south-westerly by that boundary to the north-east corner of L.R. No. 8485;

thence continuing south-westerly by the north-western boundary of that portion to its intersection with the eastern boundary of L.R. No. 7340;

thence north-westerly, south-westerly and south-easterly by part of the north-eastern, the north-western and the western boundaries of that portion to the north-western corner of L.R. No. 7283/R;

thence continuing south-easterly by part of the generally western boundary of that portion to the north-east corner of L.R. No. 3864;

thence south-westerly by the generally eastern and southern boundary of Jomo Kenyatta International Airport and continuing south-westerly by the southern boundary of L.R. 7149/3 to its intersection with the north-eastern boundary of the Nairobi-Mombasa main railway line reserve;

thence generally south-easterly by that railway reserve boundary to its intersection with the western boundary of the former Arthi River Trading Centre;

thence south-westerly by that former trading centre boundary to its intersection with the generally southern boundary of Nairobi National Park;

thence generally north-westerly by that park boundary and continuing in the same direction by the Mbagathi River, and by the generally north-eastern boundary of Ololua Forest to the most northerly corner of that forest;

thence south-westerly by part of the north-western boundary of that forest to its intersection with the western boundary of L.R. No. 193/4;

thence north-westerly by that boundary and by that extended boundary to its intersection with the south-east boundary of L.R. No. 192/3;

thence south-westerly by that boundary to its most southerly corner;

thence north-westerly by the south-western boundary of L.R. No. 192/3 and continuing north-westerly by the south western boundary of L.R. No. 1161 to the most westerly corner of the latter portion;

thence north-easterly by the north-western boundary of L.R. No. 1161 to the most southerly corner of L.R. No. 5842/2;

thence north-westerly by the south-western boundary of that portion and continuing north-westerly by the south-western boundary of L.R. No. 197 to its most westerly corner;

thence north-easterly by part of the north-western boundary of that portion to its intersection with the south-western boundary of L.R. No. 2377;

thence north-westerly and north-easterly by the south-western and north-western boundaries of that portion to its north-western corner;

thence south-easterly by the north-eastern boundary of L.R. No. 2377 and continuing south-easterly by the north-eastern boundary of L.R. No. 197 to the north-eastern corner of that portion;

thence easterly, north-easterly and again easterly by the north-western and northern boundaries of L.R. No. 196 to the intersection of the latter boundary with the western boundary of the Dagoretti road reserve;

thence generally northerly and north-easterly by that road reserve boundary to its junction with the northern boundary of the main Nairobi-Nakuru road reserve at a point approximately 2 kilometres (1¼ miles) west of the former Uthiru Trading Centre;

thence easterly by that road reserve boundary for approximately 2 kilometres (1¼ miles) to its intersection with the generally western boundary of L.R. No. 189/R (G.L.), the Kabete Experimental Farm;

thence generally northerly by the western boundaries of L.R. Nos. 189/R (G.L.), 9915, again 189/R (G.L.), and by the north-western and northern boundaries of L.R. No. 9912, and continuing northerly by the western boundaries of L.R. Nos. 189/R (G.L.), 4065 (G.L.) and again 189/R (G.L.) to the latter's intersection with the Gitathuru River;

thence easterly and downstream by that river to its intersection with the north-western boundary of L.R. No. 2951;

thence north-easterly and south-easterly by the north-western and north-eastern boundaries of that portion to the intersection of the latter boundary with the north-western boundary of L.R. No. 3862;

thence north-easterly by that boundary to the most northerly corner of that portion;

thence south-easterly by the north-eastern boundaries of L.R. Nos. 3862 and 3861 to the north-western corner of L.R. No. 5828;

thence north-easterly by the north-western boundaries of L.R. Nos. 7008 and 18/6 to the intersection of the latter boundary with the Karura River;

thence north-westerly and up-stream by the course of that river to its intersection with the north-western boundary of L.R. No. 21;

thence north-easterly by that boundary to its intersection with the Ruiruaka River;

thence up-stream by that river to its intersection with the north-western boundary of L.R. No. 22;

thence north-easterly by that boundary to its north-western corner;

thence generally south-easterly by the northern boundary of L.R. No. 22, part of the northern boundary of L.R. No. 23 and continuing south-easterly by the south-western boundaries of L.R. Nos. 7268, 5974/3 and 7153/2 to the most southerly corner of the last named portion;

thence continuing south-easterly by the extended south-western boundary of L.R. No. 7153/2 to its intersection with the eastern boundary of the Nairobi-Kiambu road reserve;

thence north-westerly by that road reserve boundary to its intersection with the southern boundary of L.R. No. 76/32;

thence south-easterly and easterly by that boundary to the south-east corner of L.R. No. 76/32;

thence northerly by part of the eastern boundary of L.R. No. 76/32 to the south-west corner of L.R. No. 3991;

thence northerly and easterly by the western and northern boundaries of that portion to the south-western corner of the Kiambu Forest;

thence easterly and northerly by the southern and eastern boundaries of that forest to the intersection of the latter boundary with the Riana River;

thence easterly and downstream by that river to the point of commencement.

SECOND SCHEDULE

(s.18(4)(a))

REQUIREMENTS FOR A PETITION

A petition to Parliament shall —

- (a) be handwritten, printed or typed;
- (b) be in English or Kiswahili and be written in respectful, decorous and temperate language;
- (c) be free of alterations and interlineations in its text;
- (d) be addressed to the Senate;
- (e) have its subject-matter indicated on every sheet if it consists of more than one sheet;
- (f) indicate whether the issues in respect of which the petition is made are pending before any court of law or other constitutional or legal body;
- (g) conclude with a clear, proper and respectful prayer, reciting the definite object of the petitioner or petitioners with regard to the boundaries of the county to which it relates;
- (h) contain the names, addresses, identification numbers, signature or a thumb impression of —
 - (i) the petitioner or of every petitioner, where there is more than one petitioner; and
 - (ii) the supporters of the petition.
- (i) contain only signatures or thumb impressions, as the case may be, and addresses and identification numbers written directly onto the petition and not pasted thereon or otherwise transferred to it;
- (j) an explanation of the proposed alteration of county boundaries and the rationale for such proposals in accordance with the factors outlined in Article 188(2) of the Constitution;
- (k) be signed by the petitioner, or if the petitioner is unable to sign, by a witness in whose presence the petitioner shall make his or her mark on the petition.

**THIRD SCHEDULE (s.18(4)(b))
FORM OF PETITION**

**PETITION FOR ALTERATION OF THE BOUNDARIES OF
..... COUNTY**

I/We, the undersigned,

(Here, identify in general terms, who the petitioners are, for example, residents of county, members of community group, etc)

Draw the attention of Parliament to the following:

(Here, briefly state the reasons underlying the request for the intervention of the Parliament by outlining the grievances or problems by summarizing the facts which the petitioner or petitioners wish the Parliament to consider.)

THAT

(Here confirm that efforts have been made to resolve the boundary dispute or the issues giving rise to the petition)

THAT

(Here confirm whether the issues in respect of which the petition is made are not pending before any court of law, or constitutional or legal body)

WHEREFORE your humble petitioner(s) pray that Parliament passes a resolution in terms of Article 188(1) of the Constitution to alter the boundaries of County as follows-

(Here, give a detailed description of the manner in which the boundaries sought to be altered)

And your PETITIONER(S) will ever Pray.

Name of the Petitioner:	Full Address:	National ID/Passport No	Signature/Thumb impression
.....
.....
.....
.....

FOURTH SCHEDULE

(s.29)

CONDUCT OF BUSINESS AND AFFAIRS OF THE COMMISSION

1. A commission shall meet as often as may be necessary for the carrying out of its business.
2. A meeting of the commission shall be held on such date and at such time as the chairperson shall decide.
3. The chairperson shall, on the written application of one-third of the members, convene a special meeting of the commission.
4. The quorum for the conduct of business at a meeting of the commission shall be at least three members of the commission.
5. The chairperson shall preside at every meeting of the commission at which the chairperson is present and in the absence of the chairperson at a meeting, the vice-chairperson, shall preside and in the absence of both the chairperson and the vice-chairperson, the members present shall elect one of their number who shall, with respect to that meeting and the business transacted thereat, have all the powers of the chairperson.
6. Unless a unanimous decision is reached, a decision on any matter before the commission shall be by majority vote.
7. The commission shall cause minutes of all proceedings of meetings of the commission to be entered in books for that purpose.
8. Except as provided by this Schedule, the commission may regulate its own procedure.
9. (1) If any person is present at a meeting of the commission or any committee of the commission at which any matter is the subject of consideration and in which matter that person or that directly or indirectly interested in a private capacity, that person shall as soon as is practicable after the commencement of the meeting, declare such interest and shall not, unless the commission or committee otherwise directs, take part in any consideration or discussion of, or vote on any question touching such matter.
(2) A disclosure of interest made under subparagraph (1) shall be recorded in the minutes of the meeting at which it is made.
(3) A person who contravenes subparagraph (1) commits an offence and upon conviction is liable to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.
10. A member or employee of the commission shall not transact any business or trade with the commission.

FIFTH SCHEDULE**(s.33 and s.34(2))****OATH OF OFFICE FOR MEMBERS OF THE COMMISSION****OATH OF OFFICE/SOLEMN AFFIRMATION OF
CHAIRPERSON/****MEMBER/SECRETARY OF THE COMMISSION**

I having been appointed the chairperson/member of/secretary to the (insert name of the commission) do solemnly swear/declare and affirm that I will at all times obey, respect and uphold the Constitution of Kenya and all other laws of the Republic; that I will faithfully and fully, impartially and to the best of my ability, discharge the trust and perform the functions and exercise the powers devolving upon me by virtue of this appointment without fear, favour, bias, affection, ill-will or prejudice. (So help me God)

Sworn declared by the said.....before me this
.....day of

.....
Chief Justice

MEMORANDUM OF OBJECTS AND REASONS

Statement of the Objects and Reasons for the Bill

The Bill mainly seeks to —

- (1) define the boundaries of the counties of Kenya;
- (2) provide a legal framework for the resolution of county boundary disputes through the establishment of a county boundaries mediation committee; and
- (3) to give effect to Article 188 of the Constitution on the alteration of county boundaries.

The Constitution of Kenya neither sets out the boundaries of the counties nor does it cross-refer the boundaries to any other law. In the absence of the such provisions in the Constitution, reliance has been placed on the provisions of the Districts and Provinces Act of 1992 (Cap 105) in determining the boundaries of counties in Kenya which were previously districts under the said Act.

The Bill therefore seeks to clearly define the boundaries of the counties of Kenya by setting out in its First Schedule, the boundaries of Nairobi Area and the other forty-six Districts (now counties) of Kenya set out in the Districts and Provinces Act of 1992. This will cure the challenge in relation to the current reliance on the provisions of the boundaries of districts reposed in the Districts and Provinces Act which are deemed to the boundaries of the corresponding counties.

Since the promulgation of the Constitution, there have been multiple disputes between counties on boundary matters. There is however no established and enforceable mechanism for resolution of such disputes. The Senate has also been called upon by the counties and their residents to intervene in such matters in order to comprehensively settle the ongoing disputes. This Bill will enable the Senate to establish mediation committees, when necessary, which will be tasked with facilitating the resolution of boundary disputes between counties.

Further, there is presently no legal framework providing a mechanism for alteration of county boundaries despite the fact that Article 188 of the Constitution of Kenya mandates Parliament to approve the alteration of county boundaries on the recommendation of an independent commission set up by Parliament for that purpose. This Bill will therefore give effect to Article 188 of the Constitution as it sets out in detail the manner in which the boundaries of a county are to be altered. The Bill further ensures that a high threshold will have to be met by any party desiring to alter the boundaries of any given county.

The Bill is divided into the following parts —

Part I contains the Preliminary provisions.

Part II which contains provisions on the county boundaries.

Part III sets out provisions for the resolution of county boundary disputes.

Part IV provides for the procedure for the alteration of county boundaries.

Part V which contains provisions on the establishment, powers and functions of an independent county boundaries commission.

Part VI which contains the provision on the inquiry and report of the commission.

Part VII which contains the Miscellaneous Provisions.

Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms

The Bill only delegates legislative powers to the Cabinet Secretary for the purpose of making regulations to give effect to the provisions of the Act.

The Bill does not limit fundamental rights and freedoms.

Statement on how the Bill concerns county governments

This Bill is expected to provide a framework for the resolution of disputes concerning county boundaries and for the alteration of a county's boundaries should the need arise.

Matters relating to the boundaries of counties directly affect the functions of county governments as they affect, security, economic activities and the administrative functions of county governments.

The Bill is therefore one that concerns county governments in terms of Article 110(1)(a) of the Constitution.

Statement that the Bill is not a money Bill, within the meaning of Article 114 of the Constitution

This Bill is not a money Bill within the meaning of Article 114 of the Constitution.

Dated the 8th February, 2023.

MOSES OTIENO KAJWANG',
Senator.

Annex 4:

***Advertisement published in the
Daily Nation and Standard
Newspapers on Friday 24th
March 2023***

REPUBLIC OF KENYA



THIRTEENTH PARLIAMENT THE SENATE

INVITATION FOR SUBMISSION OF MEMORANDA

At sittings of the Senate held on Wednesday, 22nd March, 2023 and Thursday, 23rd March, 2023, the Bills listed at the second column below were introduced in the Senate by way of First Reading and thereafter stood committed to the respective Standing Committees indicated at the third column.

Pursuant to the provisions of Article 118 of the Constitution and standing order 145(5) of the Senate Standing Orders, the respective Standing Committees now invite interested members of the public to submit any representations that they may have on the Bills, by way of written memoranda.

The memoranda may be sent by email to the Clerk of the Senate on the address: clerk.senate@parliament.go.ke and copied to the email addresses of the respective Committee indicated at the fourth column below, to be received **on or before Monday, 10th April, 2023.**

	Bill	Committee Referred To	Email
a)	The County Boundaries Bill, 2023 (Senate Bills No. 3 of 2023)	Standing Committee on Devolution and Intergovernmental Relations	senate.devolution@parliament.go.ke
b)	The Kenya Sign Language Bill, 2023 (Senate Bills No. 9 of 2023)	Standing Committee on Education	educationcommittee.senate@parliament.go.ke
c)	The Persons with Disability Bill, 2023 (Senate Bills No.7 of 2023)	Standing Committee on Labour and Social Welfare	laboursocialwelfarecomm.senate@parliament.go.ke
d)	The Heritage and Museums Bill, 2023 (Senate Bills No.8 of 2023)	Standing Committee on Labour and Social Welfare	laboursocialwelfarecomm.senate@parliament.go.ke
e)	The Division of Revenue Bill, 2023 ((Senate Bills No.9 of 2023)	Standing Committee on Finance and Budget	financebudgetcomm.senate@parliament.go.ke

The Bills may be accessed on the Parliament Website at <http://www.parliament.go.ke/the-senate/house-business/bills>.

**J.M. NYEGENYE, CBS,
CLERK OF THE SENATE.**

Annex 5:

Matrix of Submissions

THE SENATE



PUBLIC PARTICIPATION MATRIX

THE COUNTY BOUNDARIES BILL, SENATE BILLS NO 6 of 2023

CLAUSE	STAKEHOLDER	PROPOSAL	REASONS	RESOLUTION
Clause 2- Interpretation	MINISTRY OF LANDS	Amend the definition of Cabinet Secretary to be as follows- Cabinet Secretary responsible for matters related to land, surveying and mapping		Accepted
	MINISTRY OF LANDS	In the definition of County executive committee member replace 'Land and physical planning' with 'Land ,surveying and mapping'		Accepted
Clause 4	MINISTRY OF LANDS	Amend clause 4(1) by replacing 'electronic' with 'digital and manual' as follows- The Cabinet Secretary shall keep, and shall upon request by any person make available, an up to date digital and manual record of the boundaries of each County.		Accepted
	COUNCIL OF GOVERNORS	Amend Clause 4(1) by replacing 'any person' with 'a Citizen'	Georeferencing will ensure that we define the exact location of	Reject

CLAUSE	STAKEHOLDER	PROPOSAL	REASONS	RESOLUTION
		As follows- The Cabinet Secretary and shall upon request by a citizen make available, an up to date georeferenced record of the boundaries of each County.	the boundaries of the County governments which will cure the current challenges of general boundaries defined by physical features.	It is not only citizens that have an interest in knowing the boundaries of a County i.e foreigners might have an interest also e.g in land transactions there is need for due diligence which might entail where a particular piece of land is located.
	MINISTRY OF LANDS	Amend clause 4(2) by replacing the role of the cabinet secretary to be- The Cabinet Secretary shall ensure the Authority responsible for survey utilizes the appropriate technology for accurate identification of County Boundaries		Accepted with the amendments to do away with the Authority
Clause 5	INTERGOVERNMENTAL RELATIONS TECHNICAL COMMITTEE	Amend Clause 5(1) to refer to the Committee as a dispute resolution committee instead of County Boundaries mediation committee	The purpose of the Bill is to provide dispute resolution which means mediation, arbitration and negotiation	Reject Mediation is a form of dispute resolution which is completely different from negotiation or arbitration. The law needs to be specific on what ought to be done
	MINISTRY OF LANDS	Amend 5(2)(a) by inserting the word 'committee' between the words executive and member		Accept

CLAUSE	STAKEHOLDER	PROPOSAL	REASONS	RESOLUTION
Clause 7	MINISTRY OF LANDS	Amend Clause 7(1)a on the appointment of Chairperson of the committee to be by the president.in accordance with Section 24	Section 24 deals with the appointment of the Chairperson of the commission to be done by the President.	Accept with ammendments
	COUNCIL OF GOVERNORS	Amend Clause 7(1)(a) to include a requirement for being a chairperson to be an accredited mediator. Introduce a new paragraph (e) to the effect of Council of County governors to nominate a person who is not a resident of the affected counties.(Accepted)	Council of governors have a role under section 20(d) of the Intergovernmental Relations Act 2012 to resolve County disputes. It is critical of the Chairperson to have mediation skills.	Accepted
	INTERGOVERNMENTAL RELATIONS TECHNICAL COMMITTEE	Amend Clause 7(1)(a) to include a requirement for being a chairperson to be an accredited mediator. Include the Chairperson of IGTRC or their representative in the mediation committee	IGTRC have a role in resolution of intergovernmental dispute under section 33(2) of the Intergovernmental Relations Act 2012 to resolve County disputes.	Reject The nature of disputes that would require mediation are intra- governmental as opposed to inter-governmental.
	COUNCIL OF GOVERNORS	Amend Clause 7(2)b by deleting it.	It would be too restrictive for the governor not to appoint someone who has been in public service in any of the affected Counties.	Reject The rational of not having a person who has been in public service in the affected Counties is to do away with an iota of conflict of interest in the

CLAUSE	STAKEHOLDER	PROPOSAL	REASONS	RESOLUTION
				secretariat.
	NATIONAL COHESION AND INTEGRATION COMMISSION	Amend clause 7 to provide that NCIC be the mediation committee	NCIC has amassed great experience and knowledge in mediating and resolving disputes between communities who live alongside each other across counties.	Accept but with amendment for NCIC to nominate a member NCIC is established under the National Cohesion and Integration Act No.12 of 2008. The establishment of NCIC recognized the need for a national institution to promote national identity and values, mitigate ethno-political competition and ethnically motivated violence, eliminate discrimination on ethnic, racial and religious basis and promote national reconciliation and healing.
Clause 8	MINISTRY OF LANDS	Amend Clause 8(3) to replace Section 8 with Section 7 on appointment of Mediation Committee members	The Section that deals with Composition of mediation committee members is Section 7 and not Section 8	Accept
Clause 10	MINISTRY OF LANDS	Amend Clause 10(1)(b) by deleting the phrase 'Physical planning and land survey and replacing with' Land surveying and mapping'	Since the function is survey and mapping a surveyor will be more relevant	Accept
	COUNCIL OF	Amend Clause 10(1)(b) by including	The secretariat of the affected	Reject

CLAUSE	STAKEHOLDER	PROPOSAL	REASONS	RESOLUTION
	GOVERNORS	County Service from the affected counties The Cabinet Secretary in designating officers to serve in the Secretariat to consult governors of the affected counties	counties ought to be intergovernmental and should have representation of the affected counties	The Secretariat should be technical and such as should not be free from potential conflict of interest keeping in mind that the affected counties are already represented in the committee.
Clause 15	MINISTRY OF LANDS	Amend Section 15 on dissolution of the committee to indicate Section 13 and not Section 16	It is Section 13 that deals with the final report by the mediation committee	Accept
Clause 17	HASHIM & LESAGOR ADVOCATES	Amend Clause 17(1) to provide for the geographical limitation of 'registered voter'	The registered voter should be from the affected County	Reject A person might have a proprietary interest in a county which he is not a voter
	HASHIM & LESAGOR ADVOCATES	Amend Clause 17(2) by deleting and replacing with requirement that a voter provide a certified copy of voters register	IEBC might frustrate intentions of the petitioner by simply denying that the list is not compliant.	Reject The petitioner should only attach the list of people then parliament to confirm whether they are registered voters from IEBC
	COUNTY ASSEMBLIES FORUM	Amend Clause 17(3)(b) by deleting the word 'elected'	Why is the clause emphasizing on at least two thirds of the "elected" members of County Assemblies. Does it mean that the nominated members of county assembly will have no voting right to pass the resolution of the County Assembly	Reject Only elected members of the County Assembly should vote

CLAUSE	STAKEHOLDER	PROPOSAL	REASONS	RESOLUTION
	HASHIM & LESAGOR ADVOCATES	First schedule referred in 17(4) is missing in the Bill Clause 17(4)(a) provides that the form of the Petition will be as per Second schedule (amend second schedule to cross reference with Section 17(4)(a) and not Section 18(4)(a))	Requirements contemplated must not go outside the provisions of article 188	Reject The bill has First Schedule Accept
Clause 18	INDEPENDENT ELECTORALAND BOUNDARIES COMMISSION	Amend Clause 18 by replacing the word 'special' with 'relevant'	This senate Committee may be special at the infancy of this law but progressively it will be a relevant committee.	Reject The Special Committee is a committee that is for a specific function constituted on need basis.
Clause 19	INTERGOVERNMENTAL RELATIONS TECHNICAL COMMITTEE	Amend Clause 19 to provide for other mechanisms of dispute resolution	It is being restrictive on the mechanisms to be used by the senate.	Reject The Intention is to mediate on the dispute
	HASHIM & LESAGOR ADVOCATES	Clause 19 be deleted in entirety	It is retrogressive as it takes away the power given to the people under Article 188.	Reject Article 188 of the Constitution requires Parliament to consider alteration of County

CLAUSE	STAKEHOLDER	PROPOSAL	REASONS	RESOLUTION
				Boundaries.
Clause 21	MINISTRY OF LANDS	Amend clause 21(a) on consideration of the report of the special committee by the Senate and cross reference with Section 6 and not 5	Mediation Committee is established under section 6	Reject Mediation committee is established under section 5 and not Section 6
Clause 22	DEVOLUTION COMMITTEE	Amend Clause 22(2)(b) wrong cross referencing of Article 115 instead of Article 113 of the Constitution	Mediation Committee of Parliament is established under Article 113 of the Constitution	Accept
	INDEPENDENT ELECTORAL BOUNDARIES COMMISSION AND	Amend Clause 22(7) to provide that the mediation recommends formation of a commission (not another mediation committee). Amend Clause 22(7) to provide that, if the mediation committee fails to agree, it presents its report to the Senate as such.	Formation of a mediation committee will be cyclic Providing that no further proceedings shall take place merely because of failure to agree by the mediation committee will negate the whole purpose of the committee and prematurely negate the relevance of the senate (which was the appointing authority in the first place).	Accept The whole section 22 refers to the Special Committee of the Senate as the mediation Committee
Clause 23	MINISTRY OF LANDS	Amend Clause 23 by replacing the word 'nominate' with 'appoint'	The role of the President in Section 23 is to appoint and not nominate	Accept
Clause 24	MINISTRY OF LANDS	Amend Clause 24(1)(d) to indicate Principal Secretary under whom the national surveying and mapping	Given that the senate will determine whether the dispute should be referred to mediation it	Accept

CLAUSE	STAKEHOLDER	PROPOSAL	REASONS	RESOLUTION
		agency falls or a representative of the Principal Secretary designate in writing	should be worded in such a way that is open to other forms of dispute resolution.	
	COUNTY ASSEMBLIES FORUM	Amend clause 24 (1) (e) to appear as follows: - "two persons of the opposite gender, who are not residents of the affected counties, nominated by the Council of Governors and institution responsible for coordinating the 47 County Assemblies"	The Forum is of the view that COG should nominate one person and the Forum should nominate the other person as long as they are of different Gender.	Accept
	NATIONAL COHESION AND INTEGRATION COMMISSION	Amend clause 24 to provide that NCIC be the Independent County Boundaries Commission	NCIC has amassed great experience and knowledge in mediating and resolving disputes between communities who live alongside each other across counties.	Reject NCIC is established under the National Cohesion and Integration Act No.12 of 2008 and cannot be the commission envisaged under Article 188 of the Constitution.
Clause 25	COUNCIL OF GOVERNORS	Amend Clause 25(2) on qualifications to be appointed a member of a commission to include (iii) 'land survey and physical planning'	Land survey and physical planning are critical competencies on the task	Accept
Clause 26	MINISTRY OF LANDS	Amend Clause 26 by inserting a new subsection on the functions of the Commission to include coordinate the national survey and mapping of all County boundaries	It is through this that the ministry will manage to have an accurate and up to date record referred to in section 4.	Reject This is ad hoc commission that is established for a

CLAUSE	STAKEHOLDER	PROPOSAL	REASONS	RESOLUTION
				specific function and therefore can only deal with the specific purpose its established.
Clause 41	MINISTRY OF LANDS	Amend Clause 41(4)b(ii) by replacing the commissions website with the ministries website	The Commission is Ad Hoc and therefore for effectiveness of the information. It is advisable to be published at the ministries website as it will reach a bigger number	Accept
Clause 42	MINISTRY OF LANDS	Amend Clause 42(6) by replacing 'the specific geographical' with 'a comprehensive description of boundary with adequately enlarged scaled map'		Accept
	MINISTRY OF LANDS	Amend Clause 42(8) by paraphrasing as 'boundaries of the county shall be altered by the Cabinet Secretary as set out in the resolution of Parliament. A large scale topographical map shall be prepared and kept in both manual and digital formats by the cabinet secretary'.		Accept
Clause 45	COUNCIL OF GOVERNORS	Amend Clause 45(2) to include consultation of County governments by the Cabinet Secretary while making the regulations. Provide specific timelines for the Cabinet Secretary to gazette the	Implementation of the regulations will affect county governments and therefore they should be involved in the formulation of the regulations. This will assist to ensure the decision to have the regulations is	Accept CS be given 2 years to gazette the regulations

CLAUSE	STAKEHOLDER	PROPOSAL	REASONS	RESOLUTION
		regulations	wholly left to be done at the convenience of the Cabinet secretary	
	INTERGOVERNMENTAL RELATIONS TECHNICAL COMMITTEE	Amend Clause 45(2) to include consultation of County governments and ministry of lands and physical planning by the Cabinet Secretary while making the regulations.(Reject)	They are Key stake holders	Accept County Governments Reject the Ministry since they are the ones preparing the regulations and cannot consult themselves
Clause 47	INDEPENDENT ELECTORAL BOUNDARIES COMMISSION AND	Amend Clause 47(2)c to substitute the word 'consideration' for 'adoption'	The report has already been comprehensively canvassed and gazetted. The senate does not need to process it further but to adopt.	Reject The decisions by the Senate are taken by vote after deliberations and cannot be coerced to adopt a report without members being convinced.
Clause 50	MINISTRY OF LANDS	Amend Clause 50(1) on appeals on decisions to alter a County boundary to the High Court to be within 21 days after gazettelement of such an alteration in accordance with Section 43 and not 42	Section 43 deals with (3) gazettelement of the alteration of the County Boundary.	Reject Accept the renumbering There is an issue with numbering of the subsections from sections 41 to 45
	INDEPENDENT ELECTORAL AND	Amend Clause 50(1) by deleting the timelines or in the alternative to	The legislature should not prescribe timelines for	Reject

CLAUSE	STAKEHOLDER	PROPOSAL	REASONS	RESOLUTION
	BOUNDARIES COMMISSION	replace the 60 days period with six months.	determination of cases, they may adopt the standard six months' timeline for all other matters touching on elections and boundaries generally.	Keeping in mind that under the Bill Petitions can only be brought to the senate at least 12 months before an election court cases on alteration of County boundaries should not take a very long time.
	INDEPENDENT ELECTORAL BOUNDARIES COMMISSION AND	Amend Clause 50(2) by replacement of subsection 2 with subsection 1.	Subsection 2 does not refer to any appeal.	Reject Subsection 2 refers to consequent appeals from High Court

OTHER COMMENTS:

Ministry of Lands

1. Boundaries have been referred to by use of movable features like cairn of stones which can be disputed if moved. Hence the need to survey and map the boundaries and record them using coordinates (mathematical position)

Council of Governors

2. First schedule appears to be extracted from the Districts and provinces Act Cap 105A, which it also repeals. It is not clear how the dimensions we arrived at and that there is need to confirm whether the stated dimensions reflect actual delimitation on the ground. It would help minimise potential disputes.

Inter Governmental Relations Technical Committee

3. Need to determine the role of the National Land Commission provided in section 5(2)a may be undertaken in consultation with the mediation committee.

4. Need to incorporate public participation and civic education in the process of dispute resolution and the subsequent alteration of the County boundaries.

National Cohesion and Integration Commission

5. NCIC suggests that for purposes of cohesion the proposed bill should also consider changing of the names of elective/administrative units. For instance, Turkana, Samburu, West Pokot, Meru, Taita Taveta, Kisii, Embu, etc. As we become more integrated, cosmopolitan and inclusive, the more ethnic based name becomes problematic.
6. Any alterations of county boundaries should be done only in extreme cases. Opening the alterations may open a Pandora's box where regions/communities want to have their "own" counties hence balkanizing the country.
7. NCIC also recommends that each county should have its own cadastral map showing its boundaries coordinates, subdivision lines natural features and related details.
8. NCIC has noted that the proposed legislation is not clear on the avenue or time frame for an appeal following the decision of the mediation committee established under section 6 of the proposed bill.

Independent Electoral and Boundaries Commission

9. Rearrangement of the clauses. clause 15 to be made 14 and vice versa. The proposal is that the provision on extension of time comes after dissolution.

Hashim and Lesagor advocates

10. The creation of Special Committee, mediation committees and their functions under sections 21,22 and 23 are Unconstitutional as they are subversive of the will of people in accordance with Article 188 as read together with 255(1)I of the The Constitution.

Issa Mahat

11. The provisions of the District and Provinces Act of 1992 (CAP 105 of the Laws of Kenya) determines boundaries as districts and not as counties in line with the new constitutional dispensation of country governments and devolved systems of government.
12. The current boundary delineation as per the District and Provinces Act of 1992 has pushed the people of Garissa County three miles away from the Tana River and the same is discriminatory.

Annex 6:

***Copies of Stakeholder
Submissions on the Bill***



LEGISLATIVE MEMORANDUM ON THE COUNTY BOUNDARIES BILL, 2023

TO THE SENATE

FROM THE

COUNCIL OF GOVERNORS

INTRODUCTION

The Council of Governors,

In recognition of Article 1(4) of the Constitution of Kenya, that sovereign power of the people is exercised at the National level and the County level;

In further recognition of Article 6 (2) that Governments at the National and County levels are distinct and interdependent; and

Aware of the need for coordination and consultation between the National Government and County Governments to ensure that frameworks developed respond to the key issues facing devolution and the needs of society, and further reflect the spirit and objects of devolution.

The Council appreciates the work and efforts made towards the development of the **County Boundaries Bill 2023** which is not only timely but very critical in providing a mechanism for resolving the many disputes revolving around County Boundaries.

The tabulated analysis below provides specific areas of concern to the Council of Governors that should be considered/addressed in the bill:

Section of the Bill	Provision of the Bill	CoG Proposal	Justification
4	4.(1)The Cabinet Secretary shall keep and shall upon request by any person make available, an upto date electronic record of the boundaries of each county	4.(1)The Cabinet Secretary shall keep and shall upon request by any citizen make available, an upto date georeferenced record of the boundaries of each county	<p>Geo-referencing will ensure that we define the exact location of the boundaries of the County Governments which will cure the current challenge of general boundaries defined by physical features. Further it will ensure that the boundaries shall be viewed, queried, and analysed with your other geographic data.</p> <p>The sanctity of boundaries is key for any country and therefore giving information to non-citizens as a right should be curtailed. This is because of security and integrity of the territory of Kenya and especially for counties have international borders.</p>
7 (1)	7. (1) The mediation committee shall consist of	7. (1) The mediation committee shall consist of	The Council of Governors has role under section 20 (d) of the Intergovernmental Relations Act 2012 to resolve county disputes and therefore the

<p>(a) chairperson who shall be an advocate of the High Court of Kenya with at least fifteen years' Experience in alternative dispute resolution</p> <p>(b) one person from each of the affected counties Having resided therein for at least fifteen years, Nominated by the respective governors</p> <p>(c) commissioner of the National Land Commission Nominated by the National Land Commission from Amongst the commissioners</p> <p>(d) a licensed surveyor nominated by the Land Surveyors' Board established under the Survey Act and</p>	<p>(a) chairperson who shall be an advocate of the High Court of Kenya with at least fifteen years' experience and an accredited mediator</p> <p>(b) one person from each of the affected counties Having resided therein for at least fifteen years, Nominated by the respective governors</p> <p>(c) commissioner of the National Land Commission Nominated by the National Land Commission from Amongst the commissioners</p> <p>(d) a licensed surveyor nominated by the Land Surveyors' Board established under the Survey Act and</p> <p>(e) One person who is not a resident of the affected Counties</p>	<p>need to have a member in the mediation committee.</p> <p>It is critical for the chairperson to have mediation skills.</p>
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	(e) a public officer nominated by the Cabinet Secretary who shall be the secretary to the committee, and who shall	nominated by the Council of County Governors	
	(i) be an ex-officio member and (ii) not have a right to vote.	(f) a public officer nominated by the Cabinet Secretary who shall be the secretary to the committee, and who shall (i) be an ex-officio member and (ii) not have a right to vote.	
7 (2)	7 (2) A person shall not qualify for appointment under subsection ((1) (a) and (b) if the person: (a) has stood for an elective office in any of the affected counties in the last five years (b) has been a public officer in any of the affected counties (c) has been found guilty of professional misconduct by the respective professional body in the case of the Advocate.	7 (2) A person shall not qualify for appointment under subsection ((1) (a) and (b) if the person: (a) has stood for an elective office in any of the affected counties in the last five years (c) has been found guilty of professional misconduct by the respective professional body in the case of the Advocate.	Delete section 7 (2) (b) since it will be too restrictive for the Governor not to nominate a person who has been a public officer in any of the affected counties

10 (1)	<p>10. (1) There shall be a secretariat to a mediation committee which shall consist of:</p> <p>(a) the secretary who shall be the head of the secretariat and (b) such public officers within the public service who may be deployed or seconded to the secretariat as may be necessary for the effective functioning of the secretariat.</p> <p>The Cabinet Secretary may for purposes of subsection (1) (b) designate officers to serve in the secretariat and such officers shall include persons who have knowledge and at least five years' experience in physical planning or land survey.</p>	<p>10. (1) There shall be a secretariat to a mediation committee which shall consist of:</p> <p>(a) the secretary who shall be the head of the secretariat and (b) such public officers within the national and county public service from the affected Counties who shall be deployed or seconded to the secretariat as may be necessary for the effective functioning of the secretariat.</p> <p>The Cabinet Secretary in consultation with the Governors of the affected Counties may for purposes of subsection (1) (b) designate officers to serve in the secretariat and such officers shall include persons who have knowledge and at least five years' experience in physical planning or land survey.</p>	<p>The secretariat of the mediation committee ought to out be intergovernmental and should have representation of the affected Counties.</p>
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25 (2)	<p>25 (2) A person is qualified for appointment as a member of the commission under section 24(1) (e) if such person</p> <p>(a) is a citizen of Kenya</p>	<p>25 (2) A person is qualified for appointment as a member of the commission under section 24(1) (e) if such person</p> <p>(a) is a citizen of Kenya</p> <p>(b) holds a degree from a</p>	<p>Land Survey and Physical Planning are critical competencies in the subject matter and experience in land survey and physical planning is critical to execution of the functions of the commission and ought to be considered.</p>
	<p>(b) holds a degree from a recognised university</p> <p>(c) has proven relevant knowledge and experience in</p> <p>(i) statistics, public administration or</p> <p>(ii) law and</p> <p>(d) Meets the requirements of Chapter Six of the Constitution.</p>	<p>recognised university</p> <p>(c) has proven relevant knowledge and experience in</p> <p>(i) statistics, public administration</p> <p>(ii) law or</p> <p>(iii) Land Survey and Physical Planning and</p> <p>(d) Meets the requirements of Chapter Six of the Constitution.</p>	
45	<p>Power to make regulations</p> <p>45. (1) The cabinet secretary may make regulations for the better carrying into effect of the provisions of this</p>	<p>43. (1) The cabinet secretary may make regulations for the better carrying into effect of the provisions of this</p>	<p>Regulations should be a subject of widespread consultations and consensus so that they can provide acceptable results and this bill should be amended to require that the entity responsible for generation of regulations conducts widespread consultations with counties.</p>



IGRTC
INTERGOVERNMENTAL
RELATIONS TECHNICAL
COMMITTEE

Consultation, Cooperation & Coordination in Devolution

LEGISLATIVE MEMORANDUM ON THE COUNTY BOUNDARIES BILL, 2023

TO:

THE SENATE

FROM

THE INTERGOVERNMENTAL RELATIONS TECHNICAL COMMITTEE

11TH APRIL, 2023

1. INTRODUCTION

The Intergovernmental Relations Technical Committee (IGRTC) is established under Section 11 of the Intergovernmental Relations Act, 2012, as an intergovernmental structure whose objectives include *inter alia*, to facilitate cooperation and consultation between the National and County Governments and amongst County Governments as provided under Articles 6 and 189 of the Constitution. The functions of the Technical Committee are provided for in Sections 12, 13 and 33 of the Act.

Section 33(2) of the Intergovernmental Relations Act, 2012, provides for the role of IGRTC in the resolution of intergovernmental disputes. This mandate stems from Article 189 (3) and (4) of the Constitution which provides that all intergovernmental disputes shall be resolved through mechanisms of Alternative Dispute Resolution (ADR).

2. BACKGROUND

The County Boundaries Bill, 2023 has been developed to: provide for county boundaries; to provide for a mechanism for the resolution of county boundary disputes; to give effect to Article 188 of the Constitution by providing for the procedure for alteration of county boundaries; to provide for the establishment of an independent county boundaries commission; and for connected purposes.

3. SUBMISSIONS BY IGRTC

SECTION IN THE BILL	PROVISION OF THE BILL	RECOMMENDATIONS BY IGRTC	RATIONALE
5(1) Establishment of a county boundaries mediation committee.	"The Senate may pass a resolution for the establishment of a county boundaries mediation committee.."	The Committee should be established/ designated as a Dispute Resolution Committee	In line its purpose, the Bill should provide for mechanisms for the resolution of county boundary disputes which includes negotiation, mediation, conciliation and arbitration

SECTION IN THE BILL	PROVISION OF THE BILL	RECOMMENDATIONS BY ICJTC	RATIONAL
			The term mediation denotes one mechanism of ADR. This may limit parties who would prefer other mechanisms of ADR.
6 Appointment of members of a mediation committee	Where a resolution has been made by the Senate for the establishment of a mediation committee under section 5(1), the President shall, within fourteen days of receipt of the resolution appoint a mediation committee, with the approval of the Senate.	Expressly state whether the establishment of the mediation committee would be at the discretion of the Senate; or what constitutes compelling reasons for establishment of the Committee. Consider the principles of mediation which include confidentiality .	This section denotes that the Senate may through a resolution, agree to establish a mediation committee; meaning that there are instances where the Senate may not opt for the same. There is therefore need to determine what would constitute compelling reasons to lead to such a resolution In the context of county boundary disputes, there is need to consider whether mediation would be the ideal ADR mechanism, given the confidential nature of the discussions.
7	The mediation committee shall consist of—(a) a chairperson, who shall be an advocate of the High Court of Kenya	Include the requirement that the chairperson should be an accredited mediator	

SECTION IN THE BILL	PROVISION OF THE BILL	RECOMMENDATIONS BY IGRTC	RATIONALE
Composition of the mediation committee	with at least fifteen years' experience in alternative dispute resolution		
		Include the Chairperson of IGRTC or his representative in the composition of the mediation committee.	IGRTC plays a critical role in the resolution of intergovernmental disputes, as provided in Section 33(2) of the Intergovernmental Relations Act, 2012. It would therefore offer neutrality while ensuring the preservation of harmonious relations between the disputing counties.
19 (c) Consideration of petition by special committee	In considering a petition referred to it under section 18(2)(b), the special committee of the Senate shall within thirty days determine whether mediation would be the appropriate means of addressing the issues raised in the petition	Avoid being restrictive in the mechanism of ADR	Given that Section 19 provides that the Senate shall determine whether mediation would be appropriate, it is then crucial that the Bill incorporates all other mechanisms of ADR including traditional mechanisms.
45 Regulations	In making regulations under this Act, the Cabinet Secretary shall consult the Independent Electoral and Boundaries Commission	Include County Governments, and the Ministry of Lands & Physical Planning	These are key stakeholders

General Comments

IGRTC makes the following recommendations:

- a. Need to determine how the role of the National Land Commission provided in Section 5 (2) (a) may be undertaken in consultation with the mediation committee
- b. Need to incorporate public participation and civic education in the process of dispute resolution and the subsequent alteration of county boundaries.

**NATIONAL COHESION AND INTEGRATION
COMMISSION**

**COMMENTS ON THE PROPOSED COUNTY BOUNDARIES
BILL**

APRIL 2023

The National Cohesion and Integration Act, 2008 paved way for the establishment of the National Cohesion and Integration Commission (NCIC). The NCIC's mandate is to "facilitate and promote equality of opportunity, good relations, harmony and peaceful co-existence between persons of different ethnic and racial communities of Kenya, and to advise the Government on all aspects thereof."

The Commission has Genral Comments with regards to the Bill and a few specific comments on some sections of the proposed legislation.

1. The Commission lauds the spirit behind the drafting of this piece of proposed legislation. Since its inception, NCIC has worked on various ethnic disputes and conflicts around the country. These diputes have included disputes between different ethinc communitites that border each other. Example of these include disputes along:

- | | |
|---|--------------------------------|
| 1. Kisumu- Kericho Border | 8. Wajir – Mandera Border |
| 2. Kisumu- Kakamega Border | 9. Wajir – Garissa Border |
| 3. Kakamega-Nandi Border | 10.Wajir-Isiolo Border |
| 4. Kitui-Tana River Border | 11.Garissa- Isiolo Border |
| 5. Tharaka Nithi- Meru Border | 12.Turkana-Baringo Border |
| 6. Kisumu – Vihiga Border | 13.Isiolo- Meru Border |
| 7. Taita Taveta-Makueni
Border | 14.Kwale- Taita Taveta Border |
| | 15.Garissa – Tana River Border |

The Commission has consequently amassed great experience and knowledge in mediating and resolving disputes between communities who live alongside each

other across counties. It is for this reason that the Commission proposes that NCIC should be included within the County Boundaries Bill either as part of the mediation committee under section 7 of the proposed bill or as part of the Independent Commission established under Section 24 of the proposed legislation.

- II. The Commission suggests that for purposes of cohesion the proposed bill should also consider alteration of the names of elective/administrative units. For instance, Turkana, Samburu, West Pokot, Meru, Taita Taveta, Kisii, Embu, etc.
- III. Any alterations of county boundaries should be done only in extreme cases. Opening the alterations may open a pandora's box where regions/communities want to have their "own" counties hence balkanizing the country.
- IV. NCIC also recommends that each county should have its own cadastral map showing its boundaries coordinates, subdivision lines natural features and related details

Specifically, the NCIC has noted that the proposed legislation is not clear on the avenue or time frame for an appeal following the decision of the mediation committee established under section 6 of the proposed bill. While a right of judicial review would lie in the High Court, this should either be expressly provided for in the legislation or another avenue of appeal be provided.

MEMORANDUM TO THE SENATE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS

Submission on the County Boundaries Bill, 2023 (Senate Bills No. 6 of 2023)

Presentation by **Mr. Issa Ibrahim Mahat**,
Advocate of the High Court of Kenya.

Tuesday, April 11, 2023

BACKGROUND

1. As a registered voter of Garissa County, born and raised in Ijara Constituency, I support the County Boundaries Bill, 2023 to the extent that it takes into consideration the below views, and its subsequent enactment as an Act of Parliament which seeks to not only define the boundaries of the counties in Kenya, but also to provide for the resolution of county boundary disputes through the establishment of *ad hoc* county boundaries mediation committees and lastly to give effect to Article 188 of the Constitution which requires that for any boundaries of a county to be altered, due consideration ought to be given to:
 - a. Population density and demographic trends.
 - b. Physical and human infrastructure.
 - c. Historical and cultural ties.
 - d. Costs of administration.
 - e. The views of the communities affected.
 - f. The objects of devolution of government; and
 - g. Geographical features.
2. The Bill rightly captures this requirement under Section 16 of the proposed Act dealing with Alteration of County Boundaries.
3. The Bill also provides for the resolution of County Boundaries Disputes where it provides for the establishment of a committee to *amongst others*, facilitate communication and negotiation between the mediation parties to assist them to reach an amicable agreement as to their disputes, allows for the committee to inquire into the dispute between the mediation parties and obtain the necessary information required to aid in the resolution of the dispute. This proposed provision breathes life into Article 159 of the Constitution on reinforcing alternative dispute resolution.
4. Traditional justice systems are resolution mechanisms adopted for years in Northeastern part of Kenya. Where they have been employed, they have been effective in managing conflicts and their declarations and resolution have been recognized. Resolution of conflicts prescribes an outcome based on mutual problem-sharing in which the conflicting

parties cooperate to redefine their conflict. This has proved beneficial for all parties concerned, it is enduring, non-coercive, mutually satisfying and addresses the root cause of any conflict.

5. The Bill in providing a mechanism for the alteration of a county boundary in line with Article 188(1) of the Constitution allows for alteration of a boundary on the recommendation by an independent commission and by a resolution passed by the National Assembly or the Senate, which provides for a representative element in doing so. The fact that a boundary can be altered provided that it is within the provisions of the bill and the proposed Act as well as the Constitution allows for due consideration to be given to the changes within the communities, counties and bordering localities and society as a whole such as any increase in population and other informative indices.

PROPOSAL/RECOMMENDATION

6. The Bill in seeking to clearly define the boundaries of the counties of Kenya as proposed in the First Schedule of the proposed Act ought to take into consideration as follows:
 - a. The provisions of the District and Provinces Act of 1992 (CAP 105 of the Laws of Kenya) determines boundaries as districts and not as counties in line with the new constitutional dispensation of country governments and devolved systems of government.
 - b. The current boundary delineation as per the District and Provinces Act of 1992 has pushed the people of Garissa County three miles away from the Tana River and the same is discriminatory and contrary to the following provisions of the Constitution:
 - i. Article 10 which provides for the National Values and Principles of Governance which include non-discrimination and protection of the marginalized.
 - ii. Article 27 on Equality and freedom from discrimination. Every person is equal before the law and has the right to equal protection and equal benefit of the law.
 - iii. Article 63 which protects community land which shall vest in and be held by communities identified based on ethnicity, culture, or similar community of interests. Community land shall not be disposed of or otherwise used except in terms of legislation specifying the nature and extent of the rights of members of each community individually and collectively.
 - c. The boundary as per the District and Provinces Act, 1992 defines the boundaries for Garissa County and Tana River County to the extent that the boundary/area along the Tana River pushes

Garissa County about four decimal eight (4.8) kilometers away (approx. 3 miles) from the river. Over the years, residents of Garissa County have agitated for access to the area bordering the Tana River with no intention to exclude others from their rightful and beneficial use of this very important natural resource.

- d. Tana River runs 400 kms between the two counties and as such the benefits accruing from the use of the river and the surrounding areas ought to be utilized by individuals from Garissa County as well.
- e. The current boundary separation hinders access to the use of the River. Garissa County being an arid and semi-arid area heavily relies on access to water for their day-to-day activities and would be beneficial for them to have easy and safe access to Tana River. Its water is used for domestic purposes, livestock, and agrarian purposes by the members of the community.
- f. The utilization of the river should not be the reserve of only one community and should be accessible to all counties bordering the River.
- g. In proposing the new boundaries, the three-mile-long boundary that currently separates Garissa and the Tana River ought to be removed.
- h. The current boundary has gravely hindered development and growth in agriculture around those areas. It has also led to various skirmishes and massacre of hundreds of people over watering points.
- i. The three-mile strip across the river is obsolete as far as it does not take into consideration the needs of the people of Garissa County to acquire the benefits of the use of Tana River.

Contact Information:

Issa Ibrahim Mahat

Issa Mahat & Co. Advocates

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NAIROBI



COUNTY ASSEMBLIES FORUM (CAF)

Flamingo Towers, 5th Floor Wing B, Mara Road, Upper Hill P.O. Box 73552-00200 Nairobi Kenya Tel: 0701 046 933
Email: communication@countyassembliesforum.org www.countyassembliesforum.org

CAF MEMORANDUM ON THE COUNTY BOUNDARIES BILL. 2023 (SENATE BILL NO. 06 OF 2023)

TO: Mr. Jeremiah Nyegenye, CBS
Clerk of the Senate, Parliament of Kenya.

FROM: The County Assemblies Forum.

DATE: 08th April 2023.

SUBJECT: CAF Memorandum on the County Boundaries Bill, 2023 (Senate Bill NO. 06 of 2023)

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1.0. INTRODUCTION

- 1.1. The County Assemblies Forum (CAF) is the coordinating body of the 47 County Assemblies in Kenya. The primary mandate of CAF is to promote networking and synergy among the 47 County Assemblies, coordinate intergovernmental relations and enhance good practice in legislative development. Our Mission is to provide effective leadership and coordination of the 47 County Assemblies and through policy and legislative action, promote a conducive working environment for all its members, and in that way deliver quality services to the people.
- 1.2. As one of the pillars of the devolved government system, CAF is committed to engage in processes that lead to the further strengthening of the dispute resolution mechanisms of County Boundaries

2.0. BACKGROUND

- 2.1. The Bill seeks to The Bill mainly seeks to define the boundaries of the counties of Kenya, provide a legal framework for the resolution of county boundary disputes through the establishment of a county boundaries mediation committee and to give effect to Article 188 of the Constitution on the alteration of county boundaries.
- 2.2. The proposed Bill concerns county governments in terms of Article 110(1) (a) of the Constitution as it is expected to provide a framework for the resolution of disputes concerning county boundaries and for the alteration of a county's boundaries should the need arise. Matters relating to the boundaries of counties directly affect the functions of county governments as they affect, security, economic activities and the administrative functions of county governments.

3.0. GENERAL COMMENTS.

- 3.1. CAF appreciates parliament in developing this bill which will help to reduce the conflicts between Counties over Boundaries.
- 3.2. The Forum is of the view that there is an urgent need for the passage of the County Boundaries Bill in order to address the longstanding issue of boundary disputes between counties. With 15 outstanding boundary disputes highlighted in a recent report by the Interior Ministry, it is imperative that action is taken to prevent further fights and deaths. The proposed commission created by the Bill will review and resolve these conflicts, including those between Kisumu and Kericho counties, Nandi and Vihiga counties, Machakos and Makueni counties, and Kajiado and Makueni counties. The Forum hopes that the Bill will be fast-tracked by senators, with the support of MPs, in order to provide an acceptable and lasting solution to these conflicts to ensure
- 3.3. CAF appreciates the opportunity to contribute to this Bill and on the basis of the foregoing proposes the following amendments:

4.0 SUMMARY MATRIX OF THE PROPOSED AMENDMENTS.

<p>1. Clause 17 (1) (1) A petition to Parliament for the alteration of the boundary of a county may be made by — (a) Any person who is a registered voter — (b) an elected member of the county assembly of a county whose boundary is proposed to be altered — (c) the Senator of a county whose boundary is proposed to be</p>	<p>No Amendment</p>	<p>The Forum appreciates the Senate for allowing an elected Member of County Assemblies to petition parliament for alteration of the Boundary. MCAs are best to recognize County Boundaries issues because they are the closest to the people at Ward level.</p>
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	<p>altered_</p> <p>(d) Member of the National Assembly representing a constituency within the county whose boundary is proposed (to) be altered_ or</p> <p>(e) A county governor on behalf of a county government that proposes the alteration of its boundary.</p>		
2.	<p>Clause 17(3)</p> <p>A petition made under subsection 17(1)(b) shall be submitted to Parliament together with a resolution of the county assembly</p>	<p>Amend the Clause as follows: -</p> <p>A petition made under subsection 17(1)(b) shall be submitted to Parliament together with a resolution of the county assembly</p>	<p>Why is the clause emphasizing on at least two thirds of the "elected" members of County Assemblies. Does it mean that the nominated members of county assembly will have no voting right to pass the</p>

<p>supported by at least two thirds of the elected members of the county assembly.</p>	<p>supported by at least two thirds of the members of the county assembly."</p>	<p>the resolution of the County Assembly.</p>
<p>Clause 24(1)</p> <p>(1) A commission established under this Act shall consist of —</p> <p>Membership of the commission.</p> <p>(a) a chairperson appointed by the President</p> <p>(b) one commissioner of the Independent Electoral and Boundaries Commission, nominated by the Independent Electoral and Boundaries Commission</p>	<p>Amend as follows clause 24 (1) (e): -</p> <p>" two persons of the opposite gender, who are not residents of the affected counties, nominated by the Council of Governors and institution responsible for coordinating the 47 County Assemblies"</p>	<p>The Forum is of the view that COG should nominate one person and the Forum should nominate the other person as long as they are of different Gender.</p>

<p>(c) one commissioner of the National Land Commission, nominated by the National Land Commission_</p> <p>(d) the Principal Secretary responsible for matters related to land and physical planning or a representative of the Principal Secretary designated in writing_</p> <p>(e) two persons of the opposite gender, who are not residents of the affected counties,</p> <p>nominated by the Council of Governors_</p> <p>(f) one person who is a licensed surveyor under the Survey Act and who</p>		

<p>are not resident in the affected countries, nominated by the Land Surveyors' Board—</p> <p>(g) a practicing advocate of fifteen years standing and who is not resident in the affected countries, nominated by the Law Society of Kenya_ and</p> <p>(h) the secretary to the commission who shall be a public officer nominated by the Cabinet Secretary and who shall—</p> <p>(i) be an ex-officio member_ and</p> <p>(ii)not have a right to vote.</p>		
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Thank you.
Yours sincerely,



HON. PHILEMON K. SABULEI,
CHAIRPERSON CAF



REPUBLIC OF KENYA

MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND URBAN
DEVELOPMENT

Office of the Cabinet Secretary

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When replying please quote

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Nairobi, KENYA

Ref. MOLPP/ADM/VOL 1(7)

12th April, 2023

J.M. Nyegenye, CBS
Clerk of the Senate
Parliament Buildings
P.O. Box 41842-00100
NAIROBI

Dear *Clerk*,


RE: INVITATION TO SUBMIT WRITTEN MEMORANDA ON THE COUNTY
BOUNDARIES BILL, 2023 (SENATE BILLS NO. 3 OF 2023)

Reference is made to your letter Ref. No. SEN/DGAC/DEVIR/2023/028 of 29th
March, 2023 on the above subject matter (Copy enclosed).

The Ministry has reviewed the Bill and we hereby forward our comments in the
matrix enclosed herewith. I am however, unable to attend the meeting slated for
Thursday, April 13, 2023 as I will be attending a Cabinet Committee meeting on
Agriculture, Climate Change, Water and Blue Economy.

We hope that the information is sufficient. Please do not hesitate to contact me
should you require any further information or clarification.

Yours *Sincerely,*


Zachariah M. Njeru
CABINET SECRETARY

Encls.

Copy to: Hon. Generali Nixon Korir
Principal Secretary
State Department for Lands & Physical Planning

REPUBLIC OF KENYA

Telegraphic Address
'Bunge', Nairobi
Telephone 2848000
Fax: 2243894
E-mail: csenate@parliament.go.ke



Clerk's Chambers
The Senate
Parliament Buildings
P. O. Box 41842 -00100
Nairobi, Kenya

PARLIAMENT
OFFICE OF THE CLERK OF THE SENATE

Ref: SEN/DGAC/DEVIR/2023/028

29th March, 2023

Hon. Zacharia Mwangi Njeru,
Cabinet Secretary,
Ministry of Lands, Public Works, Housing and Urban Development,
P.O. Box 30450-00100,
NAIROBI.

Dear 

**RE: INVITATION TO SUBMIT WRITTEN MEMORANDA ON THE COUNTY
BOUNDARIES BILL, 2023 (SENATE BILLS NO. 3 OF 2023)**

The County Boundaries Bill (Senate Bills No. 3 of 2023) was published *vide* Gazette Supplement No. 15 of 20th February, 2023. The Bill was read a First Time in the Senate on Wednesday, 22nd March, 2023 and stood committed to the Standing Committee on Devolution and Intergovernmental Relations for consideration. Enclosed is a copy of the Bill.

Pursuant to the provisions of Article 118 of the Constitution and Standing Order 145 (5) of the Senate Standing Orders, the Committee published an advertisement in the Daily Nation and Standard Newspapers on Friday, 24th March, 2023 inviting stakeholders and members of the public to submit any representations that they may have on the Bill by way of written memoranda. Enclosed is a copy of the advert.

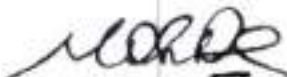
The purpose of this letter therefore, is to invite you to submit any representations that you may have on the Bill by way of written memoranda.

You are requested to send your written submissions on the Bill **by email** on the address: clerk.senate@parliament.go.ke and copied to senate.devolution@parliament.go.ke, to be received on or before **Monday, 10th April, 2023 at 5.00 p.m.**

Further, the Committee wishes to invite you to a Public Hearing session of the said Bill on **Thursday, 13th April 2023** at a venue within **Nairobi City County** that shall be communicated in due course.

Ms. Sylvia Nasambu, Clerk Assistant (Cell Number – 0723763703 Email – sylvia.nasambu@parliament.go.ke), is the Clerk to the Committee and is responsible for all arrangements relating to this matter.

Yours *Sincerely,*


J. M. NYEGENYE, CBS,
CLERK OF THE SENATE

Encls.

MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND URBAN DEVELOPMENT
 STATE DEPARTMENT FOR LANDS AND PHYSICAL PLANNING


COMMENTS ON THE COUNTY BOUNDARIES BILL, 2023

Section	Provision	Comments
2 Interpretation	“Cabinet Secretary” means the Cabinet Secretary responsible for matters related to <u>land and physical planning;</u> ”	Replace ‘the Cabinet Secretary responsible for matters related to land and physical planning’ with ‘Cabinet Secretary responsible for matters related to land surveying and mapping is domiciled”
2 Interpretation	“county executive committee member” means the County executive committee member for the time being responsible for matters related to <u>land and physical planning in the county</u>	Replace ‘land and physical planning’ with “land surveying and mapping”
4(1)	The Cabinet Secretary shall keep, and shall upon request by any person make available,an up to date <u>electronic record</u> of the boundaries of each county.	Replace ‘electronic’ with ‘digital and manual’
4(2)	The Cabinet Secretary shall utilise the appropriate technology to ensure accurate identification of county boundaries.	Replace with “The Cabinet Secretary shall ensure that authority responsible for survey utilises the appropriate technology for accurate identification of county boundaries.
5(2)a	A person under subsection (1)(a) shall submit the request to the senate together with- (a) Evidence that notice was given to every county government of a county	Insert the word “Committee” between the words “executive and member

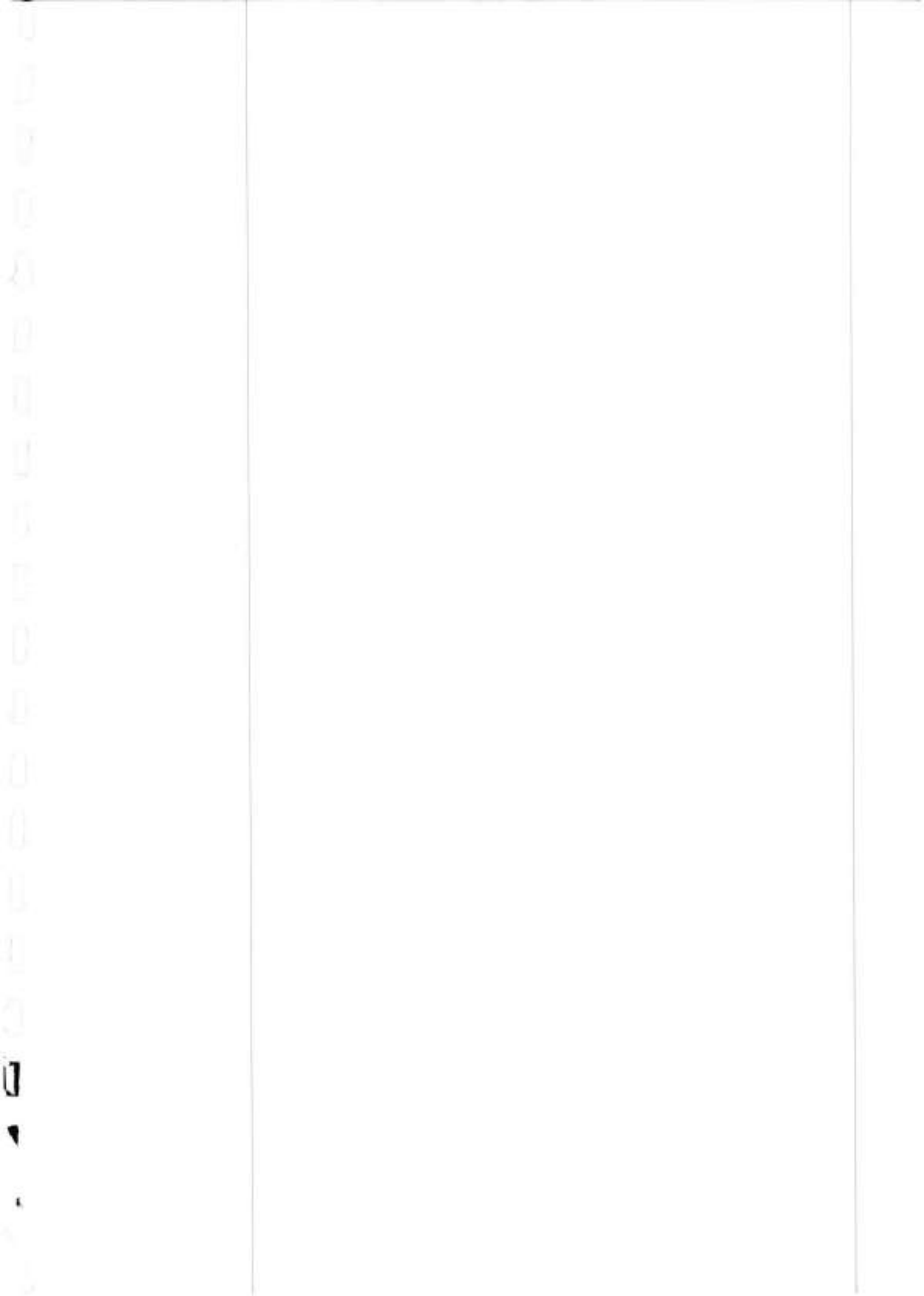
	whose boundary is the subject of the dispute referred to in subsection (1) addressed to the governor and <u>the county executive member</u> of the county	
7(1)a	The mediation committee shall consist of- (a) A chairperson who shall be an advocate of the High Court of Kenya with at least fifteen years' experience in alternative dispute resolution	Chairperson to be appointed by the President same as provided for the Chairperson of the independent county boundaries committee under Clause 24
8(3)	Where a vacancy occurs in the membership of the mediation committee under subsection (1), the President shall appoint a replacement in accordance with <u>section 8</u> .	the President shall appoint replacement in accordance with Section 7 not 8.
10(1)(b)	The Cabinet Secretary may, for purposes of subsection (1) (b), designate officers to serve in the secretariat and such officers shall include persons who have knowledge and at least five years' experience in physical planning or land survey	Delete the phrase 'physical planning or land survey' and replace with 'land surveying and mapping' since it's a survey and mapping function a surveyor will be more relevant
15	A mediation committee shall stand dissolved thirty days after submission of its report under <u>section 16</u> .	mediation committee shall stand dissolved 30 days after submission of report under section 13 not 16
21(a)	Where after the consideration of the report of the committee under section 20(2)(a) the Senate — (a) approves mediation as the appropriate means of resolving a boundary dispute, the Speaker of the Senate shall, within seven days of the resolution of the Senate, forward the resolution to the President for establishment of a	establishment of mediation committee is under section 6 not 5

	county boundaries mediation committee in accordance with <u>section 5</u>	
23	Whenever Parliament under section 22, resolves that an independent county boundaries commission be established, the President shall, within fourteen days of receipt of the petition, <u>nominate</u> members of a commission in accordance with this Part	The President's role is to appoint members of a commission. Replace the word nominate with appoint
24(1)(d)	The Principal Secretary responsible for matters related to land and physical planning or a representative of the Principal Secretary designated in writing	Replace with Principal Secretary under whom the national surveying and mapping agency falls or a representative of the Principal Secretary designate in writing
26	The functions of a commission under this Act shall be to inquire into a petition referred to it and to — (a) make appropriate recommendations in accordance with Article 188 of the Constitution and (b) make any other recommendation as it may consider appropriate.	Insert a subsection between subsections (a) and (b) to read: coordinate the national survey and mapping of all county boundaries. This is because its through this that the Ministry will manage to have accurate and up-to-date electronic record referred to in section 4
41(4)b(ii)	Publicized through ii) The commission's website; and	Replace with ' the Ministry's website because of the ad hoc nature of the commission
42(6)	(6)The commission shall set out, in a report under subsection (1), the specific geographical and demographical details with respect to the proposed alteration.	Replace 'the specific geographical' with "a comprehensive description of the boundary with adequately enlarged scaled map"

42(8)	...the boundaries of the county shall be altered as set out in the resolution of Parliament.	Rephrased as ".....the boundaries of the county shall be altered by the Cabinet Secretary as set out in the resolution of Parliament. A large scale topographical map shall be prepared and kept in both manual and digital formats by the cabinet secretary.
50	A petition challenging the alteration of a county boundary under this Act shall be – (a) filed in the High Court within twenty one days of the publication of the boundaries in the Gazette under section 42(3) and	Petition challenging alteration of a county boundary shall filed in the high court following the Gazettement under section 43 not 42
Schedule I	Thence south easterly by a traight line to the cairn named Suru Suru Near the Suru Suru River_ Thence southerly by a straight line to that source, and downstream by The course of that river to its intersection with a straight line joining a beacon on its north bank and the cairn near the southern source of the Ruarai River_ Thence northerly by that straight line to the latter cairn	Boundaries have been referred to movable features like cairn of stones which can be disputed if moved. Hence the need to survey and map the boundaries and records them using coordinates (mathematical position)


Zachariah M. Njeru
CABINET SECRETARY

April 12, 2023



INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION



THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION
MEMORANDUM
TO THE CLERK OF THE SENATE
ON THE COUNTY BOUNDARIES BILL, 2023 (SENATE BILL NO. 3 OF 2023)

Independent Electoral and Boundaries Commission (IEBC)
Anniversary Towers, Off University Way,
P.O Box 4371-10100, Nairobi-Kenya.
Telephone +254 (0) 2029925

INTRODUCTION

1. The Independent Electoral and Boundaries Commission (IEBC) established under article 88 of the Constitution is responsible for the conduct of the delimitation of constituencies and wards. It is a constitutional Commission under Chapter 15 of the constitution with particular reference to article 249 which sets out the objects of Constitutional Commissions.
2. The general functions of the IEBC, like all other Constitutional Commissions, are set out in Article 252(1). However, specific mandate of the Commission is primarily governed by Article 88(4) of the Constitution and the IEC Act.
3. The Commission notes the Bill under reference and make the following submissions;

Purpose of the Bill

4. The Bill seeks, among others, to define the boundaries of Kenya, provide legal framework for the resolution of county boundary disputes through the establishment of a county boundaries mediation committee and to give effect to Article 188 of the Constitution on the alteration of county boundaries.
5. Indeed, Article 188 of the Constitution provides a platform at which the boundaries of a county may be altered only by a resolution recommended by an Independent Commission set up for that purpose by parliament and passes by both the National Assembly and the Senate.
6. We welcome this draft and wish to make general comments as follows;

	Provision of the Bill	Stakeholder Proposal	Rationale
No	<p>1. Clauses 14 on extension of timelines and clause 15 on the dissolution of a mediation Committee.</p> <p>14. (1) The President may, with the approval of the Senate, extend the period under section (15(1)) for not more than one month.</p> <p>(2) The period under section 15(1) may be extended only once.</p> <p>15. (1) A mediation committee shall stand dissolved Thirty days after submission of its report under section 16.</p> <p>(2) During the period prescribed in subsection (1), the Mediation committee shall wind up its affairs in an orderly manner and, in particular, it shall ensure that.....</p>	<p>Rearrangement of the clauses. clause 15 to be made 14 and vice versa</p>	<p>We propose that the provision on extension of time comes after dissolution</p>

County Boundary Bill, 2023 (Senate Bill No. 3 of 2023) seeks among other to define the boundaries of Kenya, provide legal framework for the resolution of county boundary disputes through the establishment of a county boundaries mediation committee and to give effect to Article 189 of the Constitution on the alteration of county boundaries.

No	Provision of the Bill	Stakeholder Proposal	Rationale
2.	<p>PART IV ALTERATION OF COUNTY BOUNDARIES</p> <p>Clause 18 submission of a petition</p> <p>(18) (2) (b) refer the petition to a special committee of the Senate established for consideration of the petition</p>	<p>change the word 'special' to 'relevant'</p>	<p>This senate Committee may be special at the infancy of this law but progressively it will be a relevant committee.</p>
3.	<p>CLAUSE 22</p> <p>(7) If the mediation committee recommends the establishment of a mediation committee, section (21(a) shall (apply with necessary modification.</p> <p>(9) If the mediation committee fails to agree on a recommendation, no further proceedings shall take place in respect of the Petition.</p>	<p>(7) We propose that the mediation recommends formation of a commission (not another mediation committee).</p> <p>(9) We propose that, if the mediation committee fails to agree, it presents its report to the Senate as such.</p>	<p>(7) Formation of a mediation committee will be cyclic.</p> <p>(9) Providing that no further proceedings shall take place merely because of failure to agree by the mediation committee will negate the whole purpose of the committee and prematurely negate the relevance of the senate (which was the appointing authority in the first place).</p>

PART VII MISCELLANEOUS PROVISIONS			
No	Provision of the Bill	Stakeholder Proposal	Rationale
4.	<p>Clause 47 coming into effect of the resolution.</p> <p>(2)(c) submit a report referred (under subsection (2)(b) to the Senate and the National Assembly for consideration).</p>	Substitute the word consideration for adoption	The report has already been comprehensively canvassed and gazetted. The senate does not need to process it further but adopt.
	<p>Clause 50 petitions to the High Court on alteration of boundaries.</p> <p>50(1) (b)) determined within sixty days of the filing of the petition.</p>	We propose deletion of this timeline. Alternatively replace 60 days with six months.	Whereas legislature does not proscribe timelines for determination of cases, we may adopt the standard six months' timeline for all other matters touching on elections and boundaries generally.
	<p>50(2) Any appeal from a decision arising from a petition filed under subsection (2) shall be heard and determined within sixty days of the filing of the appeal.</p>	We propose replacement of subsection 2 with subsection 1.	Subsection 2 does not refer to any appeal. This may have been a typo.



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Nairobi, Kenya

Our Ref: HML/GEN/4/23

Your Ref: T.B.A

6th April 2023

The Clerk to the Senate,
Parliament Buildings
NAIROBI,

Dear Sir,

RE: THE COUNTY BOUNDARIES BILL, 2023

1. Background

The need for limited government is founded not in opposition to existence of government, rather on the fears of over concentration of coercive state powers and its attendant abuse at the expense of individual liberties. Guided by human experience and the hazards of absolute governments, the need for a constitutionally limited government, possessing delegated authority and necessary instruments sufficient to protect individual liberties, but equally not so powerful as to diminish or negate them, inevitably arises. The post 2010 Kenyan system was ordained to provide for this form of limitation of governmental powers most important for purposes hereof through ***DEVOLUTION OF POWER.***

Mots modern constitution-making processes endeavor to establish systems of government founded on delegated, enumerated and subsequently limited powers. The Constitution of Kenya 2010 embodies in its structure essential principles of the Kenyan government being the protection of life and liberty. The framers of the CoK2010 were guided by their knowledge of many years of Kenya's experiences, during which people struggled for liberty and limited government. The result of these struggles birthed the

Constitution of Kenya 2010 – which focuses on the centrality of the People in exercise of governmental powers through its most animating principle of *DEVOLUTION*. The United States declaration of independence summarized the autonomy of the people in self-determination in the following manner:

That all men are created equal, that they are endowed by their Creator with certain unalienable Rights that among these are Life, Liberty, and the Pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed, that whenever any form of Government becomes destructive of these Ends, it is the Right of the People to alter or abolish it, and institute a new Government, laying its Foundation on such Principles, and Organizing its powers in such form, as to them shall seem most likely to affect their safety and happiness.¹

The framers of the CoK2010 were astute students of the Kenyan experience. From their knowledge of these experiences, they underscored the preponderance of vertical devolution of power; the right to universal suffrage; and the right of resistance through picketing, an ancient right of a free person. Liberty and limited government are not isolated events that occurred in 2010. Instead, they were reaffirmed and strengthened. In Kenya, devolution has progressively shaped the way resources are allocated to meet priorities of communities within the jurisdiction of the 47 county governments. Similarly, administrative processes at the county level have progressively improved, enabling the establishment of systems and processes that seek to govern in the long-term the realization of the objectives of devolution at the national as well as the county levels and below.

The 2010 revolution set in motion the extension of the benefits of liberty and limited government through the device of devolution to all as John Figgis succinctly writes about the American Declaration of Independence thus:

The sonorous phrases of declaration of independence ... are not an original discovery, they are the heirs of all the ages, the depository of the emotions and thoughts of seventy generations of culture.²

¹ US Declaration of Independence 1776.

² Figgis JN (1999) *Political Thought from Gerson to Grotius* (Batoche Books Canada) 28.

2. Comments on the Bill

A review of the Bill shows that it is grossly in defeat of the entire edifice of Article 188 CoK2010 which is a self-executing Article in that it does not need legislation in order to be operative and where Parliament therefore deals with such provisions of the constitution, any legislation enacted to "give effect and or operationalize" such Article as 188 should not defeat the purpose of the said Article or render it inoperative.

2.1. Section 17

- This section sets out the persons who can initiate alteration of county boundary and at section 17(1) (a), such persons include a registered voter who must support the contemplated petition with at least 15% of the registered voters of the petitioner's county.

Issue:

1. The section does not give the geographical definition/limitation of the "registered voter" meaning that any registered voter can petition Parliament for alteration of the county boundary regardless of their county of origin.
 2. The IEBC is supposed to whimsically verify the registered voters contemplated under section 17(2). The Bill is oblivious to the possibility of frustrating the petitioner's intentions by the IEBC by simply denying that the list provided by the Petitioner is not compliant. Perhaps the more pragmatic approach is that the petition must be accompanied by a certified copy of voter's register so that Parliament only seeks verification of the certified register and not the list provided by the Petitioner.
- Under section 17(4) a petition contemplated under section 17(1) must be compliant with the requirements of the First Schedule.

Issue

1. The First Schedule is missing in the Bill for scrutiny. Be it as it may, such requirements must not go outside the provisions of Article 188 which are the only constitutional conditions set out for alteration of county boundaries.

2.2. Section 19

- This section gives whimsical powers to the special committee and makes it entirely impossible to alter county boundaries. The provisions of Article 188.2 CoK2010 do not presuppose a mediation when considering a proposed alteration of county boundaries as presupposed in section 19(C).
- It is important to note that the people reserved the right to alter the objects, principles and structure of devolution of governmental powers to themselves and divorced that power from Parliament within the meaning of Article 188 as read together with Article 255(1)(i) CoK2010. Where Parliament in exercise of its delegated legislative authority decides to legislate on an act that the people expressly reserved the same to themselves, such legislation must not attempt to create an assembly of tyrants as a special and or mediation committee to unnecessarily interfere with the direct exercise of the sovereign powers of the people.
- A reading of Article 188(1) arrives to the inevitable conclusion that once a proposal to alter county boundaries is made, Parliament should immediately set up an independent commission whose mandate and or terms of reference are elaborately set out in 188(2) CoK2010. Extension of the mandate of the special or mediation committee to Article 188 CoK2010 is a clear usurpation of the people's sovereign power to self-governance and determination as was restated by the Court of Appeal in *Independent Electoral & Boundaries Commission – v- Maina Kiai & 5 Others (2017) eKLR*, where the court considered the constitutional moment of 2010 in the following manner:

When the people of Kenya adopted, enacted, and gifted themselves and their future generations the 2010 Constitution, it was not an ordinary, common-

place act. Nor was it an empty ritual. Rather, it was an epochal moment, pregnant with meaning and significance, and speaking to the indomitable will of the people to take charge of their destiny and bend the arc of history to align with their most cherished aspirations and ideals as to how they wished to be governed, and to organize their affairs. Theirs was doubtless the most momentous act of sovereignty and self-determination since Independence...

- This momentous act that the people reserved for themselves under Article 188 should therefore not unnecessarily be made impossible to realize by enactment of retrogressive and bureaucratic legislation as does the Bill in its present form.
- It is therefore imperative that section 19 of the Bill as is currently constituted be deleted in its entirety.

2.3. Section 20, 21 and 22

- These sections provide for the process of consideration of the special committee's report. Section 20(1)(a) contemplates that a special committee may recommend that a "boundary dispute" may be referred to the mediation committee.
- The alteration of boundaries under Article 188 is not a dispute as envisaged under the Bill rather a right of the people to self-determination which Parliament cannot usurp.
- The creation of special committee, mediation committee and their functions under sections 20, 21 and 23 are entirely unconstitutional as they are subversive of the will of the people carried out in Article 188 as read together with Article 255(1) (i) CoK2010.
- The jurisdiction of the special committee and the mediation committee should not be extended to the people's reserved powers under Article 188 CoK2010.

3. Conclusion

The objective of CoK2010 is the restoration of power to the people to manage their own affairs particularly in matters of governance. The CoK2010 secured devolution to

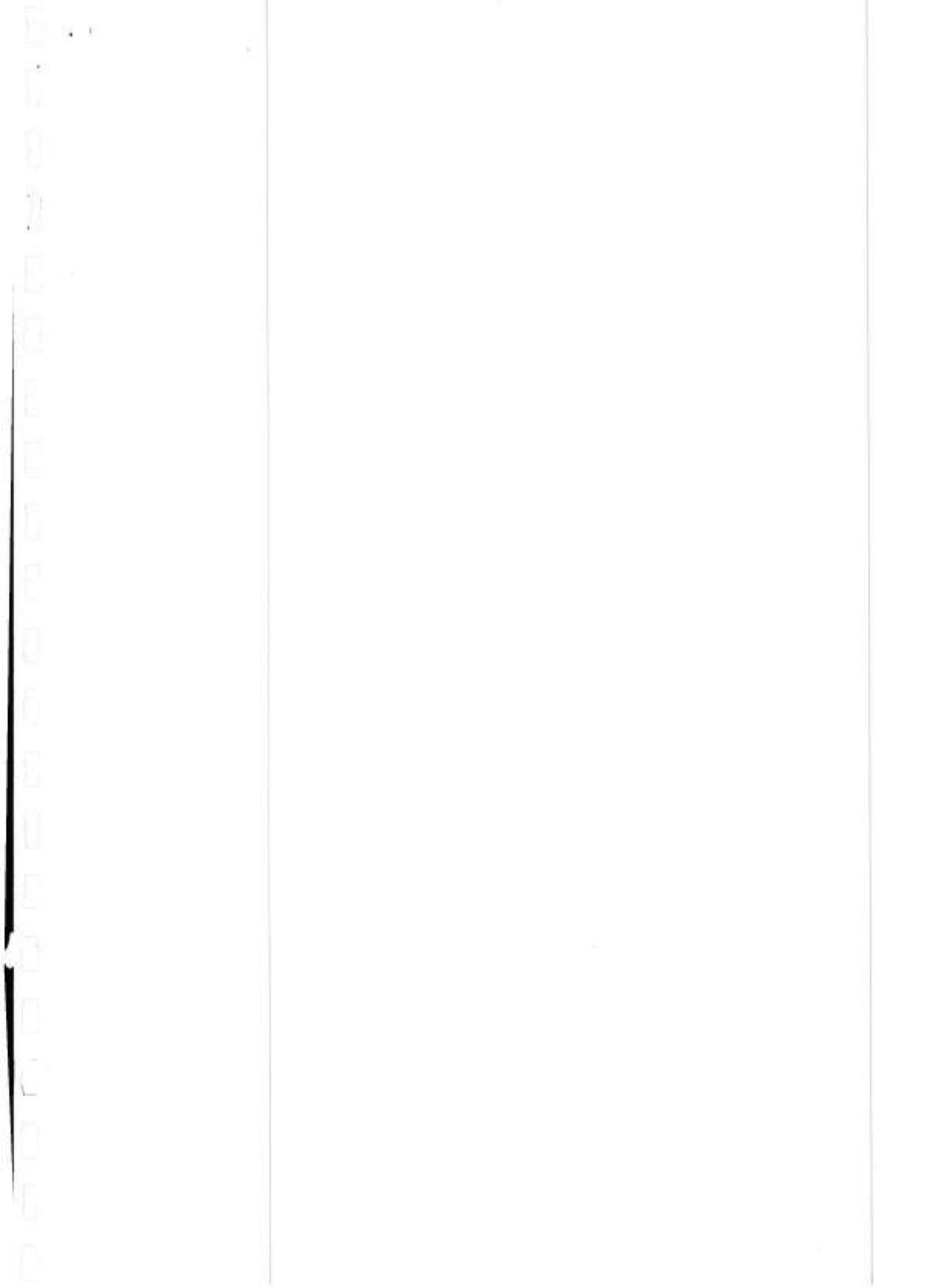
facilitate citizens' participation in governance as a basic principle and value espoused in the Constitution. It is therefore a legitimate expectation of the people of Kenya, that when Parliament is exercising its legislative functions, it will not unnecessarily deprive the people the gains made in the aftermath of the promulgation of the CoK2010 by way of enacting retrogressive and bureaucratic legislation.

Yours faithfully



Silas Aluku

Hashim & Lesaigor Associates Advocates



1850 1851 1852 1853 1854 1855 1856 1857 1858 1859 1860 1861 1862 1863 1864 1865 1866 1867 1868 1869 1870 1871 1872 1873 1874 1875 1876 1877 1878 1879 1880 1881 1882 1883 1884 1885 1886 1887 1888 1889 1890 1891 1892 1893 1894 1895 1896 1897 1898 1899 1900

**EAST POKOT PASTORS PEACE INITIATIVE FELLOWSHIP, RELIGIOUS LEADERS (FBOs) &
COUNCIL OF ELDERS
P.O. BOX 26-30404 NGINYANG, KENYA
AIC CHEMOLINGOT TOWNSHIP OFFICE
TEL: 0723698873/0715314520/0721462055/07250338/0722974277/0722762872/0704239793**

6th April 2023

Ref: EPPIFRLCE/001/23

M Nyengenyee, CBS,
The Clerk of the Senate, Thirteenth Parliament,
Nairobi; Standing Committee on Devolution and Intergovernmental Relations,
P.O. Box
NAIROBI.

Dear Sir/Madam,

RE: SUBMISSION OF EAST POKOT PASTORS PEACE INITIATIVE FELLOWSHIP, RELIGIOUS LEADERS (FBOs) & COUNCIL OF ELDERS PETITION ON LOST LAND THROUGH UNILATERAL ALTERATION OF BARINGO (EAST POKOT)-TURKANA COUNTY BOUNDARIES.

Following the Gazettement of the County Boundaries Bill 2023 of the Senate of Kenya, The East Pokot Pastors Peace Initiative Fellowship is a registered CBO led by Religious Leaders & Council of Elders spearheading peace building and development in the region, hereby submit a memorandum in response to the County Boundaries Bill, 2023 (Senate Bills No. 3 of 2023). The Faith Based Organizations under the leadership of the mentioned Religious Leaders are registered with the Registrar of Societies at the Attorney Generals Chambers in Nairobi.

The main objective of the FBOs is to spread the Gospel Message according to Mathew 28:19-20 and at the same time help resolve issues affecting the welfare of the people residing in areas predominantly settled by the Pokot people and beyond. The organization also champions the sustenance of positive Pokot Culture, traditions and historical aspects of the community in pursuit of harmonious relationship and mutual coexistence with their neighbors. The Council of Elders and youth have also been involved in arbitrating on peace and researching on land issues where our community members are involved or are affected from time to time.

On being alerted of article 67 of the Constitution of Kenya together with the County Boundaries Bill of 2021/2023, the East Pokot Pastors Peace Initiative Fellowship, Religious Leaders & Council of Elders sat over these issues that have continued to pester the community from the colonial period to date and established land as a critical issue of historical nature that the Elders presented to the National Land Commission in Sept 2021. In order to foster peace tranquility and co-existence between Pokot and its neighbors, the East Pokot Pastors Peace Initiative Fellowship, Religious Leaders & Council of Elders requests the Senate of Kenya through the Chair of Standing Committee on Devolution and Intergovernmental Relations together with the Independent Boundaries Commission as well as the National Land Commission of Kenya to put in place requisite mechanisms of resolving the County delimitation of boundaries with the fairness that will be seen to uphold justice to Pokot Community.

Our statements and documents are hereby attached for your critical look and action. The documents have been prepared based on local hearings of the East Pokot Pastors Peace Initiative Fellowship, Religious Leaders & Council of Elders from West Pokot and Baringo Counties among other stakeholders. The Elders at the same time have continued with consultative engagements and further research in order to firm up their position.

The information provided in the attached documents are legitimate and because the Elders did not find enough time to provide the enough back up documents to their claim, we request the Standing Committee on Devolution and Intergovernmental Relations of Kenya's Senate to accept our submissions albeit with some attachments that will be filed later.

The East Pokot Pastors Peace Initiative Fellowship, Religious Leaders & Council of Elders from Baringo & West Pokot Counties, do hereby undertake to provide stewardship of the Community's aspirations and shall support the peaceful process of seeking for justice to the people of Pokot whose land was illegally moved to Turkana County in 1992 to date through **persistent tempering of Google earth maps** without their knowledge or any form of consultative process.

The purpose of this letter therefore is to kindly request you to look into the Pokot community's memoranda and claims over their lost territories from the following mentioned areas; Kolosia, Tirioko, Akoret, Kapau, Kapedo, Silale, Nasorot, Amaya, Mukutani, Loruk and Kaparion whose narrative and documentation is hereby provided for your ease of reference and necessary action.

We hereby request for an invitation by the Senate Committee for further clarification of the issues raised.

Thank you in advance for your consideration.



Asst. Bishop, Rev. Yusuf K. Losute, HSC (0723698873)

Confirmed by;



1) *Hon. Joseph D.*
(0722762872)

Lotodo-----East Pokot Council of Elders



2) *Alice Charem-----East Pokot Women Affairs (0726391103) &*



3) *Moses Akeno-----East Pokot Peace Elder (0723687263)*

In behalf of the Larger East Pokot Community

Copy: H.E. Dr. Willaim Samoei Ruto, The President of the Republic of Kenya and the Commander in Chief of the Kenya Defense Forces.

Harambee House, NAIROBI.

H.E. Benjamin Cheboi & Simon Kachapin, CBS,
Governors, County Government of Baringo & West Pokot.

All Members of Parliament, Baringo & West Pokot Counties.

- County Commissioners, Baringo & West Pokot Counties.

All Members of County Assembly, Baringo & West Pokot Counties.

SPECIAL ISSUE

Kenya Gazette Supplement No. 15 (Senate Bills No. 6)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

SENATE BILLS, 2023

NAIROBI, 20th February, 2023

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thence on a true bearing of $331^{\circ} 51' 30''$ for a distance of 10,835 feet to beacon NN. 14;

thence on a true bearing of $329^{\circ} 48' 00''$ for a distance of 6,555 feet to beacon NN. 15;

thence on a true bearing of $312^{\circ} 08' 40''$ for a distance of 7,964 feet to beacon NN. 16;

thence on a true bearing of $354^{\circ} 29' 20''$ for a distance of 4,820 feet to beacon NN. 17;

thence on a true bearing of $310^{\circ} 22' 30''$ for a distance of 9,198 feet to beacon NN. 18;

thence on a true bearing of $289^{\circ} 36' 20''$ for a distance of 5,492 feet to beacon NN. 19;

thence on a true bearing of $318^{\circ} 18' 50''$ for a distance of 2,496 feet to beacon NN. 20;

thence on a true bearing of $311^{\circ} 08' 00''$ for a distance of 8,428 feet to the point of commencement.

30. BARINGO COUNTY

Commencing at the confluence of the Kolosia and Kerio Rivers on the boundary between the West Pokot and Turkana Counties;

thence south-easterly, by a straight line through the hill Mugor (Mugu) to a point on the Suguta River immediately east of Kapeddo Post;

thence due east by a straight line to the summit of Silali;

thence by a straight line south-easterly to the summit of Ol Doinyo Lengere;

thence by a straight line on a true bearing of $83^{\circ} 30' 18''$ to the intersection of that line with the Amaya River;

thence south-easterly and up-stream by the course of that river to Amaya Falls;

thence continuing generally south-easterly and up-stream by the course of that river to the intersection of the generally north-western boundary of L.R. No. 8050 on its west bank;

thence generally south-westerly by the generally north-western boundary of L.R. No. 8050 and part of the generally north-western boundary of L.R. No. 8049 to a beacon Hillock situated at a point approximately half a mile north of the Mukutan River and one and a half miles east of Mukutan;

thence generally southerly and south-westerly by the generally western boundaries of L.R. No. 8049 and 8046 to a beacon Kop on Tikamur Hill at the north-west corner of L.R. No. 7822;

thence continuing by a straight line south-westerly on a true bearing of $204^{\circ} 33'$ to the north-west corner of Ol Arabel Forest;

thence south-easterly by eastern boundary of that forest formed by eastern boundary of Mochongoi Location including part of Marmanet Forest to the western boundary of Marmanet Forest;

thence north-easterly by that forest boundary to the intersection of that boundary with southern boundary on Ol Arabel Forest;

thence generally south-westerly by that forest boundary to the most northerly corner of L.R. No. 10753;

thence generally south-westerly by the north-western boundary of that portion to the Waseges River;

thence generally south-easterly and southerly by that river to the intersection of the northern boundary of L.R. No. 10762 with its west bank;

thence south-westerly by the northern boundaries of L.R. No. 10762 and the original L.R. No. 2682/R (G.L.) to the north-west corner of the latter portion;

thence generally southerly by the western boundaries of original L.R. No. 2682/R (G.L.) and L.R. Nos. 8437, 8438, 8439, 2680, 7364 and 1168/R to the south-western corner of the last mentioned portion;

thence generally westerly and generally southerly by part of the northern and the western boundaries of L.R. No. 10851 to the south-western corner of that portion;

thence south-westerly by part of the generally north-western boundary of L.R. No. 9023 to its most westerly corner;

thence north-westerly by the generally northern boundaries of L.R. Nos. 475/7, 475/6 and 475/5 to the north-western corner of the last numbered portion;

thence generally north-westerly by the generally eastern and northern boundaries of L.R. No. 10939 to the eastern corner of L.R. No. 10938;

thence generally westerly by the eastern boundary of L.R. No. 10938 to its intersection with the Molo River;

thence generally northerly and downstream by the course of that river to the intersection of the northern boundary of L.R. No. 10938 on its western bank;

thence generally north-westerly, south-westerly and southeasterly by the northern, north-western and south-western boundaries of L.R. No. 10938 to the intersection of the last boundary with the Molo River;

thence generally south-westerly and up-stream by the course of the river to the intersection of the north-eastern boundary of L.R. No. 486/1/R on its western bank;

thence north-westerly and south-westerly by the north-eastern and north-western boundaries of L.R. No. 486/1/R to the intersection of the last boundary with the eastern boundary of the main Nakuru-Eldama Ravine road reserve;

thence generally north-westerly by the generally eastern boundary of that road reserve to the intersection of the extended north-western boundary of L.R. No. 487/26/4;

thence south-westerly by that extended boundary, crossing the aforementioned road reserve and continuing generally south-westerly by the north-western boundaries of L.R. Nos. 487/26/4, 487/27, 487/28/4, 486/29, and 9856 to the intersection of the last boundary with the Bissoi River which river forms part of the generally eastern boundary of the Mount Londiani Forest;

thence generally north-westerly, south-westerly, southerly and again south-westerly by the generally eastern boundaries of that forest to the most westerly corner of L.R. No. 8905/4;

thence by a straight line south-westerly to the south-eastern corner of L.R. No. 9697/1 on the generally western boundary of the aforementioned forest;

thence generally northerly and north-westerly by part of that forest boundary to a beacon D.48 at the north-eastern corner of L.R. No. 7597;

thence generally westerly by the Mount Londiani Forest boundary and the northern boundaries of L.R. Nos. 7597 and 9675 to the north-western corner of the latter portion;

thence north-easterly by a straight line crossing the main Nakuru-Eldoret railway reserve and continuing by that line to its intersection with the generally south-eastern boundary of L.R. No. 9577 at a point approximately 1,250 feet from the south-eastern corner of that portion;

thence generally south-westerly and northerly by the generally south-eastern and western boundaries of L.R. No. 9577 to the intersection of the last boundary with the south-western boundary of the Maji Mazuri Forest;

thence westerly by the northern boundary of Tinderet Forest and continuing with western boundary of Lembus Mosop Location boundary to south-eastern corner of Timboroa Forest;

thence generally northerly by the generally western boundaries of Lembus Forest to its north-western corner;

thence easterly by part of the northern boundary of that forest to Borowett Hill (HA 966 168) on that boundary;

thence north-easterly following the south-eastern boundary of Metkei Forest to a beacon Kipkanyilat (SKP. 103);

thence north-westerly by a straight line to the lowest point on the watershed immediately west of the source of the Kureswa or Mogorua River;

thence generally north-easterly and northerly and down-stream by the course of that river to its confluence with the Kerio (Ndo) River;

thence generally northerly and downstream by the course of that river to its confluence with the Kolosia River at a point on the common generally south boundary of Turkana County, being the point of commencement.

31. LAIKIPIA COUNTY

Commencing at the most northerly corner of L.R. No. 8050 on the Amaya River which forms part of the common boundary of the Samburu County;

thence generally southerly and easterly by the generally northern boundaries of L.R. Nos. 8050 and 8051 to the north-eastern corner of the latter portion;

thence continuing generally easterly, north-easterly, south-easterly and again generally easterly by the generally northern boundaries of L.R. Nos. 8052 and 8036 to the Ewaso Nyiro which river forms part of the common boundary of the Isiolo County;

thence generally southerly and south-westerly and up-stream by the centre course of the Ewaso Nyiro to the intersection on its eastern bank of the extended straight line from Ndare Ford on the Engare Ndare (river) through the trigonometrical beacons of Mukogodo and Lendili;

23. TURKANA COUNTY

Commencing at the point common to the international boundaries of Kenya, Uganda and Sudan in the vicinity of Mount Zulia;

thence north-easterly and easterly by the Kenya-Sudan international boundary to the point common to the international boundaries of Kenya, Sudan and Ethiopia;

thence south-easterly by the Kenya-Ethiopia international boundary to a point at the north end of Lake Turkana due north of the trigonometrical beacon on North Island;

thence due south by a straight line through that beacon and continuing by that line due south to the intersection of that line with the generally western shore of Lake Turkana at a point north-west of the Turkwel Delta;

thence generally easterly and south-easterly by that shore line to a point due north of the summit of Teleki's Volcano at the southern end of Lake Turkana;

thence by a straight line to that summit;

thence south-easterly by a straight line to the western slopes of Mount Ejuk;

thence generally south-westerly along the top of the lava escarpment which forms the eastern edge of the Suguta Valley, to where that escarpment merges into Mount Losergoi;

thence along the western slopes of Mount Losergoi and continuing generally southerly along a line following the generally western slopes of a range of hills on the eastern side of the Suguta Valley to the falls on the Amaya River (geographical co-ordinates approximately $0^{\circ} 55' N.$, $36^{\circ} 24' E.$);

thence generally north-westerly and downstream by that river to a point on a bearing of $83^{\circ} 30' 18''$ from the summit of Ol Doinyo Lengere;

thence on a bearing of $263^{\circ} 30' 18''$ to the summit of Ol Doinyo Lengere;

thence north-westerly by a straight line to the summit of Mount Silali;

thence westerly by a straight line to a point on the Suguta River immediately east of Kapeddo Post;

thence again north-westerly by a straight line to the summit of the hill Mugar (Mugu);

thence again north-westerly by a straight line to the confluence of the Kerio (Ndo) River with the Kolosia River;

thence up-stream by that river to its intersection with the Lotongot-Kolosia road at Katungun Wells;

thence by that road generally westerly to the water-hole at Lotongot;

thence generally westerly and downstream by a dry river bed to its junction with the River Wewe (Wei-Wei or Malmalte);

thence generally north-westerly downstream by that river to the ford Nainuk;

thence north-westerly by a straight line to Lokwien (Lokuyen) where the River Turkwel emerges from the Turkwel Gorge;

thence downstream by that river to its intersection with western boundary of Kaputin Location;

thence northerly by that location boundary and continuing with the western boundary of Lorengippi Location to its intersection with southern boundary of Lorugum Location;

thence westerly by that location boundary and continuing with the southern boundary of Lorengippi to its intersection with Kenya-Uganda international boundary;

thence generally northerly by the undemarcated section of that international boundary to the base of the Turkana Escarpment;

thence in a straight line to the pillar UK. 1 on the right bank of the river Kanamuton;

thence by straight lines each terminating at a pillar on the following true bearings and for the following approximate distances successively to a pillar UK. 180—

SECOND SCHEDULE—(Contd.)

thence on a bearing of $263^{\circ} 30' 18''$ to the summit of Ol Doinyo Lengere;

thence north-westerly by a straight line to the summit of Mount Silali;

thence westerly by a straight line to a point on the Suguta River immediately east of Kapeddo Post;

thence again north-westerly by a straight line to the summit of the hill Mugor (Mugu);

thence again north-westerly by a straight line to the confluence of the Kerio (Ndo) River with the Kolosia River;

thence up-stream by that river to its intersection with the Lotongot-Kolosia road at Katungun Wells;

thence by that road generally westerly to the water-hole at Lotongot;

thence generally westerly and downstream by a dry river bed to its junction with the River Wewe (Wei-Wei or Malmalte);

thence generally north-westerly downstream by that river to the ford Nainuk;

thence north-westerly by a straight line to Lokwien (Lokuyen) where the River Turkwel emerges from the Turkwel Gorge;

thence downstream by that river to its intersection with western boundary of Kaputin Location;

thence northerly by that location boundary and continuing with the western boundary of Lorengippi Location to its intersection with southern boundary of Lorugum Location;

thence westerly by that location boundary and continuing with the southern boundary of Lorengippi to its intersection with Kenya-Uganda international boundary;

thence generally northerly by the undemarcated section of that international boundary to the base of the Turkana Escarpment;

thence in a straight line to the pillar UK. 1 on the right bank of the river Kanamuton;

thence by straight lines each terminating at a pillar on the following true bearings and for the following approximate distances successively to a pillar UK. 180—

SECOND SCHEDULE—(Contd.)

<i>From Beacon</i>	<i>To Beacon</i>	<i>Bearing</i>	<i>Distance (Feet)</i>
UK. 52	UK. 53	311° 09'	6,896
UK. 53	UK. 54	331° 38'	10,044
UK. 54	UK. 55	297° 32'	4,055
UK. 55	UK. 56	287° 46'	9,418
UK. 56	UK. 57	246° 06'	6,710
UK. 57	UK. 58	337° 07'	5,115
UK. 58	UK. 59	327° 13'	4,281
UK. 59	UK. 60	302° 27'	284
UK. 60	UK. 61	304° 01'	5,022
UK. 61	UK. 62	278° 07'	3,818
UK. 62	UK. 63	328° 52'	3,609
UK. 63	UK. 64	358° 53'	6,324
UK. 64	UK. 65	352° 44'	9,833
UK. 65	UK. 66	359° 35'	5,101
UK. 66	UK. 67	354° 59'	14,818
UK. 67	UK. 68	339° 01'	9,269
UK. 68	UK. 69	345° 27'	13,939
UK. 69	UK. 70	317° 01'	8,709
UK. 70	UK. 71	309° 00'	5,641
UK. 71	UK. 72	350° 05'	2,587
UK. 72	UK. 73	01° 55'	13,506
UK. 73	UK. 74	69° 27'	3,158
UK. 74	UK. 75	32° 11'	6,726
UK. 75	UK. 76	351° 43'	6,334
UK. 76	UK. 77	327° 08'	7,410
UK. 77	UK. 78	315° 44'	7,662
UK. 78	UK. 78A	346° 43'	3,498
UK. 78A	UK. 78B	74° 05'	658
UK. 78B	UK. 79	125° 56'	2,607
UK. 79	UK. 80	84° 01'	9,781
UK. 80	UK. 81	41° 33'	4,606
UK. 81	UK. 82	43° 42'	6,391
UK. 82	UK. 83	34° 56'	3,320
UK. 83	UK. 84	05° 17'	9,408
UK. 84	UK. 85	05° 17'	8,946
UK. 85	UK. 86	05° 18'	3,718
UK. 86	UK. 87	353° 59'	11,720
UK. 87	UK. 88	10° 53'	9,774
UK. 88	UK. 89	09° 05'	11,610
UK. 89	UK. 90	310° 36'	3,998
UK. 90	UK. 91	289° 54'	13,971
UK. 91	UK. 92	28° 52'	5,792
UK. 92	UK. 93	346° 14'	4,695
UK. 93	UK. 94	318° 59'	2,497
UK. 94	UK. 95	317° 48'	9,847
UK. 95	UK. 96	299° 12'	3,050
UK. 96	UK. 97	271° 40'	5,820
UK. 97	UK. 98	257° 44'	6,713
UK. 98	UK. 99	252° 50'	4,525

SECOND SCHEDULE—(Contd.)

<i>From Beacon</i>	<i>To Beacon</i>	<i>Bearing</i>	<i>Distance (Feet)</i>
UK. 148	UK. 149		
UK. 149	UK. 150	232° 46'	1,387
UK. 150	UK. 151	234° 05'	1,326
UK. 151	UK. 152	199° 35'	2,151
UK. 152	UK. 153	266° 30'	6,719
UK. 153	UK. 154	278° 30'	7,857
UK. 154	UK. 155	259° 24'	562
UK. 155	UK. 156	259° 18'	6,628
UK. 156	UK. 157	242° 15'	6,590
UK. 157	UK. 158	285° 28'	1,390
UK. 158	UK. 159	321° 19'	224
UK. 159	UK. 160	05° 09'	797
UK. 160	UK. 161	06° 44'	7,960
UK. 161	UK. 162	64° 37'	5,256
UK. 162	UK. 163	64° 44'	4,290
UK. 163	UK. 164	45° 39'	1,958
UK. 164	UK. 165	28° 42'	606
UK. 165	UK. 166	15° 43'	12,045
UK. 166	UK. 167	13° 32'	8,426
UK. 167	UK. 168	04° 26'	1,847
UK. 168	UK. 169	298° 30'	12,368
UK. 169	UK. 170	316° 07'	12,882
UK. 170	UK. 171	288° 18'	7,280
UK. 171	UK. 172	355° 13'	6,533
UK. 172	UK. 173	72° 36'	11,338
UK. 173	UK. 174	13° 47'	3,942
UK. 174	UK. 175	00° 05'	5,313
UK. 175	UK. 176	333° 08'	9,457
UK. 176	UK. 177	296° 35'	6,799
UK. 177	UK. 178	333° 39'	11,091
UK. 178	UK. 179	37° 00'	9,935
UK. 179	UK. 180	331° 51'	14,674
		312° 41'	4,444

thence on an approximate bearing of 307° for an approximate distance of 21,500 feet to the point of commencement.

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The County Boundaries Bill, 2023

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TO: THE THIRTHEENTH PARLIAMENT

FROM: THE LARGER EAST POKOT-TIATY CONSTITUENCY

DATE: 6TH APRIL, 2023

SUBJECT: THE COUNTY BOUNDARIES SENATE BILL, NUMBER 3 OF 2023

THE PROPOSED EAST POKOT COUNTY

INTRODUCTION

THE CONSTITUTION OF KENYA (Amendment) Bill, 2022 by Hon. Marwa Kitayama Maisori M.P, Kuria East Constituency.

The proposed East Pokot County from the existing Baringo and West Pokot Counties or otherwise, is one of the proposed additional nine (9) Counties in Kenya through this bill to amend Article 6 (1) First schedule, Article 6 (2) of the constitution of Kenya (COK) and increase the number of the counties from 47 to 56.

The proposed nine (9) Counties are No.48 Kuria, No.49 Teso, No.50 Mount Elgon, No.51 East Pokot, No.52 Mwingi, No.53 Gucha, No.54 Suba, No.55 Ijara and No.56 Nakuru West Counties.

That, over the last ten (10) years after the promulgation of the COK 2010, there is burning needs and aspiration of the people of Kenya to strengthen the structure of devolution with the citizens wish to bring development and service closer to the people in order to solve the perennial ethnic and divisive elections.

ARTICLE 6 (3) of COK mandate state organs to ensure that there is reasonable access to service in all part of the republic and as far as is appropriate to do so having regard to the nature of the services. However, Article 174 of the COK provide for objects of devolution of government, which entails the pursuit of promotion of democracy and accountable exercise of power, the provision of proximate, easily accessible services throughout Kenya, and equitable sharing of national and local or county resources throughout Kenya.

Hence this amendment shall ensure that the objects of devolution are realized and that the rights of minorities and the marginalized are promoted and protected. Therefore, these amendments shall allow some specific minorities the right to manage their own affairs and further their own development Agenda

Therefore, we aver that the proposed East Pokot County shall consist of but not limited to the following existing Sub-Counties namely; **Tiaty West and Tiaty East Sub-Counties in Tiaty Constituency in Baringo County and Sigor Constituency in Pokot Central Sub-County in West Pokot County.**

The proposed East Pokot County population per Sub-Counties/Constituencies according to 2019 Kenya Population and Housing Census.

Constituency Area, sq.km	Sub-county	Population
1. Tiaty constituency 2, 500.5	1. Tiaty West	79, 923

2, 162.5	2. Tiaty East	73, 421
	Total	153, 347
4, 666.0		
2. Sigor Constituency 2, 055.0	1. Pokot Central	119, 016
Proposed East Pokot County 6, 718.0	Grand total	272, 363

IMPORTANCE/BODY

THE EAST POKOT DISTRICT/SUB-COUNTY IN BARINGO COUNTY FROM MARCH 2007 TO 21ST JUNE, 2017 (PROMULGATION OF COK ON 27TH AUG, 2010)

DESCRIPTION.

The East Pokot sub county Commence at the confluence of the Kerio and Kolosia rivers beacon No. 49 in the boundary between the West Pokot and Turkana County.

Thence, South –Easterly on a straight line *and along Angolerengan River* through hills Mugur (Mugu), *Tirioko, Chemoril (Loechererith) beacon UK40, Kapau (Kamoething) beacon UK35 and Kamunken (Loerothio) beacon UK20* to a point *Koghumoi* on the Suguta river immediately East of Kapedo Post. Thence due east by a straight line to the summit of Silali;

Thence, by a straight line south-easterly to the summit of Ol Donyo Lengere (*Morukomol*) Thence, by a straight line on a true bearing of 83°30' 18" to the intersection of that line with the Amaya River.

Thence, Southly-Easterly and upstream by the course of that river to Amaya Falls; thence continuing generally Southerly and Upstream by the course of that river to the intersection of the general north- western bank, Thence, generally south-westerly by the generally north western boundary of L.R No. 8049 to a beacon

Hillock situated at a point approximately half mile North of Mukutan River and half a mile east of Mukutan;

Thence, generally westerly downstream by the course of Mukutan River to a point near Rugus where this river flows southward; thence, north-westerly by the course of Rugus and Kechii Rivers through Morwai hill into its eastern inlet at Barkilenya to Lake Baringo;

Thence, South-westerly to trigonometrical point (0°38'16''N, 36° 04'18''E) on the Samatian/Simatia Island in Lake Baringo. Thence North-westerly on this lake to its western bank; thence, westerly uphill to the top of the Teren hill overlooking Lake Baringo.

Thence, north-westerly by a fairly straight line through Chelerio plains, Chepurmoghok tributary stream and on the course of this tributary stream to its eastern inlet to Bursuswa River.

Thence, northerly and downstream by the course of this River to a point near Loturo on the confluence of Bursuswa River and Chesoo stream on Kaparion River.

Thence, Westerly upstream by the course of the Kaparion river along Kopoluk, Losakunny water point, Lombul, Karandili or Karuwon and to the southern edge of the Sitee hill overlooking the source of Kiptuisaror River. Thence, generally westerly through Naminit, Kobulwo and downstream by the course of Kalabata and Kinyach rivers to Teren on the Kerio River. Thence, Northerly and downstream along Kerio River to the point of commencement.

NOTE: The President H.E Hon. Mwai Kibaki CGH, officially opened the East Pokot District

HQS at Chemolingot in Baringo District on 19th December, 2007.

Source: 1. Districts and Province Act No. 5 of 1992 (Baringo and Turkana Districts)

2. Kenya subsidiary legislation 1963-District and Province boundary

3. East Suk (Baringo) – Southern Turkana boundary demarcation in 1932. From 28th January to 17th February, 1932 by ADC N. Sabine Baringo District and ADC W. H Felling Southern Turkana District.
4. Suk (Pokot)-Kamasia (Tugen) boundary demarcation on January-February 1932 by ADC Hosking Baringo District

THE EAST POKOT DISTRICT/SUB-COUNTY IN BARINGO COUNTY IN FEBRUARY 2007-2017 (1963)

The East Pokot District (Chemolingot Hqs) was established and gazetted on 16th November 2005 and it was subsequently re-named East Pokot Sub-County in Baringo County after the promulgation of the constitution of Kenya on August 27th 2010. The East Pokot Sub-County was further sub-divided into two sub counties namely; East Pokot and Tiaty East Sub-Counties vide Kenya gazette notice No. 5853 of 21st June 2017.

Then the East Pokot Sub-County was renamed Tiaty West sub county vide Kenya gazette no. 128 dated 3rd July 2020. It was a surprise and has since caused a lot of confusion on delivery of services because we had proposed to split East Pokot Sub-County to establish the Tiaty (East Pokot) Sub-County and the new Tiaty West Sub-County (Kolowa Hqs).

In 1990/91 The Assistant Chief for Loruk sub-Location in Loyamorok Location P/ NO 144199 Wesley L. Sebei and Councillor Joseph Chereba of Loyamorok Ward were arrested and charged in Kabarnet court over malicious and prejudicial at best allegations by some residence and politicians from Baringo North Constituency.

They were ultimately acquitted by the court for lack of evidence but the above named assistant chief was sacked. Upon advertisement to replace the post of the Assistant Chief for Loruk Sub-Location in Loyamorok Location in Baringo East Constituency, it was surprising that during the appointment, a person from Baringo North was appointed and the Loruk Sub-Location was transferred to Saimo Soi Location (present-day Sibilo Location) in Baringo North Constituency among protest from the residence of Loyamorok Location. This is the cause of the persistent conflicts among the communities to date.

In 2008, during the visit by the Prime Minister Hon. Raila A. Odinga to Loruk center in Baringo District, the Hon. William Cheptumo MP Baringo North Constituency declared that Loruk center and environs belongs to Baringo North and extends 9 Kilometers Northwards to Lemuyek and Yatia road junction. This caused a serious and bloody conflict between East Pokot (Baringo East/Tiaty) and Baringo North Constituency to date. The afformantioned Member of Parliament further influenced the creation of Loruk North Location in Baringo North but it was stopped indefinitely by the office of the President.

2.4 PHYSICAL DESCRIPTION OF THE LARGER EAST POKOT (TIATY)

2.4.1 LOCATION AND SIZE

The Tiaty West (East Pokot) and Tiaty East Sub-Counties are among the seven (7) Sub-Counties which includes; Baring North, Baringo South, Baringo Central and Mogotio in Baringo County. There are eight (8) Divisions in the larger East Pokot namely, Nginyang, Akoret, Kolowa, Ngoron, Tirioko, Mondi, Tangulbei and Churo as well as twenty seven (27) locations namely; Kositei, Chemolingot, Ribkwo, Akoret, Kolowa, Lowiat, Chepkarerat, Barpelo, Tirioko, Kapunyany, Kpnai, Ngoron, Lokis, Loyamorok, Paka, Loruk, Silale, Naudo, Korossi, Komolion, Tangulbei, Orus, Makutano, Kachilitwa, Churo, Amaya and Kaptuya with thirty eight (68) sub-locations.

Baringo County has fourteen (14) divisions in total. Baringo East Constituencies borders six (6) districts namely, Laikipia to the East, Turkana and Samburu to the North, West Pokot, Marakwet and Keiyo to the west as well as Baringo Central and Baringo North to the south. This constituency is located between longitudes 35°30' and 36°30'; East and between latitudes 0°40' North and 1°40' North.

It covers an area of 4,663km square which is half of the total area of 11,017 km square for Baringo County.

2.4.2 TOPOGRAPHY AND GEOLOGY

The larger East Pokot Sub County in Baringo County is situated in the floor of Rift Valley, lying between the Kerio River (western boundary) and the Laikipia-Churo escarpment of the Eastern wall of the Rift Valley. A line of hills along the site,

Chepanda/Tiatei and Tirioko rangers run down the Western Centre of the area dividing the western more agriculturally rich Kerio valley from the Eastern which is (Kositei, Ribkwo, Akoret, Silale and Loyamorok) hotter, drier Nginyang division of Baringo Plains.

These hills are formed along a Miocene fault made up of sideth phonelities. The area is heavily faulted north-south with a lot of volcanic intrusions of Trachytes and Ballasts, with two (2) dormant volcanoes on Silale and Paka hills. On the flatter areas, there are a lot of piedomount and alluvial deposits, particularly in the kerio Valley. In some areas, there is a lot of diatomite indicative of old lakes.

2.4.3 CLIMATE AND/OR AGRO-ECOLOGICAL ZONES

Land in Kenya is classified according to its productions potential or ecological zones I to VI. Therefore, the climate of Baringo East constituencies is marginal and semi-arid land which covers Kenya's eco-climatic zones IV, V, VI according to part, Greenway and Gwynne and it's characterized by hot days with a maximum of 30°C - 37°C, cooling down at night with a minimum of 18°C - 20°C. However, the Kerio Valley Kolowa, Lowiat, Ngoron and Tirioko Division and Churo location in Tangulbei Division is generally cooler (16°C - 24°C).

Rainfall varies great over the whole area, but with an average between 460mm – 600mm. However, Nginyang division and Churo location of Tangulbei division is wetter while Baringo plains of Nginyang Division is drier and drier as one goes northwards to Kapedo , Akoret, Silale areas (Average of 460 mm). The last serious drought was in 1965, though 1980, 1985 and 2000 is the driest year since then, humidity varies from 40% to 70% while mean evaporation is 2,576 mm/year hence evaporation exceeds rainfall for every month.

2.4.4 VEGETATION

The larger East Pokot Sub County falls into Pratt, greenway and Gwynne Eco climatic zones IV, V and VI with a moisture index 30 to 50. Such land is only of marginal Agricultural potential and limited to the more favorable area. Most of the land is potentially productive rangeland, though this is limited by encroachment of woody species. The vegetation is mainly acacia bush is mainly composed of A. Brevispica, A Mellifera, A reficiens, and A Senegal. Interspersed in the Acacia bush are taller woody species VIZ-A. A tortilis, A. eliator, Terminalia Spinosa, Balanites Aegyptica, Ziziplus Mauritania.

Characteristically, both TERMINALIA Spinosa, Balanites Aegyptiacia are found in groups. Toward the north of this area Kapedo, Akoret and Silale, the bush land opens out with an increased amount of bare land, while in the Kerio valley, the acacia thicket is much thicker and harbours a lot of tsetse fly. In the water riverine areas, a more lush undergrowth riverine forest develops especially at the Kerio River. These riverine forests will include large trees of A tortilis, A. Eliator, tamarindus indica, terminalia brownie, Ficus-spp or Ficus sycamorus, with a lush undergrowth which is often under grazed due to tsetse fly.

Over the area, rangelands have been severely overgrazed, with little perennial grassland left. During the rains, there is a flush of annual grasses and herbs. Thus most of the natural forage is provided by annual herbs and shrubs. As a result of over grazing, large tracts of land are left bare with subsequent increased soil erosion and decreased water availability for plant life. On the hills, there is bare land due to the excessive run-off.

2.4.5 SOILS

To the north of Lake Baringo, the soils are normally shallow with numerous surface stones, having gone developed from trachytic lava flows. Deep fluvisols have developed in the riverine areas, where most of the Agriculture is practiced. These soils are normally deep brown –red/brown and well drained. Most soils on

the Kerio Valley floor of Kolowa division are deep fluvisols derived from the hills. While on the site, Chesawach, Chepanda, Tiatei, Tirioko, Plankil (Nasirewia) hill slopes, the soils are shallow and stony with a lot of bare rock due to increased soil erosion, and are unsuitable for cultivation.

Most of the cultivated land in the Kerio Valley is sited on La, pa soils, both of them fluvial in origin, though the pa soils have developed from Trachyte lava flows.

Most of these soils is moderately deep red/brown to brown. The soils are generally slightly acidic to slightly alkaline in reaction, and are fairly well supplied with nutrients (even phosphorous, which is surprising).

Little Nitrogen and organic matter exists in the soils hence a lot of care is required in order to maintain a good nutrient and organic matter exists in the soils. On the agricultural land, there is little salt build up though in a number of the rangeland areas, there is often good deal of easily visible salt build up.

The East Pokot Sub-County in Baringo County was subdivided into two Sub-Counties namely; East Pokot and Tiaty East Sub-Counties vide Kenya Gazette No.5853 of 21st June 2017.

TIATY WEST (EAST POKOT) SUB-COUNTY IN BARINGO COUNTY IN 2017

The East Pokot Sub-County was re-named Tiaty West Sub-County Vide Kenya Gazette Notice No-128 of 3rd July 2020.

Description:

The Tiaty West (East Pokot) Sub-County in Baringo County Commence at the confluence of the Kerio and Kolosia rivers Beacon No. 47 in the boundary between the West Pokot and Turkana County. Thence South-Easterly on a straight line and along Angolerengan River through hills Mugar (Muguu), Tirioko, Chemoril (Loechererith) beacon UK 40, Kapau (Kamoething) beacon UK 35 and Kamunken (Loerethio) beacon UK 20 to a point Koghumoi on the Suguta river immediately East of Kapedo Post.

Thence, Southerly and up- stream by the course of Suguta and Nginyang rivers to a point near Loturo on the confluence of Barsuswa River and Chesoo Stream on the Kaparion River.

Thence, Westerly upstream by the course of the Kaparion river along Kopoluk, Losakuny water point, Lombul, Karandili or Karuwon and to the southern edge of the Sitee hill overlooking Kiptuisaror river.

Thence, westerly through Naminit, Kobulwo and downstream by the course of Kalabata and Kinyach Rivers into Teren on the Kerio River; Thence Northerly and downstream by the course of the Kerio River to the point of commencement.

THE TIATY EAST SUB-COUNTY IN BARINGO COUNTY IN 21ST JUNE 2017.

Description:

The Tiaty East Sub-County in Baringo County Commence at point Koghumoi on the Suguta River immediately east of Kapedo Post, Thence due east by a straight line to the summit of Silali; Thence, by a straight-line south-easterly to the summit of Ol Donyo Lengere (Morukomol); Thence by a straight line on a true bearing of $83^{\circ}30'18''$ to the intersection of that line with the Amaya River; Thence South – Easterly and upstream by the course of that river to Amaya Falls; then continuing

generally Southerly and Upstream by the course of that river to the intersection of the general north- western bank,

Thence, generally south-westerly by the generally north western boundary of L.R No. 8049 to a beacon Hillock situated at a point approximately half a mile North of Mukutan River and half a mile east of Mukutan; thence generally westerly by the course of Mukutan River to a point near Rugus where this river flows southward; Thence, north-westerly by the course of Rugus and Kechii River through Morwai hill into its eastern inlet at Barkilenya to Lake Baringo; thence; south-westerly to a trigonometrical point 0°38'16''N, 36°04'18''E on the Samatian/Simatia Island in Lake Baringo. Thence North- westerly on this lake to its North-western bank. Thence westerly uphill to the top of the Teren hill overlooking Lake Baringo. Thence, north-westerly by a fairly straight line through Chelerio plains, Chepurmoghok tributary stream and generally westerly by the course of this tributary stream to its eastern inlet to Bursuswa River; thence northerly and downstream along this River to a point near Loturo on the confluence of Bursuswa River and Chesoo stream on Kaparion river. Thence, northerly and downstream along Barsuswa and Nginyang rivers to the point of commencement.

TIATY WEST SUB-COUNTY (KOLOWA HQS)

The Distribution of Population by sex, number of households, Land area, Population Density and sub-locations/Locations. Extract from table 2.4 of 2019 Kenya Population and Households Census.

	Total	Sex*		Households			Land Area	Density
		Male	Female	Total	Conventional	Group Quarters	Sq.km	Persons per sq.km
TIATY WEST SUB-COUNTY	54,941	23,380	31,561	11,727	11,710	-	1,826.4	30

KOLOWA DIVISION	17,346	8,836	8,510	2,984	2,984	-	342.8	51
Kolowa Location	6,125	3,164	2,961	1,042	1,042	-	105.6	58
Kolowa Sub-Loc.	4,123	2,141	1,982	669	667	-	53.4	77
Kaisakat Sub-Loc.	2,002	1,023	974	375	375	-	52.2	38
Barpelo Location	6,133	3,056	3,077	1,133	1,133	-	133.3	46
Barpelo Sub-loc.	2,957	1,481	1,476	570	570	-	79.5	37
Chepturu Sub-Loc.	3,176	1,575	1,601	563	563	-	53.8	59
Chepkarerat Location	5,088	2,616	2,472	809	809	-	103.9	49
Chepkarerat Sub-Loc.	2,269	1,213	1,056	365	365	-	64.1	35
Kakapul Sub-Loc.	2,819	1,403	1,416	444	444	-	39.8	71
PROPOSED LOWIAT DIVISION	13,307	6,669	6,295	2,235	2,235	-	360.8	37
Laiwat Location	4,200	2,154	2,046	851	851	-	119.2	36
Laiwat Sub-Loc.	2,262	1,108	1,154	443	443	-	54.1	42
Lemuke Sub-Loc.	1,938	1,046	892	408	408	-	65.1	30
Proposed Tukomoi Sub-Loc.	-	-	-	-	-	-	-	-
Proposed Kaperur/Tilingwo Location	6,014	2,837	2,832	962	962	-	143.2	42
Tilingwo Sub-Loc.	2,195	1,052	1,143	345	345	-	60.1	37
Chepelion Sub-Loc.	3,819	1,785	1,689	617	617	-	83.1	41
Proposed Lodengo Sub-Loc.	-	-	-	-	-	-	-	-
Kipnai Location	3,093	1,678	1,417	422	422	-	98.4	31

Kipnai Sub-Loc.	3,093	1,678	1,417	422	422	-	98.4	31
Proposed Chemuro Sub-Loc.	-	-	-	-	-	-	-	-
Proposed Nalukumongin Sub-Loc.	-	-	-	-	-	-	-	-
NGORON DIVISION	12,755	6,468	6,287	1,265	1,265	-	310.7	42
Ngoron Location	8,691	4,511	4,180	1,496	1,496	-	170.4	52
Ngoron Sub-loc.	4,116	2,224	1,892	675	675	-	70.0	59
Mirkissi Sub-loc.	4,575	2,287	2,288	821	821	-	100.4	46
Proposed Chewara Sub-loc.	-	-	-	-	-	-	-	-
Kapunyany Location	4,064	1,957	2,107	769	769	-	140.3	28
Kapunyany Sub-loc.	4,064	1,957	2,107	769	769	-	140.3	28
Embositit Sub-loc(New)	-	-	-	-	-	-	-	-
Proposed Sukut Location	-	-	-	-	-	-	-	-
Proposed Sukut Sub-loc.	-	-	-	-	-	-	-	-
Proposed Chepkirial Sub-loc.	-	-	-	-	-	-	-	-
Proposed Ndirimon Sub-loc.	-	-	-	-	-	-	-	-
TIRIOKO DIVISION (NEW) (KORELACH HQS)	11,947	6,063	5,883	2,122	2,122	-	542.1	23
Tirioko Location	4,042	2,085	1,957	723	723	-	251.3	16
Angoritiang Sub-loc.	4,042	2,085	1,957	723	723	-	251.3	16
Proposed Akirapet Sub-Loc.	-	-	-	-	-	-	-	-
Lokis Location	7,905	3,978	3,926	1,399	1,399	-	290.8	27

Lokis Sub-loc.	4, 178	2, 145	2, 032	708	708	-	156.4	27
Ngaina Sub-loc.	3, 727	1, 823	1, 894	691	691	-	134.4	28
AKORET DIVISION	8, 757	4, 171	4, 586	1, 731	1,714	17	270	33
Akoret Location	3, 781	1, 737	2, 044	800	800	-	72.0	52
Akoret Sub-loc.	2, 057	916	1, 121	474	474	-	30.7	66
Atirir Sub-loc (New)	-	-	-	-	-	-	-	-
Proposed Rotu Sub-loc.	-	-	-	-	-	-	-	-
Proposed Kulol Location	1, 744	821	923	326	326	-	41.3	42
Kulol Sub-loc.	1, 744	821	923	326	326	-	41.3	42
Noroyon Sub-loc (New)	-	-	-	-	-	-	-	-
Proposed Kapururu Sub-loc.	-	-	-	-	-	-	-	-
Kapuu Location	3, 232	1,613	1,619	605	588	17	156.7	21
Kamurio Sub-Loc.	2, 065	1, 000	1, 065	427	410	17	75.4	27
Kapedo North Sub-Loc.	1, 167	613	554	178	178	-	81.3	14
Patipat Sub-Loc.	3, 531	1, 901	1, 630	559	518	41	156.6	23

The Tiaty West Sub- County has a population of 55,355 people and it covers an area of 1,556 km² or about two hundred 200 kilometres long from north to south. It borders Turkana County to the North on the Confluence of Kolosia and Kerio rivers in the boundary between West Pokot and Turkana County, Marakwet East and Marakwet West Sub-counties of Elgeyo Marakwet County to the West and Baringo North Sub-county in Baringo County at Kinyach River to the South and East Pokot (Tiaty) Sub-County to the East.

The Akoret division in the current Tirioko ward has a population of 8,757 people and an area of 270 km², should be administered from Tiaty West sub-county until

the time it qualify to be Akoret Ward after 2023/2024 IEBC constituencies and wards boundary review before being transferred to proposed Tiaty (East Pokot) sub-county due to difficult mountainous terrain.

There has been perennial Cattle Rustling and banditry across and along Kerio River Valley at Lombosion in Kipnai Location, Chemusuk (Chesikin) near Tilingwo in Loiwat Location and Dira in Ngoron/Tirioko Location.

There is a proposal to construct bridges at Lombosion, Chemusuk (Chesikin) and Dira across the kerio river valley to facilitate free movement of people, goods and services as well as timely security provision between the Pokot and Marakwet Communities.

There is an urgent and genuine need from this proposal to create or establish especially the long overdue Tiaty West Sub-County (Kolowa HQS), Lowiat Division, Proposed Kaperur or Tilingwo Location, Sukut Location and other proposed Locations, Sub-Locations due to vastness of the area, poor road network and perennial insecurity to enhance closer administration, peace, security and sustainable Development in the 21st Century and beyond.

However, some of the government guns which were taken from the Police Officers killed on 24th October, 2022 at Kamuge in Turkana East Sub-Counties by bandits from Tiaty Constituency were recovered at Kulol Sub-Location of the proposed Kulol location and Atirir Sub-location of Akoret location in Akoret division of the Proposed Tiaty (East Pokot) Sub-County.

**PROPOSED TIATY CENTRAL (EAST POKOT) SUB-COUNTY
(CHEMOLINGOT HQS)**

The Distribution of Population by sex, number of households, Land area, Population density and Sub-Locations/Locations. Extract from table 2.4 of 2019 Kenya Population and Households Census.

	Sex*			Households			Land Area	Density
	Total	Male	Female	Total	Conventional	Group Quarters	Sq.km	Persons per sq.km
Proposed Tiaty (East Pokot) Sub-county	20,065	10,202	9,863	3,821	3,732	106	779.5	25
Proposed Ribkwo Division	6,688	3,383	3,304	1,339	1,286	53	374.8	18
Ribkwo Location	3,446	1,353	1,462	554	554	-	149.1	24
Maron Sub-loc.	2,075	1,016	1,058	405	405	-	113.6	18
Chepanda Sub-loc.	741	337	404	149	149	-	35.5	21
Proposed Apakiso Sub-loc.	-	-	-	-	-	-	-	-
Proposed Nyakwala Location	-	-	-	-	-	-	-	-
Proposed Chepotindar Sub-loc.	-	-	-	-	-	-	-	-
Proposed Alem Sub-loc	-	-	-	-	-	-	-	-
Proposed Chepkarerat Sub-loc.	-	-	-	-	-	-	-	-
Proposed Mirkisian Location	1,232	644	588	274	238	36	128.0	10
Kapedo West Sub-loc.	1,232	644	588	274	238	36	128.0	10

Proposed Mirkisian Sub-loc.	-	-	-	-	-	-	-	-
Proposed Kasakaram Sub-loc.	-	-	-	-	-	-	-	-
Proposed Lorwatum Location	2, 640	1, 386	1, 254	511	494	17	97.6	27
Chesakam Sub-loc.	2, 640	1, 386	1, 254	511	494	17	97.6	27
Proposed Karuwen Sub-loc.	-	-	-	-	-	-	-	-
Proposed Lorwatum Sub-Loc								
Nginyang Division	6, 500	3, 353	3, 207	1,378	1, 343	35	134.3	49
Chemolingot Location	6, 500	3, 353	3, 207	1,378	1, 343	35	134.3	49
Chemolingot Sub-loc.	2, 874	1, 411	1, 463	520	520	-	112.4	26
Nginyang West Sub-loc.	3, 686	1, 942	1, 744	858	823	35	21.8	169
Proposed Kadeli Sub-loc.	-	-	-	-	-	-	-	-
Proposed Chemsik Location	-	-	-	-	-	-	-	-
Proposed Chemsik Sub-loc.	-	-	-	-	-	-	-	-
Proposed Donge Sub-loc.	-	-	-	-	-	-	-	-
Proposed Mukur Subloc.	-	-	-	-	-	-	-	-
Proposed Kositei Division	6, 818	3, 466	3, 352	1, 104	1,103	1	270.4	26
Kositei Location	4, 702	2, 392	2, 310	770	769	1	200.1	23
Kositei Sub-loc.	2, 586	1, 318	1, 268	436	435	1	129.2	20
Proposed Kopoluk Sub-loc.	-	-	-	-	-	-	-	-
Proposed Cheseret Sub-loc.	-	-	-	-	-	-	-	-
Katikit Location(New)	-	-	-	-	-	-	-	-

Katikit Sub-loc.(New)	-	-	-	-	-	-	-	-
Proposed Kariamakitoi Sub-loc.	-	-	-	-	-	-	-	-
Proposed Kasitit Sub-loc.	-	-	-	-	-	-	-	-
Proposed Seretion Location	2,116	1,074	1,042	334	334	-	70.3	30
Seretion Sub-loc.	2,116	1,074	1,042	334	334	-	70.3	30
Proposed Donyasas Sub-loc.	-	-	-	-	-	-	-	-
Proposed Katukumwok Sub-loc.	-	-	-	-	-	-	-	-

The East Pokot is a symbolic and signature name of the people of Tiaty (Baringo East) Constituency since time immemorial, the same way west Pokot Sub-County in West Pokot County as captured in the 2019 Kenya Population and Households Census or Kenya National Bureau of Statistics (KNBS).

The Tiaty (East Pokot) Sub-County has a population of 28,763 people and shall cover an area of 1,049.5 km². It borders Turkana East Sub-County to the North, Proposed Tiaty West Sub-County and Elgeyo Marakwet County to the West, Baringo North Sub-County along Kaparion and Kinyach Rivers to the South and the Proposed Tiaty Central/Tiaty East Sub-Counties and Samburu County to the East.

There is an urgent and genuine need from this proposal to create or establish especially the long overdue proposed Ribkwo & Kositei Divisions, Mirkisian,

Lorwatum, Nyakwala and Seretion Locations & respective sub-locations among others due to vastness of the area, poor road network and perennial insecurity to enhance closer administration, peace, security and sustainable Development in the 21st Century and beyond.

TIATY EAST SUB-COUNTY (TANGULBEI HQS)

The Distribution of Population by sex, number of households, Land area, Population Density and sub-locations/Locations. Extract from table 2.4 of 2019 Kenya Population and Households Census.

	Sex*			Households			Land Area Sq.km	Density Persons per sq.km
	Total	Male	Female	Total	Conventional	Group Quarters		
Tiaty East Sub-county	45,653	23,505	22,147	7,695	7,635	60	1,179.8	39
Churo Division	20,635	10,932	9,702	3,050	3,050	6	328.7	63
Churo Location	6,846	3,624	3,222	1,026	1,026	-	66.9	102
Churo Sub-loc.	3,158	1,604	1,554	529	529	-	28.2	112
Chepelow Sub-loc.	3,688	2,020	1,668	497	497	-	38.8	95
Kaptuya Location	6,457	3,471	2,986	885	879	6	112.5	53
Kaptuya Sub-loc.	2,148	1,122	1,026	323	317	6	69.7	31
Tebelekwo Sub-loc.	4,309	2,349	1,960	562	562	-	52.7	82
Kachilitwa Location	4,633	2,402	2,231	695	695	-	90.5	51
Kachilitwa Sub-loc.	2,341	1,198	1,143	363	363	-	32.0	73
Putero Sub-loc.	2,292	1,204	1,088	332	332	-	58.5	39

Proposed Division	Amaya	3,621	1,937	1,684	643	643	-	51.1	71
Amaya Location		6,320	3,372	2,947	1,087	1,087	-	109.9	58
Amaya Sub-loc.		3,621	1,937	1,684	643	643	-	51.1	71
Mukekamar Sub-loc(New)		2,699	1,435	1,263	444	444	-	58.8	46
Tangulbei Division		17,673	8,762	8,911	3,335	3,304	31	630	29
Tangulbei Location		6,989	3,519	3,470	1,293	1,270	23	202.4	38
Tangulbei Sub-loc.		4,979	2,511	2,468	927	904	-	123.1	40
Kadokoi Sub-loc.		2,010	1,008	1,002	366	366	-	79.3	25
Orus Location		6,093	2,972	3,121	1,155	1,147	8	233.9	26
Orus Sub-loc.		2,037	982	1,055	408	408	-	73.4	38
Kokwototo Sub-loc.		3,587	1,754	1,833	665	657	8	137.3	26
Makany Sub-loc.		469	236	233	82	82	-	23.2	20
Proposed Katungura Sub-Loc.		-	-	-	-	-	-	-	-
Makutano Location		4,591	2,271	2,320	887	887	-	193.2	24
Chemoigut Sub-Loc.		4,591	2,271	2,320	887	887	-	193.2	24
Proposed Kalapata Sub-Loc.		-	-	-	-	-	-	-	-
Proposed Division	Korossi	3,724	1,874	1,850	667	644	23	169.9	22
Korossi Location		3,724	1,874	1,850	667	644	23	169.9	22
Korossi Sub-Loc.		1,078	543	535	188	188	-	60.2	18

Kechii Sub-loc.	1,256	634	622	219	219	-	52.7	24
Nakorete Sub-Loc.	1,390	692	693	260	237	23	57.1	24
Komolion Location	1,309	673	636	225	225	-	65.9	20
Komolion Sub-Loc.	1,309	673	636	225	225	-	65.9	20
Proposed Keriwok Sub-Loc.	-	-	-	-	-	-	-	-
Lake Baringo	-	-	-	-	-	-	186.4	-

The Tiaty East Sub-County has a population of 45,653 people and it covers an area of 1,186.9 km². It borders Baringo South Sub-County to the south at Samatian/Simatia Island in Lake Baringo, Laikipia County to the Southeast, Samburu County to the East and Turkana County to the North.

There is an urgent and genuine need from this proposal to create or establish especially the long overdue proposed Korossi and Amaya Divisions, Locations and Sub-Locations due to vastness of the area, poor road network and perennial insecurity to enhance closer administration, peace, security and sustainable Development in the 21st Century and beyond.

However, the perennial cattle rustling and banditry by few people from Tiaty Constituency into Arabal, Mukutani and Rugus areas of Baringo South Sub-County frequently passes between Korossi and Tangelbei Locations of Tangelbei Division despite the presence of police post at Chepkalacha Centre. Hence, there is an urgent need to establish proposed Korossi Division to enhance security.

PROPOSED TIATY CENTRAL SUB-COUNTY (MONDI HQS)

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		Sex*			Households			Land Area	Density
		Total	Male	Female	Total	Conventional	Group Quarter	Sq.km	Persons per sq.km
PROPOSED CENTRAL	TIATY	40,699	21,626	19,037	6,559	6,504	75	2,229.1	19
MONDI (CHEMORIL-HQ)	DIVISION	11,987	6,195	5,737	2,027	1,972	55	333.1	36
Loiyamorok Location		5,224	2,700	2,469	1,054	1,054	-	89.7	58
Kokore Sub-Loc.		2,641	1,371	1,270	532	532	-	52.8	50
Nginyang East Sub-Loc.		2,583	1,329	1,199	522	522	-	36.9	69
Paka Location		6,763	3,495	3,268	973	918	55	243.3	28
Paka Sub-Loc.		3,513	1,854	1,659	516	461	55	134.8	26
Chemoril Sub-Loc.		3,250	1,641	1,609	457	457	-	108.5	30
PROPOSED LORUK/CHEMORIL	DIVISION (CHEMORIL-HQ)	4,073	2,161	1,912	744	744	-	163.5	25
Loruk Location		4,073	2,161	1,912	744	744	-	163.5	25
Loruk Kong'Asis Sub-Loc		1,495	787	708	319	319	-	25.6	58
Chemuro Sub-Loc.		1,361	783	578	195	195	-	72.2	19
Tuwo Sub-Loc.		1,217	591	626	230	230	-	65.7	19

*Loruk Sub-Loc.	<i>In 1991, Loruk Sub-Location was transferred from Loiyamorok Loc in Baringo East to Saimo-Soi Loc present- day Saimo-Soi Loc in Baringo North Constituency after malicious sacking of the Asst. Chief Lorak Sub-Location P. No. 144/99. Wesley Sepet.</i>							
Proposed Lemuyek Location	3, 229	1, 632	1, 597	743	692	51	112.1	29
Proposed Lemuyek Sub-Loc.	-	-	-	-	-	-	-	-
Proposed Kasiokon Sub-Loc.	-	-	-	-	-	-	-	-
PROPOSED SILALE DIVISION (NAUDO-HQ)	24, 609	13, 270	11, 388	3, 788	3, 788	20	1,732.5	15
Silale Location	12, 430	6, 987	5, 443	1, 646	1, 646	-	649	21
Kapedo East Sub-loc.	2, 087	1,142	945	323	323	-	158.5	13
Nakoko Sub-loc.	6, 988	3, 963	3, 025	901	901	-	135.7	51
Proposed Natan Sub-Loc.	3,355	1,882	1,473	422	422	-	354.8	9
Proposed Kapedo Location, Kapedo Sub-Location and Silale Sub-Location in Silale Location	<i>In 1995/96 Proposed Kapedo Location, Kapedo Sub-Location and Silale Sub-Location in Silale Location of Baringo East was maliciously transferred to Turkana South/East Constituency</i>							
Naudo Location	2, 583	1, 340	1, 243	471	471	-	152.7	17
Losikiriamoi Sub-Loc.	2, 583	1, 340	1, 243	471	471	-	152.7	17
Riongo Sub-Loc (New)	-	-	-	-	-	-	-	-
Proposed Topulen Sub-Loc.	-	-	-	-	-	-	-	-
Akwichatis Location (New)	1, 485	811	684	181	181	-	23.5	64
Akwichatis Sub-Loc.	1, 485	811	684	181	181	-	23.5	64
Akule Sub-Loc (New)	-	-	-	-	-	-	-	-
Proposed Nasorot Location	9, 596	4, 943	4, 652	1, 661	1, 661	20	930.8	10

Nasorot Sub-Loc.	8,212	4,157	4,054	1,475	1,475	20	477.5	17
Napakut Sub-Loc.	1,384	786	598	186	186	-	453.3	3
Proposed Mukeluk (Seretion) Sub-Loc.	-	-	-	-	-	-	-	-

The Distribution of Population by sex, number of households, Land area, Population Density and sub-locations/Locations. Extract from table 2.4 of 2019 Kenya Population and Households Census.

The Tiaty Central Sub- County has a population of 40,699 people and covers an area of 2,229.1 km². It borders Turkana East Sub- County to the North, Tiaty East Sub-County and Samburu County to the East, Baringo South and Baringo North Sub-counties at Samatian (Simatia) Island in Lake Baringo to the South, East Pokot and Tiaty West Sub-counties to the West.

There is an urgent and genuine need from this proposal to create or establish especially the long overdue proposed Silale Division, Nasorot Location and Mukeluk (Seretion) Sub-location among others due to vastness of the area, poor road network and perennial insecurity to enhance closer administration, peace, security and sustainable Development in the 21st Century and beyond.

However, some of the government guns, which were taken from the Police Officers killed on 24th October, 2022 at Kamuge in Turkana East Sub-Counties by bandits from Tiaty Constituency, were recovered at Adoketia -Adome/Nasorot area of the proposed Silale Division in Proposed Tiaty Central/Tiaty East Sub- County.

**POKOT CENTRAL SUB COUNTY IN WEST POKOT COUNTY
SIGOR CONSTITUENCY**

The Distribution of Population by sex, number of households, Land area, Population Density and sub-locations/Locations. Extract from table 2.4 of 2019 Kenya Population and Households census

	Total	Sex*		Households			Land Area	Density
		Male	Female	Total	Conventional	Group Quarters	Sq.km	Persons per sq.km
Pokot Central	119,016	59,682	59,331	21,850	21,784	66	2,055.2	58
Chesegon Division	43,272	21,452	21,818	7,816	7,791	25	750.6	58
Chepkokogh Location	7,506	3,720	3,786	1,308	1,308	-	35.5	212
Arnet Sub-loc.	2,031	992	1,039	353	353	-	9.8	208
Ptirap Sub-loc.	2,470	1,265	1,205	437	437	-	10.6	232
Sukuk Sub-loc.	3,005	1,463	1,542	518	518	-	15.1	200
Cheptulet Location	3,699	1,924	1,775	716	702	14	64.4	57
Kokwositot Sub-loc.	1,438	713	725	266	266	-	19.2	75
Lebei Sub-loc.	1,031	565	466	222	208	14	8.0	129
Nyarpotwo Sub-loc.	1,230	646	584	228	228	-	37.2	33
Lomut Location	12,574	6,243	6,330	2,241	2230	11	117.7	107
Mogho Sub-loc.	1,376	689	687	212	212	-	8.3	166
Ptiasis Sub-loc.	4,800	2,339	2,461	892	881	11	53.4	90
Seito Sub-loc.	3,117	1,573	1,544	600	600	-	32.3	96

Toghomo Sub-loc.	3,281	1,642	1,638	537	537	-	23.7	138
Mesop Location	10,903	5,450	5,453	1,860	8,160	-	69.5	157
Kapatet Sub-loc.	4,380	2,178	2,202	719	719	-	37.1	118
Kokwoptorir Sub-loc.	2,136	1,091	1,045	376	376	-	9.1	234
Maros Sub-loc.	2,689	1,343	1,346	466	466	-	14.7	183
Pkopogh Sub-loc.	1,698	838	860	299	299	-	8.6	196
Masol Location	7,754	3,788	3,966	1,474	1,456	18	423.5	18
Akiriame Sub-loc.	2,870	1,369	1,501	541	541	-	218.6	13
Amolem Sub-loc.	782	410	372	139	139	-	72.4	11
Tikit Sub-loc.	4,102	2,009	2093	794	776	18	132.6	31
Sekerrot Location	8,590	4,115	4,474	1,691	1,691	-	463.5	19
Amaler Sub-loc.	2,437	1,157	1,280	480	480	-	217.2	11
Cheperum Sub-loc.	1,759	822	936	353	353	-	74.6	24
Nyangaita Sub-loc.	4,394	2,136	2,258	858	858	-	171.7	26
Sigor Division	75,744	38,230	37,513	14,034	13,993	41	1,304.6	58
Weiwei Location	12,680	6,415	6,265	2,569	2,569	-	166.0	76
Korelach Sub-loc.	6,385	3,210	3,175	1,333	1,333	-	93.2	69
Ptokow Sub-loc.	2,695	1,402	1,293	545	545	-	38.8	70
Sangat sub-loc.	2,394	1,180	1,214	434	434	-	14.4	166
Takar Sub-loc.	1,206	623	583	257	257	-	19.7	61
Muino Location	16,259	8,100	8,158	2,894	2,894	-	104.9	155
Karapogh Sub-loc.	4,356	2,176	2,179	824	834	-	16.3	267

Kityo Sub-loc.	2,809	1,433	1,376	486	486	-	15.3	183
Ptalam Sub-loc.	3,279	1,626	1,658	550	550	-	20.9	157
Solion Sub-loc.	5,815	2,865	2,950	1,024	1,024	-	52.3	111
Korpo Location	11,507	5,777	5,730	2,061	2,061	-	92.3	125
Kokwotendwo sub-loc.	5,386	2,709	2,677	925	925	-	19.3	279
Soka Sub-loc.	1,251	616	635	241	241	-	37.9	33
Wakor Sub-loc.	2,100	1,084	1,016	419	419	-	22.3	94
Yayaw Sub-loc.	2,770	1,368	1,402	476	476	-	12.8	216
Sekerr Location	20,977	10,713	10,264	3,619	3,619	-	267.2	79
Chepkondi Sub-loc.	7,218	3,710	3,508	1,172	1,172	-	50.9	142
Mbara Sub-loc.	6,147	3,090	3,057	971	971	-	32.9	189
Orwa Sub-loc.	4,671	2,395	2,276	966	966	-	146.5	32
Sostin Sub-loc.	2,941	1,518	1,423	510	510	-	36.7	80
Porkoyu Location	6,567	3,437	3,130	1,417	1,394	23	250.7	26
Nasolet Sub-loc.	2,476	1,273	1,203	541	541	-	71.8	34
Parek Sub-loc.	1,578	820	758	291	291	-	66.6	24
Sarmach Sub-loc.	2,513	1,344	1,169	585	562	23	112.3	22

There are four Wards in Sigor Constituency of Pokot Central Sub-County in West Pokot County namely:

1. Lomut ward which covers Cheptulel, Chepkokogh, Mosop locations and respective sub-locations. It has a population of 34,682 people and an area of 287.1 km. square.

2. Masol ward which covers Masol, Sekerrot Locations and respective sub-locations with a population of 16,344 people and an area of 887 km. square.
3. Weiwei ward which covers, Weiwei, Muino and Korpo locations and respective sub-locations with a total population of 40,446 people and an area of 363.2 km. square.
4. Sekerr Ward which covers Sekerr, Porkoyu locations and respective sub-locations with a total population of 27,544 people and an area of 517.9 km. square.

Therefore, some people propose that Lomut, Masol and Weiwei Wards will form Sigor Constituency in Pokot Central sub-county with a total population of 91,472 people and an area of 1,537.3 km. square and shall be ceded to the proposed East Pokot County.

The Sekerr Ward with a total population of 27,544 people and an area of 517.9 km. square shall remain in West Pokot County and other Wards shall be ceded from Kapenguria, Pokot South and Kacheliba Constituencies to form for example, new Mtelo Constituency during the IEBC constituencies and wards boundary review in 2023/2024.

EAST SUK (POKOT) SUB DISTRICT IN BARINGO DISTRICT BEFORE 1880

Description:

The East Suk (Pokot) Sub District in Baringo District Commence at Lomumuk hills/Lokori on the Kerio River, on the border of Samburu District. Then South – easterly to Murlem hill and Noroyon.

Then Easterly in a great arch of hills from west to East through Lopeitorn/Kakoros, Kisonowon, kaa-muge with seven – aside or fourteen (14) pillars on the trigonometrical boundary between East Suk/ Baringo, Turkana, and Samburu Districts and across this river to the beacon on the Eastern bank of Suguta-oron river to the point where this river enter the ground before emerging in Lake Rudolf (Turkana).

Then south – easterly upstream the course of this river to lake Suguta-Oron and along Ngalukia river near Koiposirken or chesirken to Puompur (narrantito), Nadome, Lalwa Soyen (Chesoo/ Chesaa) to Malsau / Malaso.

Then southerly through Kasitet/Katapodin on Losergoi hills, Alenger, Naitai, Chesedok, Nakipurat, Nyarilpogho, Kalabata hills, Mukutan, Komilo/ Ngelecha, Arabel (Arabal), arrange of hills along the eastern bank of Lake Hannington (Bogoria) and to Solai.

Then north - westerly through Kamar, Mugur (Mugurin), Ratat, keriana and Kamungei near chemiron on the bottom of Tuken (Tugen) hills escarpment

Then Northerly through Rotionini, Lemungole hills and Kapunete near Ghatia (Yatia)

Thence, westerly through Kakinatia near chemogho, keet (chepkesing), partapka (Bartabwa), kiyapkat, Embosos on chepkokel river near Rimoo/koitimo hills, tilingwo to teren on the Kerio river;

Then further westerly across Kerio River to Arror and Rimoi on the bottom of Elgeyo marakwet escapment. Then northerly along the bottom of this escapment to Katupen (chesezon) river on the border between Elgeyo Marakwet and West Suk districts.

Then easterly along Katupen river to Kerio river. Thence northerly downstream along Kerio River to the point of commencement.

Source: Hunting Ford, G.W.B, Ethnographic survey of Africa- the Southern Nilo-Hamites.

THE WEST SUK (POKOT) DISTRICT BEFORE 1880

THE EAST SUK (POKOT) SUB-DISTRICT IN BARINGO DISTRICT IN 1880-1930

SOURCE: Beech Mervy and barbshire oxford 1910: the Suk, their Language and Folklore.

1. I.1 n 1880-1926 Commence at Chemotong (Kaa-Matong) near Lomomuk hills/Lokori on the Kerio River.

Thence South-Easterly through Chema rmar (Chemormor), Kaa-Kemera(Nakemera), Pel-pel, Lomelo, Nadome, Lalwa Soyen (Chesoo/Chesaa) ,

Malsau/Malaso, Kaa-perai(Lolsuk), Lengewian and southerly to Lera and Uaso Narok (Rumuruti).

Thence, westerly through present-day Sipili/ Kinamba, Ngelecha/Nangira near Komilo, Arabel Baringo station No. 1 Mnara hills or Koloruk /Loiminangi, across the southern part of Lake Baringo to the Inlet of Nyalilpich River, further westerly along Nyalilpich river to Koroito, Kabulwo(Akorenyan); thence northerly and north-westerly through Kaa-Liratum, Kapkoyo, Kapunete near Ghatia (Yatia), Kaa-Kinatia near Chemogho, Keet /Chepkesing, Partabwa, Kiyapkat, Embosos on Chepkokol river near Rimoi /Koitimo hills, Tilingwo, Teren on Kerio river; across Kerio river to Arror and Rimoi on the bottom of Elgeyo Marakwet escarpment; thence northerly along this escarpment through present- day Kapongoi, Mungil, Murkutwo, Chesongoch, Tot and Katupen/Chesegon river on the boundary between Elgeyo Marakwet and West Suk Districts. Thence, easterly along Katupen/Chesegon River to Kerio River. Thence northerly along Kerio River to the point of its commencement.

Note: The East Suk sub-District in Baringo District boundary passes through the north and eastern part of Mount Silali and later in 1907-1910 to date the beacon boundary on the mount Silali became the common boundary between East pokot sub district in Baringo District and Turkana District.

1.1.2 IN 1926 – 1930/33 BOUNDARY REVIEWS

The East Pokot sub-district in Baringo District commence at the confluence of Kerio and Kolosia Rivers in the boundary between West Pokot and Turkana Districts. Thence, south-easterly and along Angolerengan river to, hills muguu, Tirioko, Pelpel and Kamunken to Koghumoi on the Suguta river immediately to the east of Kapedo post, thence due East by a straight line through Kwokwo-Murkutwo to the summit of Silali; Thence easterly by a straight line to Nasokol/Kasitet and Kaa-Perai (Lolsuk). Thence southerly through Lengewian near Amaya to Lera on the boundary between Samburu and Laikipia Districts. Thence South-westerly through Lari Lol Borgisho (Churo) in the present day Kitelachichi, Nambair, Cheptesot, Rena/Lorengiro and to Subukwo or Louniek farm and OLARI NYIRO RANCH/Laikipia Nature Conservancy.

Thence, northerly and downstream along Kutwo and Nasikweta rivers to Mukutan River. Thence, along Mukutan River to a point where this river flows southward. Thence north-westerly along Rugus and Kechii rivers through Morwai hill into its inlet at Lake Baringo. Thence westerly to Samatian/Simatia highland on Lake Baringo.

Thence, northerly on this lake to its North Western bank; thence westerly upward to the top of Teren hill overlooking Lake Baringo.

Thence North-westerly on a straight rough Cherelio plains and further downstream to Barsuswa River. Thence, Northerly and downstream to a point near Loturo dam on the Confluence of Barsuswa river and Chesoo stream on Kaparion river.

Thence, westerly and upstream along Kaparion River through Kopoluk, Losakuny and Lombul to the top of the hill overlooking the source of Kiptuisaror River. Thence further westerly downstream alongstream through Kobulwo-rotok to Chemintany and Kinyach rivers to Teren on the Kerio River. Thence, northerly and downstream along Kerio River to the point of commencement.

In 1955-1963 The Louniek farm and OLARI NYIRO RANCH or the present day Louniek farm and Laikipia Ranch Company/ Nature conservancy in Laikipia District received additional 6,735 acres ceded from Churo -Kaptuya to Subuko (Subukwo) area of East Pokot Sub-district which altered the boundary to the present day Amaya - Churo road , Karimodow, Kangwonis, Lokwekipi, Katirgal, Hillock (Poya) to subukwo; thence northerly downstream along Kutwo (Kutwa) and Nasikweta rivers to Mukutan river near mukutan Centre.

1.1.3 POKOT EAST (EAST SUK) SUB DISTRICT OF BARINGO DISTRICT IN 1880-1930 -1926

MAP NO. 1936 NORTH "E"

POKOT EAST (EAST SUK) CHIEFS BY THE 1880-1930 IN BARINGO DISTRICT.

1. Mr. Leleruk for Samburu border with pokot
2. Mr. Lontiolo for Samburu border with pokot

3. Mr. Chemoringo for Samburu border with pokot

• *Mr. Chemoringo were Achamule for pokot of Korosi Location not Samburu*

4. Mr. Kidarle were kalesile for Korosi location

5. Mr. Amachar were for Korosi location

6. Mr. Lowialan were Lomungole for loiyamorok

7. Mr. Akanichom were Kibirgo for Ribko

8. Mr. Kapelile for Tirioko location

1 .1.4 THE NORTHERN BOUNDARY WITH TURKANA DISTRICT 1880-1930

The boundary starts at Parian, malsau/maleso, nadome, lomelo, pel-pel (kachwa) and chemamar (chemormor) and the Kerio River.

1.1.5 IN 1926 /1930: The East suk (pokot)Sub-District in baringo district borders Turkana district to the south Lomomuk hills /Lokori at Kanachaw, Nakirokon, Lalwa Soyen, Lopeitom Kaa-Kemera (nakemera) chemamar and into kerio river.

1.1.6 EAST SUK (POKOT) SUB DISRICT SOUTHERN BOUNDARY WITH THE LARGER BARINGO DISTRICT IN 1880-1926

The East Pokot Sub-district borders the larger Baringo District to The South at Komilo/Ngelecha hills, Arabal, Lominangi /Kolomuk and across south of lake Baringo to inlet of Nyalilpich River, Koroito, Kopulwo, Kaa- Kiratum, Keet(Chepketing) Partabka, Kiyapkat, Embosos/Chepkokel River, Tilingwo To Terenon Kerio River.

1.1.7 THE EASTERN BOUNDARY WITH SAMBURU DISRICT IN 1880-1926:

In 1880 East Suk (Pokot) Sub-district of Baringo district borders Samburu districts near Kaa-muge at the point where suguta–oron river enter the ground and emerge at lake Rudolf(turkana) and easterly along Ngalukia and Puompur (Naranito) rivers,

Malaso/Malsau, Lolsuk(Kaa-Perai), Lengewian To Uaso Narok Present Day Rumuruti

1.1.8 TO THE SOUTHERN BOUNDARY WITH LAIKIPIA (DISTRICT) IN 1880-1826

The East (Suk) Pokot Sub-district of Baringo district borders Laikipia district at Uaso Narok or Rumuruti, Sipili, Kinamba and Ngelecha/Komilo hills.

1.1.9 TO THE WESTERN BOUNDARY WITH WEST SUK (POKOT) AND ELGEYO MARAKWET DISTRICTS

The East Suk (Pokot) in Baringo District borders west Suk (Pokot) and Elgeyo Marakwet to the west of kerio river from the bottom of Elgeyo Marakwet escarpment to Katupen /Chesegon River on the west Suk(pokot) and Elgeyo Marakwet Districts. Then easterly along Katupen/Kerio river to Kerio River. Thence, northerly along Kerio River to the point of commencement.

1.2.0 IN 1926/1930

The East Suk (Pokot) Sub-district of Baringo District borders west Suk (pokot) and Elgeyo Marakwet to the west from Teren on Kerio River and northerly downstream along Kerio River to the point of commencement.

2.1.0 POKOT WEST (WEST SUK)/CENTRALDISTRICTS IN 1880-1930-REVIEW 1926

- ❖ 2nd Pokot boundary review with Turkana in North Pokot and Samburu.
- ❖ Pokot west boundary starts from Lomomuk/Lokori in Samburu border direct to Muruasikar-Moroto Uganda.

2.1.1 Pokot West (Suk) Chiefs in 1880-1930 Later New One 1926 Not Available

NAME

LOCATIONS

- | | |
|--------------------------------|--------------|
| 1. Chief lorimo wero Amosong | Mosol |
| 2. Chief lotukomoi wero yoi | Masol |
| 3. Chief lopechuke wero kokwo | Kopokogh |
| 4. Chief songolo wero kochodei | Psukur/kurut |

5. Chief lolemtum wero Atiaka	Kacheliba
6. Chief Karole	(East Suk)
7. Chief Loduk wero Atachale	Kacheripko
8. Chief Anakimoi wero sakwar	Riwo
9. Chief Lomwatum	Riwo
10. Chief Akamichum wero kipurko	Ribko (East Suk)
11. Chief Kirole wero kipurko	Ribko (East Suk)

4.1.2 IN 1880-1926-1930

Kerio River at Lomomuk/Lokori/Samburu border, Pchibit/Lokuletum, Kailongol (Kakwilit) Kaisakat/Lokichar, Natupai/Lotupai, Cherelpelion/Lokiriamosing, Adoket-Po Akortin/ Nakasiankori. Cheptumot, Kochodin, Kamorok/Kamarow, Kokwo-Siran/Kaaloupe, Kaisakat/Katilu, Kalemngorok, Tamanak, Cherelach-Koghin/Nakwiamoru, Kortak, Empo-Angela/Lokwiangola, Chemotong (Kaamotong)/Kordi, Napatimoru (Pokot Chiefs used to have an office here upto 1982), Lochorialim Kotopok/Moruasikor to Moroto-Uganda.

WEST POKOT CHIEFS-LATER NEW ONE 1926 not available now:

<u>CHIEF</u>	<u>LOCATION</u>
1. Chief Lorimo Wero Amasong	Mosol
2. Chief Lotikomoi Wero Yoi	Mosol
3. Chief Lopechukel Wero Kokwo	Kopogogh
4. Chief Sonkolol Wero Kochodel	Psikor(Krut)
5. Chief Lolemum wero Atika	Kacheliba
6. Chief Karole	Ribko (East Suk)
7. Chief Loduk Wero Atachale	Kacheripko
8. Chief Anakimoi Wero Sakwar	Riwo
9. Chief Lorwatum	Riwo
10. Chief Akanichom Wero Kipurko Suk)	Ribko (East
11. Chief Karole Wero Kipurko Suk)	Ribko (East

**BARINGO LOCAL NATIVE COUNCIL NO. 1 TUGEN
MINUTES OF 2ND QUARTERLY MEETING OF TUGEN NORTH LOCAL
NATIVE COUNCIL NO.1 HELD AT KABARNET ON 18TH TO 19TH
FEBRUARY 1926.**

**Min 2/1926: Re- boundaries Native Reserves N.D.A circular No. 9 of min.
3/1926 meeting notified that the boundaries of the native reserves are now
being divided by the government.**

**Chapter 4-part A.3.2 Remarks on District boundaries 1927. Boundaries of the
districts by April 1st 1927**

Boundaries of the District

On April 1st 1927, the southern portion of the Tuken reserves were taken over. This area though officially gazetted as belonging to Baringo, had been administered from Eldama Ravine for a number of years, on the ground that while Baringo had only one officer, the district was too large for proper administration. With the appointment of the second officer in 1926, the reason for the exclusion of the part of the district disappeared.

Generally speaking, there is friction on the most of the boundaries, in great measure due to their having been gazetted without reference to the district officers concerned

Marakwet -East Suk Boundary

The agreement drawn up between senior commissioner Kerio Province Asst. District Commissioner, Marakwet and asst District Commissioner, Baringo in November 1924, has not approved the end of the dispute about the grazing and honey rights East of the Kerio, and numerous complains have been heard of the Chebleng exceeding the privileges obtained by them, and even using them as an easy means of approach from stealing goats from TUKEN and POKOOT.

Turkana-East Suk Boundary.

The friction on the Turkana_POKOOT boundary has been tense and culminating in August 1926, in the arrest and imprisonment of Kenyale, by the Assistant District

Commissioner, Kolosia, for crossing the Tirioko river into an area gazetted as Turkana but claimed by the POKOOT to have been their country, even before the advent of the British and recognized as such in the days of the Mukutan (Baringo) Station. This seems to be borne out, both by the fact that the office Maps at Kabarnet show the area in question as inside this District and also by the fact that, on the admission of ADC. Kolosia, no Turkana live within ten miles of the Tirioko River.

A later request of ADC Kolosia to the supreme court to quash the cases, which was not done and an offer to allow the POKOOT graze their cattle in the debatable area," has not removed a sense of injustices from the POKOOT, to whom grazing is a matter of great importance.

Laikipia-Samburu-East Suk Boundary

IN spite of numerous request in the last two years, the Churo area claimed by the POKOOT has not yet been gazette as part of the District though the Chief native Commissioner has given them permission to live in it temporarily .Besides a raid by the Samburu with the connivance of a KAR patrol in 1924, the Pokot in this area have suffered numerous small and large, theft of stock since that date and have received little compensation. Apart from these POKOOT the only people kliving in the area is a handful WANDOROBO, who have hitherto paid tax at Rumuruti.

Source: DC/BAR/3/4 Kenya National Achieves

1.5.0 REMARKS ON DISTRICT BOUNDARY 1927-1932

SOURCE: KENYA NATIONAL ARCHIVES (KNA) Ref.DC/BAR/3/4-political record book for Baringo District 1910-1928.Turkana-EAST SUK (POKOT) DISTRICTS page 141-142.

EXTRACT: TURKANA-EAST SUK (POKOT) DISTRICTS page 141

The friction on Turkana -Suk (Pokot) boundary has been culminated in august 1926 in the arrest and imprisonment of Kenyale (Headman Tirioko Location by the Assistant District Commissioner Kolosia Southern Turkana district for crossing

river Tirioko into an area gazette by Turkana but claimed by the Pokot to have been their country even before the advent of the British and recognized as such to be the borne out both by the fact that the office maps at Kabarnet Baringo District show the area in question inside this District and also by the fact that on the admission of ADC Southern Turkana, no Turkana live within 10 miles (16kms) of the Tirioko river .

A later request of ADC Kolosia southern Turkana District to the Supreme Court to quash the cases was not done and an offer to allow the Pokot to graze their cattle temporarily in the debatable area had not removed a sense of injustice from Pokot to whom the grazing is a matter of great importance.

EAST SUK-SOUTHERN TURKANA BOUNDARY REPORT 1927

MR N.J.H. Sabine ADC, Baringo District

Mr.W.H.Felling, ADC Southern Turkana

KARPEDO- MOUNT SILALI BEACON

The Mt Silali beacon to the east of Karpedo post became the official boundary between Baringo (East Suk) and southern Turkana district as has been the case in 1909/1910,1921-1932/33 to independence in 1963 to date

February 3rd 1932 at Karpedo

1. Certain Shauris were settled.

2. With reference to a recent report by Southern Turkana tribal policemen of Suk encroachments over the boundary of Silali hill beacon. The matter was investigated by the D.C south Turkana and it appears that there was for some time been 1 Manyatta of Suk on top of Silali hill very close to the boundary beacon.

Hence the sudden appearance of Southern Turkana and subsequent seizure of Suk stock was entirely unexpected the stock seizure were driven off towards kaputir by

thed southern turkana tribal policemen .The sub headman Narro and a band of Suk elders followed the stock into southern turkana to near lomelo .the suk remonstrated that the stock should not be impounded until the Suk had been given a chance of demonstrating their complete bone fide in the matter .The southern Turkana policeman then withdraw according to their instructions which has been that all friction was to be avoided and the suk drove the cattle into Suk country.

It was decided that the suk living in silali had acted in good faith and had not crossed the boundary with wrongful intent, action should be taken on this occasion.

3. With reference to the charges preffered against headman and sub headmen of Korossi location kiptor and kipterer. The tribal policeman lokoil apurkin lokoemoer stated that that he had proceeded into Baringo district with another turkana Abong apukin Lokoliamur assistant to chief Loichegoredi under orders to repatriet ngiturkana found it there.

He was unable to find more than a small percentage of the members estimated and on making enquiries, he was informed by one Turkana who has been repatriated that other ngiturkana had been hidden by the suk headman of korossi location in return for consideration received.

February 2nd 1932-From Tirioko camp the camels were taken as far as kamaoething kapow camp where a rest became imperative Mr. Sabina, Assistant DC Baringo District arived having succeeded in bringing the lorry within 2 miles of Kamoething (Kapow) Camp.

The area between Karpedo and Kolosia no turkana stock grazed near the road after passing tirioko although a quantity of Suk cattle and stock was observed.

On February 8th, labour was sent a head to demarcate that portion of the boundary between the sources of Loichererith Chemeril and mouth of tirioko or source of Angolerengan River operates to include turkana district an area which is at present exclusively and fairly densely occupied by the suk. A fact which aroused great

dissatisfaction among the suk in question. It was reported that on February 8th while the tribal policemen from Turkana and Baringo were demarcating the boundary that the Suk interfered with and and hammered work eventually building beacons themselves near Tirioko camp they presumably show where the suk would like boundary to be disobeying either the turkana tribal police or their sub headmen Mr. Narrow.

The reasons are the fact that an admission of A.D.C Kolosia (southern Turkana district), no turkana tribe live within 10 miles of tirioko river refer to the district commiosioner remarks on district boundary 1927.

February 14th

A deputation was received from certain ngiturkan who stated that since K.A. R days they had cultivated land in fork of the kerio and Angoleran River they had sought instructions. They were informed that their gardens are southern Turkana District and they should accordingly move to the north position of the Angolerengan River where there is apparently equally good soil. They replied that they would move at once.

1.6.0 REPORT ON DEMARCATION OF EAST SUK (POKOT)-SOUTH TURKANA BOUNDARY IN 1932.

This boundary was demarcated by Assistant District Commissioner Baringo Mr. N.J. H Sabina and Assistant District Commissioner south Turkana Mr. W. H Felling between February 3rd and 10th 1932, January 28th to February 17th, 1932 and the following Chiefs' headmen and elders were present as witnesses.

EAST SUK TURKANA

1. Sub-headman Narro were Apangolol (Tirioko loc)
2. Sub-headman Lebo (Lobon) were Lokiriam (Loiyamorok)
Loechogoedi

SOUTH

1. Chief Kiionga.
2. Chief

3. Apaloyira wero Lotiamale
Lokaemath

4. Lomeri wero Akorle (Tirioko Loc)
Lokoliamur

5. Katikomor wero kabile (Lirioko Loc)
Atodi

3. Ering Apukin

4. Abong Apukin

5. Napokari Apukin

6. T.P Lokoil Atodi, Apukin

Lokoeamoer.

1. From karpedo post, the boundary follows a line of 21 stone beacons to a foot of a hill called Loreothio (Kamunken) Beacon UK.20, which is the most outlying foot-hill of the Tiati group. The first (2) beacons are on the karpedo – kolosia road.
2. From Loroethio (Kamunken), the boundary follows the road as far as camp, beacon number 35 which skirts the foot-hill of Mt Tiati.
3. From Kamoething (Kapau) Beacon UK 35, the boundary follows a line of 15 interval beacons to the junction of Loichererith (CHEMORIL) Beacon UK 40 and Nakaoret (AKORET) Rivers.
4. According to Miss. Topo 227, there is no river entering the loichererith from the left (or north) side but the Nakoeret River flows from Mt. Tiati and enters the right side of Lochererith river near Lochererith Camp. This river is not shown on the map quoted but well known by both the Suk and the Turkana.
5. From lochererith-Nakoeret river junction, the boundary follow loichererith(CHEMORIL) to its source
6. The boundary follows a straight line of (7) beacons to the summit of Mt Tirioko, Beacon UK 42
7. Hence the boundary follows a line of 4 beacons to the source of the Angolerengan River, the beacon follows a direct and a well-defined cattle path.
8. Hence the boundary follows the Angolerengan river to its junction with the Kerio River, Beacon UK 47 (Kolosia Camp).

Signed N. J. H Sabine ADC Marigat 9/2/1932
ADC Kaptur

Baringo District
District.

Signed W.H Felling

Southern Turkana

**REPORT OF SAFARI BY MR. W. H FELLING ASSISTANT DISTRICT
COMMISSIONER, SOUTHERN TURKANA, FROM KARPEDO TO
KOLOSIA**

OFFICE

1932

THE PROVINCIAL COMMISSIONER
TURKANA PROVINCE
KAPENGURIA

DISTRICT COMMISSIONER

SOUTHERN TURKANA
KAPUTIR, 19TH FEBRUARY

REPORT OF SAFARI BY MR. W.H FELLING ASSISTANT DISTRICT
COMMISSIONER, SOUTHERN TURKANA, FROM KARPEDO TO KOLOSIA
EAST SUK-SOUTH TURKANA BOUNDARY, SAFARI FROM JANUARY
28TH TO FEBRUARY 17TH 1932.

**SOME OF THE EXTRACT QOUTES FROM THE REPORT OF THE
SAFARI.**

January 28th 1932 – Kaputir to Ngatongon having been driven as far as Lotongot
by the medical officer, Turkana in his car.

January 29th 1932-The Safari passed through Kolosia, camped Kawaroelock
(Kawioroluk)

There were a very a small amount of Turkana stock in this area. Grazing for goats, Donkeys or camels are fairly plentiful in the neighbourhood of kolosia, but this seems to be practically no grazing of cattle. The Kerio River is just flowing.

January 30th 1932-At Tirioko Camp there are very few Turkana in the immediate of the road, most of the natives encountered being Suk

February 2nd 1932- From Tirioko Camp, the camels were taken as far as Kamoething (Kapau Camp) where a rest became imperative. Mr. Sabine assistant DC Baringo District arrived, having succeeded in bringing a lorry to within 2 miles of Kamoething Camp.

The area between Karpedo and Kolosia, no Turkana stock grazed near the road after passing Tirioko Camp, although a quantity of Suk cattle and stock was observed.

February 3rd 1932 at Karpedo.

(4) Certain Shauris were settled.

(5) With a reference to a recent report by southern Turkana tribal policeman of Suk encroachments over the boundary at Silali hill. The matter was investigated by the D.C Baringo and D.C Southern Turkana and it appears that there was for sometime been one Manyatta of Suk on the top Silali hill very close to the boundary. Hence the sudden appearance of southern Turkana and subsequent seizure of Suk stock was entirely unexpected. The stock seized was driven of towards Kaputir by the southern Turkana tribal policemen. The sub headman Narro and a band of Suk elders followed the stock into southern Turkana to near Lomelo. The Suk remonstrated that the stock should no be impounded until the Suk had been given a chance of demonstrating their complete bone fide in the matter.

The southern Turkana policemen then withdrew according to their instructions, which has been that all friction was to be avoided, and the Suk drove the cattle into Suk country.

It was decided that the Suk living in SILALI had acted in good faith and had not crossed the boundary with wrongful intent, no action should be taken on this occasion.

(6) With the reference to the charges against the headman, a sub headman of Korossi location (kiptor and Kipterer). The tribal policeman Lokoil Apukin Lokoemoer stated that he had proceeded into Baringo district with another Turkana Abong Apukin Lokoliamira assistant to chief Loichegoredi under orders to repatriate all Ngiturkan found there.

He was unable to find more than a small percentage of the members estimated and on making inquiries, he was informed by one of the Turkana who had been repatriated that other Ngiturkan had been hidden by the Suk headmen of Korossi location, in return for consideration received.

February 7th and 8th at Kiongoritien (Kongor)

Mr. Sabine became ill. (Assistant District Commissioner, Baringo District)

On February 8th labour was sent a head to demarcate that portion of the boundary between sources of Loichererith (CHEMORIL) and Mt. Tirioko or source of Angolerengan river operates to include in Turkana District and area which is at present exclusively and fairly densely occupied by the Suk. A fact which aroused great dissatisfaction amongst the Suk in question. It was reported that on the **February 8th** while the tribal policemen from Turkana and Baringo were demarcating the boundary, that the Suk interfered and hampered the work, eventually building beacons themselves near Tirioko Camp. They presumably show where the Suk would like boundary to be in disobeying either the Turkana Tribal police or their Sub headman Mr. Narro (the boundary should be within 10 miles north of Tirioko River).

On February 9th, climbed mount tirioko and erected beacon boundary marked by labour the previous inspected and approved.

February 13th -Nakariapet (Akirapet) The people in the neighbourhood of Tirioko appear to be accepting the position in a more philosophical spirit and it was reported by Suk elders that the Suk Manyattas were being moved within the new boundary.

February 14th

A deputation was received from certain Ngiturkan who stated that since K.A. R days they had cultivated land in the fork of the Kerio and Angolerengan River. They had sought instructions. They were informed that their gardens are outside Southern Turkana district and they should accordingly move to the position north of the Angolerengan River where there is apparently equally good soil. They replied that they would move at once.

Signed: District Commissioner
Southern Turkana
Commissioner

Signed W.H.Felling
Signed: Assistant District

Southern Turkana

Forward

THE LOCATIONS AND SUB-LOCATIONS IN EAST SUK (POKOT) SUB DISTRICT IN BARINGO DISTRICT FROM 1930 TO 1963/64.

During the British colonial administration, East Suk sub district in Baringo District was sub divided into four locations and several sub locations namely Ribkwo, Tirioko, Loiyamorok and Korossi locations (plus a half -location of Kabarmen location).

By the year 2022, the above locations and sub locations have been sub divided further into -27 locations and 68 sub locations. Therefore, attached here in, find some copies of the Hut tax and graduated tax registration books for locations and sub location centers in East Suk sub District from 1930 to 1963/64

1. Code 130 RIBKWO LOCATION (Later split to create a half Kabarmen Location)

Sub-code i. 131 Nginyang

ii. 132 Nakoko

iii. 133 Karpedo

iv. 134 Mirkisi

v. 135 Mongorion

vi. 136 Kormunyan

vii. 137 Chepkarerat

viii. 138 Tilingwo

ix. 139 Lowiat

x. 1310 Chepanda

xi. 1311 Karuwon

2. Code 140 TIRIOKO LOCATION

Sub-code i. 141 Akoret

ii. 142 Karpedo

iii. 143 Angortiang

iv. 144 Akirapet

v. 145 Mirkisi

3. Code 150 LOIYAMOROK LOCATION

Sub-code i. 152 Nginyang

ii. 152 Nakoko

iii. 153 Karpedo

iv. 154 Natan/Naudo

v. 155 Mondi/Paka

vi. 156 Loruk/Salawa

4. Code 160 KOROSI LOCATION

Sub-code i. 161 Chemoigut (Makutan)

ii. 162 Kechui (Kechii)

iii. 163 Tangelbei

iv. 164 Orus/Amaya

v. 165 Churo

NOTE: There were Tax registration centres at Karpedo Sub-Location in Ribkwo Location, Karpedo Sub-Location in Tirioko Location and Karpedo Sub-Location in Loiyamorok Location respectively in Baringo District. Therefore, there was no Tax registration centre called 'Karpedo' in Turkana District.

SUBMISSION BY EAST POKOT COMMUNITY TO THE SENATE COMMITTEE IN CHARGE OF DEFENCE, NATIONAL SECURITY AND FOREIGN RELATIONS ON THE KAPEDO ISSUE AND OTHER RELATED SECURITY CONCERNS ON 3RD FEBRUARY 2015REVISED 2023/2024.

PREAMBLE

The people of Tiaty Constituency Formerly Baringo East Constituency also known as East Pokot Sub-county in Baringo County wish to present to the committee the clear facts on the jurisdiction of Kapedo. It is our hope and prayer that this visit by the Honorable Committee of the Senate will help solve the persistent problem of insecurity in Kapedo.

SUMMARY OF THE CRITICAL ISSUES, TIMELINES AND FACTS ABOUT KAPEDO QUESTION FROM 1900-2015.

In 1900-1964, Turkana were never residents of Kapedo. They were residents of Lomelo Location of Lokori Division which is about 30km North of Kapedo.

In late 1917, the then Baringo colonial DC Mr. E Baring created and commissioned Nginyang Central Post for Kings African Rifles (KAR) and fortified against Turkana invaders. This is according to the Kenya National Archives and Central Bureau of Statistics (CBS). This post was created following frequent and persistent Turkana raids on the East Pokot residents of Baringo District. Mr E. Baring later became the Governor of Kenya during the colonial period.

In 1918, Turkana bands of 100 rifles assisted by Ethiopian soldiers and police reservist Mr. Ebei raided East Pokot for livestock at Mondri area of Loyamorok location and Chepchok areas of Korosi locations, to as far as Lake Baringo. On the same day, Mr Ipara, a Turkana police reservist and Turkana warriors raided Turkwel area in West Suk District. The Turkana raiders took away 13,000 herds of cattle, 35,000 sheep and goats and 300 donkeys. In

the process, they killed many women and children. By 1918, the Turkana tribe possessed an estimated 2,000 to 5,000 rifles from Ethiopia under King Menelik II assisted by Benito Mussolini of Italy.

In 1917, the colonial DC for Baringo created and Commissioned Kapedo Kings African Rifles (KAR) post to protest the Pokots against Turkana invaders. This too is according to the Kenya National Archives and CBS.

In 1921, there was a fight of Turkana and Suk at Kapedo over cattle confiscated from Turkana by the D.C West Suk District Mr. D.R Crampton and police troops, following Turkana raid for cattle in East Suk Sub District in Baringo District on 1st September 1918.

In 1950, there was a Koloa affray/Massacre clash between British Colonial Administration soldiers where there was alleged 300 East Suk People, 3 Europeans soldiers and 1 tribal police man Mr. Kibirir were killed.

In 1950, a businessman by the name Chelelgo Chemngorem from Kabarnet established the first shop at Kapedo upon receipt of allotment letter from Baringo County council.

Other shops were also later established by an Asian named Ramram and his brothers from Emining and Marigat. The shops of Ramram and his brothers are still intact in Marigat and Emining to date. The remnants of their shops at Kapedo can still be traced to date and their allotment letters were issued Baringo County council.

Other shops were established by businessmen namely Hassan and Korikel who were of Somali origin and whose allotment letters were issued by Baringo County council.

Subsequently, Pokot businessmen established their shops at Kapedo centre. These were the Assistant Chief P.No 140364 Todok Chemoko for Kapedo Sub-location in Tirioko location and Mr.P.No 140377 Mr Joseph Lokwialeput who was the clerk to the chief of Tirioko location P.No 140373 Mr Kalale Losiliamoi.

In 1961-1962 Pokot chiefs led by Mr. Ng'eleyo were Tomele of Ribkwo location and Mr. Kalale were Losiliamoi P.No 140373 of Tirioko location requested Pemwai Full Gospel Church of Baringo Jimbo through D.C Baringo to assist them get a church mission to be established in Baringo East Constituency to replace Missionary Mr.Collins of African Inland Mission (A.I.M) Nginyang church which was closed after Kolowa affray/massacre on April 24th 1950.

In 1964/1965, two missionary sisters Ms. Anna Kupianen and Ms.Marjanna Phojapelto from Finland under Finish Foreign Mission came to Kenya through the invitation of Pemwai Full Gospel Churches of Kenya based at Kabarnet - Baringo district, to assist them to establish missionary work in East Pokot sub District in Baringo District.The two missionaries went to East Pokot and met chief P.No 140442 Kalowetemoi John Lokolia of Ribkwo location and P.No 140443 James Kalegeno of Loyamorok location and asked them to be shown a place where they could establish a church/mission. The missionaries stayed at Nginyang near chief Kalowetemoi's home for some few days, awaiting chiefs and elders to make a decision.

The two Chiefs and elders met and recommended Kapedo as an ideal area / site for the establishment of the mission due to its scenic beauty and availability of water. **The Chiefs, the sisters and two guides Mr. Losiwale Kitosha ID. NO. 3338695 and Mr. Tulel Lokiwial ID. NO. 4552203 went to inspect Kapedo. The Missionaries admired Kapedo and agreed to settle there.**

In 1965, following the advice of chiefs Kalowetemoi and Kalegeno, the missionaries sourced labour from Lomelo in Turkana District. This was because the Pokots were unwilling to do manual labour due to their cultural pride. The influx of more Turkana to Kapedo village was as a result of the provision of food, clothes and shelter as well as charitable gifts by missionary church during the great famine and drought in 1965.

In 1965-1967 Kapedo primary school was established and the first headteacher was TSC. No.75605 Mr. John Tong'oya Losikiriatum who was posted from Baringo District by Education Officer Mr. William Bomett. If

Kapedo was under the jurisdiction of Turkana, then the teacher could have been posted from the Turkana district. After the first headteacher, other subsequent headteachers, teachers and staffs were posted from Baringo District among them TSC NO. 212633 Charles Kasuriot, Julius Okongo, TSC NO.087318 Mr. Christopher Makuk, TSC NO. 087291 Mr. Michael Kolem, TSC NO. Nalekat Kirakwiang, Hassan Lomoita,

Charles Mchinga, Samson Katurkana and Asman Kamama. However, Samson Katurkana and Asman Kamama later became Members of Parliament for Baringo East (Tiaty) Constituency in 1979-1992 and 2003-2017 respectively among many others.

In 1932, Kapedo Sub location in Ribkwo location, Kapedo sub location in Tirioko location and Kapedo sub-location in Loiyamorok location were established by the colonial District commissioner, Baringo District. The tax collections (books and receipts) are hereby annexed up to 1963/1964.

In 1964, Kapedo Hospital, Kapedo Primary school and Kapedo Church was established by FGCK missionaries under the supervision of MoH Baringo District. All the staff to date are posted and paid through Baringo District/County. Annexed herein are copies of Kapedo Sub District Hospital staff payroll from Baringo County in the year 2015.

In 1991, the Finish missionaries handed over twenty six (26) mission facilities and staff to the District Commissioner Baringo Mr. Cyrus Maina. The handing over report ceremony was done at Chemolingot Full Gospel Church in East Pokot subDistrict. The handing over report is hereby annexed in which it clearly shows that out of twenty nine (29) mission facilities, twenty six (26) were handed over to Baringo District including Kapedo Primary school, Kapedo church and Kapedo health centre. Only three (3) facilities were handed over to Turkana District namely Lomelo primary school, Lomelo dispensary and Nadome pre-school.

In 1964-1986, Kapedo primary school was established under Baringo District and not Turkana District upto 1987. In 1987, Kapedo Primary School was moved secretly and maliciously to Turkana District under dubious

circumstances. This happened after Hon. Samson Katurkana M.P Baringo East Sub-Contracted a tender for the supply of food stuff to the school to his colleague Hon. Peter Ang'elei of Turkana South Counstituency. Hon. Peter Ang'elei MP took advantage of this good gesture given by Hon. Samson Katurkana M.P to transfer the school to Lomelo Location in Turkana District secretly without the knowledge and consent of East Pokot people and Baringo District at large. Since inception, the CPE Examination's code number is No. 57... Was coded among other Primary Schools from Baringo District. The Kapedo Primary School to date has been a constant source of political conflict as cattle rustling and banditry between the two communities/Districts continues unresolved.

To prove that Kapedo Primary School is in Baringo District, we annex copies of transfers and posting letters of teachers and head teachers by the District Education officer Baringo. Notable ones include; TSC. NO. 212633 Charles Kasuriot, Mr. Hassan Lomoita, Clement Kirui, Hon. Asman Kamama and Hon. Samson Katurkana who have been teachers at Kapedo Pry School.

In the Kenya Gazettment No.3142 dated 16th June 1995, Chemolingot and Kapedo Sub-District Hospital was gazetted in East Pokot District was done by the Ministry of Health, Nairobi. This situation has never changed to date. All staff get salaries from Baringo County to date and deployment was done by the Baringo County Government until the year 2021 when the Kapedo Sub-County hospital was transferred from Baringo County to Turkana County vide gazette No...in unexplained circumstances.

All Maps both Colonial and post-colonial show that Kapedo is in Baringo County. You will never get a map that shows to the contrary.

In 1997, Kapedo Location of Turkana District was maliciously hived off from Ribkwo Location in East Pokot Sub-District of Baringo District by D.C Turkana District Mr. Peter Rotich through the political influence of the late Hon. Francis Ewaton M.P Turkana South Constituency. The three Kapedo Sub-Locations namely; Kapedo Sub-Location in Ribkwo Location, Kapedo Sub-Location in Tirioko Location

**and Kapedo Sub-Location in Loiyamorok Locations were created in 1930's, which units should we trust? The old ones/units are more credible and were not established through manipulation. The Kapedo Location and Sub-Locations established in 1997 by the Turkana District/County were politically manipulated and instigated using malice, manipulation and prejudice at best. A notable anomaly is silale sub-location which should have been under silale location in Tiaty East Sub-County in Baringo County but it is administered from Turkana County. In the year 2007 General Elections, the following polling stations 128/019 Kapedo Pry School, 128/020 Kapedo Bridge (centre), 128/015 Kongor Village, 128/016 Akoret Centre, and 128/..Lain Village were in Baringo East Constituency. The Turkana South Constituency Polling Centres were-....
Kapedo Primary School.**

That in 2012/2013 following IEBC recommendation after considering East Pokot residents' submission that Baringo East Constituency be divided into two (2) Constituencies namely; Tiaty West and Tiaty East Constituencies. In case it is not split, Baringo East Constituency be renamed Tiaty Constituency by the Interim Independent Boundary Review Commission (IIBRC), a precursor to Independent Electoral Boundary Commission (IEBC) created polling centers for tiaty constituency as 157/017 (Kapedo Primary) and No. 157/046 (Kapedo Bridge), 157/013 Kongor Village, Akoret Center and 157/022 Lain Village are registered under Baringo County. These electoral polling stations have existed in Baringo East Constituency since independence in 1963 to date. The polling stations split from Turkana South and New Turkana East Constituencies were fixed recently during the multi-party general elections in Kapedo In 1992, 1997, 2002, 2007, 2012, 2017 and 2022.

RULING BY A FIVE JUDGE BENCH CHAIRED BY JUDGE WARSAME (CONSTITUTIONAL PETITION NO. 2 OF 2012-KITALE).

This case (Constitutional petition No. 2 of 2012-Kitale), relates to Loima and Turkana Constituencies with regard to Kapedo, Napeitom, Kotaruk/Loibei, Kaputil and Katilu and Lobokat all of which are in Turkana County.

A. COMPLAINTS BY THE PETITIONERS

I. That IEBC altered the boundaries of the six wards and accordingly reduced the same by a total of 154 kmsq and the same have been moved to Pokot and Baringo Counties.

II. That IEBC failed to take into account the community of interests and views of the people when it moved Akoret, Kapedo (North, West and East) areas to Tiaty Constituency in Baringo County.

III. That IEBC shifted the boundary between Kapedo and Turkana Counties from Kapedo Post beacon to Akoret thereby denying the Turkana community geothermal resources, Kapedo Waterfalls, Silale range and expected oil and other mineral fields.

B. PRAYERS BY THE PETITIONERS

The petitioners prays that all the changes effected by IEBC be cancelled and redone in accordance with the constitution and the wishes of Turkana community. The petitioners argued that, though the IEBC sought the views of the public and other stakeholders on delimitation exercise, such views are not reflected on IEBC decisions.

It is the view of the petitioners that the IEBC failed to take into account community interests historical sites, infrastructure, mode of communication, language, norms and traditions in shifting boundaries, moving areas to other Counties and changing names of areas which have historical backgrounds and that by so doing, the IEBC abdicated it's mandate.

C. RESPONSE BY IEBC

IEBC opposes the petition on the basis that the delimitation exercise was carried out in accordance with the constitutional parameters contained in Article 29 (5). The IEBC denies that it shifted the Baringo-Turkana County boundaries. Similarly, the interested parties opposed the petition and supported the IEBC position.

D. VIEWS BY THE COURT

- The court noted that there have been constant conflicts between the people of Turkana and Baringo counties. These conflicts have been over resources such as pasture and water with the Turkana people feeling that their interest have been put on the sidelines over many years hence their complaints in this petition. The petitioners felt that if the boundaries of the wards and counties are not aligned, they will continue to suffer historical injustices.

While the bench appreciates the petition, the court was satisfied that the IEBC considered the views that were made to it by the people of the affected areas. This fact is not denied by the petitioners. The court found that the IEBC carried the delimitation in accordance with existing locations. It is not within the mandate of the IEBC to alter county boundaries. The court was also satisfied that the IEBC considered the other parameters set out under Article 89 (5, 6 and 7) in delimiting the constituencies and wards in Turkana and Baringo counties.

E. COURT RULLING

Accordingly, the petition was dismissed with no order as to costs.

It is the view of the pokot community that this court ruling has not been respected and we urge the government to enforce this court ruling for the sake of order.

The Turkana County has continued to undertake infrastructural development and establishment of administrative units like Kapedo location and sub locations within Baringo County in total disregard of the law and court rulling. All development activities from Turkana County in Kapedo should be stopped forthwith as the court had made a judgement.

THE CURRENT KAPEDO CONFLICT

The current Kapedo conflict that resulted to 22 security officers losing their lives was a culmination of persistent killing of women, children, innocent person's and livestock by Turkana KPR in full view of Police General Service Unit (GSU) officers at Kapedo. The Pokot community had lost 46 people for the last five years within Kapedo. For the last one year alone, 13 pokot people lost their lives within Kapedo without Security officers apprehending any cuprits despite these killings taking place about 50-100 meters away from the GSU camp. The main killing points at Kapedo is at the health facility, Turkana village slums and shopping centre. The health centre, village slums, shopping centre and GSU camp are all within an area of 18_20 acres. Surprisingly, the teachers and health workers were issued with government guns which they misuse or hire to cattle rustlers as they were recruited as Kenya police reserve (KPR) or nation police Reserve (NPR)

The Kapedo turkana slums have 9 chiefs and alleged over 2000 people who do not undertake any crop production or livestock keeping. They constantly prey on the livestock and perennial killing of people of the East pokot community.

1) Those killed at Kapedo Health Centre:

- i. Lortele Anuwa
- ii. Lotukei Riwo
- iii. Chepokateko Namotor
- iv. Namotor Lochilakow

2) Those killed in Kapedo shopping centre:

- i. Kangusur Munyopus (The child was behead by a Turkana named Joshua Loyanei alias Loremem working in the Kapedo Hospital).

ii. Adomong'iro Kapkomor

3) Those killed inside Kapedo slums

i. Two sons of Cholia Dike

ii. Morwas Kapkoikat

iii. Kukat Piranyang

For the last five years, the pokot community of Silale and Tirioko Ward lost over 5,000 livestock to Turkana through frequent raids. Last year alone, Turkana KPR raided and slaughtered at Kapedo 100 camels, 150 donkeys, 160 cattle and 300 goats. Those who were mainly affected by these Kapedo KPR raids are Mr. Lomoler Lochokor, Mr. Domoret, Former Cllr. Geoffrey Lokortepa and Tokudok Abwatum among others.

There has been persistent discrimination of pokots at Kapedo centre by the GSU officers and other police officers.e.g pokots are not allowed to carry walking sticks while in Kapedo Trading Centre unlike their counterparts (Turkana) who are allowed to carry sticks and guns exposing them to frequent intimidation by Turkana.

The Pokot people are not allowed to shop in Kapedo centre less they are killed by Turkana in full view of the police officers who have become partisan.

Raping of women and girls by Turkana Kenya Police Reservists (KPR) at Kapedo Trading Centre and its environs.

Abduction and kidnapping of two children of Todokin near Kapedo centre also a daughter of Ng'oriamuna (Chepoghishio) who is believed to be in Kamuge area of Lomelo Division, Turkana County. Ten (10) Pokot people were lost mysteriously in the grazing field without trace to date.

Displacement of Pokot properties, shops and schools burnt in and around Kapedo area. Examples include shops belonging to Todok Chemogo, Joseph Lokwialeput and Kalakatet Loroki within Kapedo centre, burning of shops and houses at Kapaw village as well as perceived biasness and partisanship of Police officers attached in Kapedo Post and operation security officers.

Brutality of Kenya Police Reservists in Kapedo to Pokot without being arrested by government agencies. These have acted as mercenaries to intimidate and brutalise members of Pokot community.

Deliberate shooting and round-up of Pokot livestock by Turkana and Police Officers while watering their livestock in river Kapedo for their ration or sale sometimes posing a lot of threat and insecurity.

Nine Chiefs stationed at Kapedo Location and Sub-Locations by Turkana has caused a conflict of interest, malice and prejudices to service delivery and administrative duties.

District Officer for Lomelo Division who has chosen to pitch his tent in Kapedo Centre which does not fall under his/her jurisdiction. Instead, he/she should be moved to Lomelo Centre Division Hqs of Turkana County.

Political incitement by Turkana Political Leaders at Kapedo Centre on frequent public meetings held strengthens Turkana animosity with the Pokot people.

Creation of Kapedo Village slums by Turkana has become catchment havens or harbors criminal activities.

The national government should use any means under their powers including G. P. S co-ordinates to determine the positions of Kapedo Primary School, Kapedo Sub-County Hospital, Kapedo Full Gospel Churches of Kenya Church, Kapedo Airstrip and Kapedo twenty (20) acres of Turkana Village slums in respect to the Boundary question to solve the perennial boundary conflict disguised as cattle rustling and banditry once and for all.

ADDITIONAL INFORMATION IN 2023/2024

In 2011/2012 during the Interim Independent Electoral Boundary Review Commission (IIBRC) a precursor to Independent Electoral Boundary Commission (IEBC) Chaired by Hon. Andrew Ligale, 8 other Commissioners and Chief Executive Officer (CEO) Dr. Ekuru Aukot who comes from Kapedo village. The CEO as an interested party to this area while executing his duty, did change the previous code 128 for Baringo East constituency and Wards polling stations among other Constituencies and wards after establishment of additional eighty (80) new Constituencies to the existing 210 Constituencies in Kenya. Therefore code 128 for Baringo East Constituency was change to 157 Tiaty Constituency after change of name.

It has been alleged that being a counsel/lawyer, the CEO ensured that the new Turkana East Constituency split from Turkana South Constituency takes over the former code 128 from Baringo East Constituency, so as to legitimize the Turkana East constituency polling stations in Kapedo area and in order to thwart any complaints in future from East Pokot people about Kapedo area. The oil exploration in Ngamia 1 or Lokichar area in Turkana County may have attracted business men and Kenya's Executive, as well as political class leading to arm-twisting and favoritism for Turkana County claim, as far as Kapedo Question is concern.

However, during the 2019 pre-census trials in the year 2018, the above named places were actually in Baringo County but the Turkana residents in Kapedo village refused to be counted under Baringo County. It has since been alleged that the Turkana leadership did compromise the Google earth, such that the Turkana county map courtesy of Kenya Defence Forces KDF extend to Chesitet (Kapedo) KDF Camp in East Pokot Sub-County in Baringo County to allow Turkana people including the Chiefs and not Pokot people to construct shops near the KDF Camp in order to provide or supply them essential goods and services necessary. Hence, in 2022 General Election the Turkana people had already made a claim of this area in Ribkwo Ward inside East Pokot Sub-County in Baringo County.

RESOLUTIONS

1. The Pokot community requests the government to enforce and *implement the court ruling of Turkana County petition No. 2 of 2012 on Boundary issue between Baringo, Turkana and West Pokot Counties and make the Turkana community* and its leaders to respect court ruling
 2. Immediate Reinstatement of police station in Kapedo which was closed down in 1996.
 3. The nine Turkana chiefs within atmost 20 acres in Kapedo be posted back to their areas of jurisdictions.
 4. Administrative structures in Kapedo that belong to Turkana be moved to Lomelo centre which was the original location.
 5. Look for a lasting solution to the biasness and partisanship of security law enforcement in Kapedo.
 6. Kenya Police Reserve (KPR) or National Police Reserve (NPR) to be recruited in the entire East Pokot to assist the current disarmament and improve security situation.
 7. Remove all Turkana Kenya Police Reservists from Kapedo Trading Centre and post them to Lomelo areas and other places envisioned by the government.

The GSU post and the police post at Kapedo is sufficient enough security for all and no need of KPR who are completely partisan in a trading centre.
 8. The Turkana settlement within Kapedo trading centre be administered in Baringo County as before to avoid conflict of interest between the two counties since that is the clear position of the law as per the court ruling.

9. Disarm all armed staff KPR /NPR in Kapedo health centre and primary school. Some staffs in these institutions possess arms in the name of KPR these threatens access to service delivery to Pokot community in Kapedo centre.
10. The government should consider formation of a special taskforce to investigate this matter.
11. The government is urged to come up with a marshal plan to address all the challenges including social and economic development as wel ASL insecurity in North Rift Region in Kenya.
12. Provide conducive environment for all school going children both from Pokot and Turkana Communities into Kapedo Primary School.

CONCLUSION

We the people of Tiaty (East Pokot Sub-County) Constituency want to state in very clear terms that we are not interested in expanding our borders or encroaching on other Sub-County or Counties. We want our boundaries respected and maintained as per old and current maps. The invasive and expansionist attitude by our Turkana, Njemps and Tugen neighbours is causing insecurity.

The people of East Pokot Sub-County in (Tiaty Constituency) are and have always been supportive and loyal to the government. We do believe in peace and tranquility contrary to the pictures created about us by our very focal neighbors and the media.

We call upon the Senate committee in charge of Defence, National Security and Foreign Relations and other government agencies conducting the fact finding mission to look critically into the evidence and information presented to you by the interested parties (Pokot) leaders.

The Pokot people are ready and willing to cooperate with the government, ethnic communities to address this sensitive subject regarding the boundaries and cattle rustling menace. The committee should consider the creation of a special boundary commission to look into this matter so that they can get a lasting solution to save lives, property and promote peaceful coexistence amongst the warring communities.

Attached herein, are the evidence of Tiaty Constituency in East Pokot Sub-County of Baringo County claim of Kapedo area

1. Copies of chiefs and sub-chiefs appointment/retirement letters from 1930s to date
2. Copies of teacher's appointments, postings and transfers to and from Kapedo primary school from 1965 to 1986.
3. Kenya Gazette notice **Vol. CXII – NO. 36 for** Chemolingot and Kapedo Sub-District/Sub-County hospital in East Pokot sub-district in 1995 and later transferred to Turkana East Sub-District through Kenya Gazette NO..... Dated.....
4. (a) Kapedo Full Gospel Churches of Kenya projects handing over report in 1991
(b) Kapedo Full Gospel Churches of Kenya report extract in 1948 to 1989.
5. Proclamation order No. 54 of 25th October 1924, Colony and Protectorate of Kenya, Baringo and Turkana District Boundaries
6. (a) Lt. Barry OIC Kenya Africa Rifles letter of inquiry to DC Baringo District on the status of Kapedo area.
(b) DC Baringo and Kerio Provincial Commissioner reply letters to Lt. Barry on status of Kapedo
7. Boundaries joint demarcation of East Suk (Baringo)-southern Turkana Districts in 1927 to 1932/33

THE DISTRICT COMMISSIONER,
BARINGO DISTRICT, KABARNET

2ND MAY, 1950

L&O. 17/16/1

THE PROVINCIAL COMMISSIONER,
RIFT VALLEY PROVINCE,
NAKURU. (3)

SUK DISTURBANCE (DINI YA MSAMBWA)

1. Consider it is inevitable we will have to face the criticism that East Suk was not sufficiently closely administered in that I was out of touch with what was going on.

2. I attach a copy of an abstract of safaris done in Suk since December, 1947. I think that of the 3 tribes in this district, I have spent more time with the Suk and have certainly penetrated on foot to parts of their country not hitherto visited.
3. I always regarded the 4 Suk chiefs as entirely reliable and have never had any case of suppression of information. Mr Collins of The Africa Inland Mission, Nginyang has frequently discussed with me Suk affairs and has been a useful source of information. The fact that he who has lived so long with the Suk, knew nothing of Lukas' activities till 21.4.50 shows what a tremendous fear both the Suk and the Somali traders had of reporting Luka' presence.

DISTRICT COMMISSIONER.

ABS/ADC

SAFARIS IN EAST SUK, DECEMBER 1947- MARCH 1950

1947: DEC. 6-14 Tangulbwei, Churo, Nginyang, Kapedo.

1948: FEB. 3-6 Nginyang area.

March 3-6 Kapedo area.

April 16-25 Tangulbwei, Churo, Nginyang areas.

July 4-9 Kapedo, Nginyang areas.

Augst. 1 Nginyang

Oct 4-8 Ribkwo and Nginyang (foot)

Oct. 27-30 Loyamoruk and Kapedo

Dec. 9-20 kolloa, Kito, Nginyang, Kapedo, Akoret, Tirioko, (on Foot), Loyamoruk, Korossi, Tangulbwei, Churo

1949; Jan. 18-22 Nginyang, Kapedo areas.

March 24-30 Korossi, Tangulbwei, Churo, (with PC)

May 3-9 Nginyang, Kapedo, Akoret

July 4-8 Tirioko areas, (D.O Kabamet) Nginyang, kapedo areas.

July 27-30 Kapedo areas

October 19-24 Nginyang, Tangulbwei, Korossi and Locharagosuwa areas (Amaya valley on Foot)

Dec. 9-15 Tangulbwei, Nginyang, Kapedo, Karuon, Kito, Kolloa areas.

1950: Feb. 3-7 Tiam, Loyamoruk, Korossi, Churo, Tangulbwei.

Feb. 22-24 Nginyang, Karuon, Kito, Kolloa, Ribkwo (with PC)

TURKANA DISTRICT IN 2005, LOMELO DIVISION

S/NO	NAMES	LOCATION CHIEF	SUB LOCATION ASSISTANT CHIEF	DATE OF APPOINTMENT	REMARKS
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1	P. NO 1982085141 SIMEON E AKURUSIT	LOMELO		02/08/1982	Transfer from Kenya Army
2	P. NO 1997089100 JEREMIAH L. ESOKON		LOMELO	23/10/1997	
3	P. NO 1997089087		KATIR (NEW)	23/10/1997	
4	P. NO 1981028879 JOSEPH L. LOPALAL	KAPEDO		11/03/1981	Transfer of service from Kenya prison
5	P. NO 1986039572 AFRED L. EKITELA		KAPEDO (NEW)	22/10/1997	Transfer of service from M.O.H Public administration
6	P. NO 1991023596 JOHN L. INGORIA		SILALE (NEW)	22/10/1997	Transfer of service from M.O.H to public administration
7	P. NO 1997089354 MODING RENGEI	NADOME (NEW)		23/10/1997	
8	P. NO 2001062152 JOHNSON T. LORUKON		NADOME	24/11/2001	
9	P.NO 1997089362 FRANCIS A. EKIDOR		EKIPOR (NEW)	23/10/1997	

SOURCE; PROVINCIAL COMMISSINER, RIFT VALLEY PROVINCE,

ADMINISTRATIVE OFFICERS REMARKS 2005

**MEMORANDUM PRESENTED BY THE EAST POKOT RELIGIOUS LEADERS AND
COUNCIL OF ELDERS**

TO

THE OFFICE OF THE PRESIDENT

THROUGH

THE COUNTY COMMISSIONER,

BARINGO COUNTY

**ON THE INSECURITY SITUATION IN TIATY CONSTITUENCY AND ITS ENVIRONS
ON WEDNESDAY, OCTOBER 12TH, 2022 AT COUNTY COMMISSIONER'S
BOARDROOM.**

County Commissioner Sir,

The Bible says in Isaiah 1:18; *“Come now, let us settle the matter”, says the Lord. Though your sins are like scarlet, they shall be as white as snow, though they are as red as crimson, they shall be like wool.”*

We, the religious leaders and council of elders from the entire Constituency take this opportunity to sincerely thank you for this honorable invitation to have a meeting with you on the insecurity situation in Tiaty/East Pokot.

From the outset, we want to condemn the state of lawlessness that has led to the loss of lives and property emanating from the retrogressive/primitive act of cattle rustling and other forms of violence being witnessed in the region. On behalf of Tiaty community we wish to apologize to the government and all the parties that have fallen victims to the heinous acts of criminals living within us. It is our sincere hope and prayer that the real perpetrators of these acts shall be brought to book.

Secondly, we sincerely apologize on behalf of the larger Tiaty community who have offended the government and we humbly ask for forgiveness. The Bible records, in *Mathew 18:21-22* then peter said to him *“Lord how many times shall I forgive my brothers and sisters when they sin against me? Up to seven times? Jesus answered I tell not seven times, but seventy seven times” Friends! Forgiveness is to eternity.*

In addition, we would like to pledge our support to your office in joining hands with the security agencies to arrest the situation and propose both short and long term solutions to the perennial problem of cattle rustling and general lack of security in the region.

The creation of our newly created Tiaty East Sub-County from the the larger East Pokot has brought government services closer to the people and greatly improved relations and business ties with the neighboring Counties and communities. It is on this note that we support the government initiative of opening up the entire Tiaty for holistic transformational development and opportunities for growth and commerce.

This initiative will go a long way in solving the challenges that have for a long time affected this community in question. These challenges include: **high illiteracy/ignorancy level, insecurity, inadequate infrastructure and lack of government presence among others.**

The question is, why is it that the insecurity continues to thrive despite various efforts put in place which might have been used repeatedly resulting to wrong approaches in dealing with this situation. Logic dictates that, one cannot use the same method to solve the same recurring problem and expect a different result.

Brief history of the gun

Guns entered in Pokot land in the early 1970s after a long suffering of Pokot under armed Turkana raiders the government then, did not protect Pokot from Turkana aggression making Pokot to arm and protect themselves. Since then, the gun became a necessity and preferred weapon for both personal and community protection. Given the long time the gun has been with the people, boys grew up with it, played with it, practiced with it and with time they became expert in using it. There are no specific persons training boys on how to use the gun, they learn from their seniors and peers through observation and practice.

In the 70s and late 80s adults in large groups engaged in cattle rustling because the guns were new and few. Gradually, small boys of ages 12 to 19 took over the practice of cattle rustling but in smaller groups of between 5 and 20. It has been hard to control such small groups to further complicate the matter the boys are all alone in the grazing fields with no government presence to check and monitor their activities. Boys are primarily the cattle herders, because of frequent droughts and land degradation that has diminished pasture, boys often move the cattle away from the parent's homes and they can stay there for years without coming home. They only visit to take some essentials they need from the parents who are left with goats and camels, it is in this grazing areas that the boys become the decision makers and because they have guns, they organize themselves for raids without

their parents knowing. Most parents come to know of their children actions when they are either killed or when the animals are traced to their parents herd in the grazing field.

Sir,

We sincerely support the government's effort to restore sanity in the area through the ongoing operation aimed at flushing out criminals and consequently prevent the loss of property and lives. However, we would like to bring to your attention the unfortunate outcomes of the said security operation;

1. Closure of schools, business centers and health facilities

Many schools and health facilities have been closed due to the fleeing of the teachers and health workers following unavailability of food supply and medical supplies as a result of closure of the main public roads to the region. This situation has escalated with a possibility of further deterioration of the ailing education and health situation in the area.

2. Closure of businesses and markets hence resulting to loss of revenue

The operation has been done with a lot of hostility and lack of human face which has forced the business community in the area to close down their wares in order to safeguard their investments. This has led to the loss of employment and deprived the government of its much needed revenue.

3. Food scarcity

The installation of security road blocks and the outright insensitivity of the security agencies to the requirement of supply of basic needs such as food has created an artificial shortage of food and other basic supplies in the entire Tiaty Constituency. The road blocks at Loruk, Nginyang, Kinyach, Loiwat, Churo-Marum among other outlets have been used by the security agencies to destroy food supplies to the areas in a bid to starve the entire population. This is against the constitution of Kenya 2010 and other international laws on human rights.

4. Rampant corruption

The road blocks erected in the larger Tiaty have become illegal spots for collection of bribes and extortion of the people of Tiaty. They have also been used as opportunities to harass and intimidate the people and have therefore escalated the insecurity in the area. The most affected people include business men, sick people and civil servants who use the roads to go about their normal duties. Creation of a human crisis is therefore witnessed/foreseen.

5. Community profiling and abduction

For a long time, the Pokot community has been profiled in its entirety as criminals, cattle rustlers and murders because of the acts of a few criminals known to the security agencies.



The profiling has also included the targeted abductions on our few professionals, civil servants, business men and leaders. It is our believe that the past and current abductions are as result of misinformation and flawed intelligence reports by the security agencies operating in the area. We therefore wish to appeal to you to re-evaluate your actions before acting on the information provided. Not all Pokots are bandits, there are groups of law breakers in every community. E.g not all Kikuyus are mungiki

Not all Somalis are alshabaab

Not all Gusiis are a chinkororo.

Not all Turkanas are ng'orokos.

The bandits in Pokot are called chelolos meaning, a group of few armed criminals terrorizing people.

In view of the above, we therefore wish to request that the security operation in Tiaty Constituency be suspended to allow for dialogue and further consultative engagements that will result in calm and success in arresting the runaway insecurity in the area. To this end we propose the following measures.

I. SHORT – TERM

6. Removal of all the road blocks to allow free flow of people and goods in the area for schools to run smoothly as the National exams are just at the corner.

7. The government to facilitate join peace caravan spearheaded by the area professionals, religious leaders and business people to cover the entire Tiaty Constituency to preach peace and collect views from the community in ending insecurity in the area and its environs
8. Form a technical committee drawn from local professionals, religious leaders, business community and the CC's office to develop a report towards ending the cattle rustling and general insecurity in the region.
9. Creation of more administrative units in the larger Tiaty to be considered, this is to bring services and government supervision closer to the people. We propose additional two Sub-Counties from the present two Sub-Counties i.e Tiaty West (**headquarters to be moved to Kolowa**) while **Tiaty East-headquarters to remain at Tangulbei. The additional new Sub-Counties to be named East Pokot (headquarters to remain at Chemolingot) then Tiaty Central -headquarters to be located either at Riongo or Chemoril as one of the critical measure to tackle insecurity by taking closer government services to the people. The East Pokot Sub-County to be carved from the former Tiaty West Sub-County and it will cover Nginyang and Akoret Divisions while Tiaty Central Sub-County will be carved from the former Tiaty East Sub-County to cover the larger Mondri Division and Silale Division (new) to be created which is a hot spot of this menace as well as Locations and Sub- Locations creations.**

II. LONG TERM SOLUTION

Development Marshall Plan

A deliberate affirmative action plan geared towards changing mindsets and lifestyles of these group of people and creation of alternative legal ways of earning income to be developed and funded by the government that includes:

1. Education and human resource development

Establishment of nomadic boarding schools along this belt at least one in every Ward and undertake forced school enrollment for children under 18 years of age to this generational gap that has existed for years. The government to initiate a programme to fully sponsor the pupils from primary school through secondary schools to the University level in this region to avoid school drop outs which will bar them from becoming cattle rustlers' experts. This plan will cut off the chains that feed to the next generation of cattle rustlers.

2. Opening up of this remote area through development of basic infrastructure

Improve accessibility of the area through development of infrastructure such as roads, communication facilities, water supply system etc. This will enhance security surveillance and creation of employment opportunities to the people.

3. Promote tourism investments

Promote tourism through the establishment of local conservancies and identification and development of other tourist attraction sites/features.

4. Improve food security through irrigation projects

Drilling of boreholes and construction of Mega Dams/Gorges (NOT WATER PANS) in this region to support food security projects through irrigation and pasture development.

In conclusion,

We the Religious Leaders and Council of elders from Tiaty Constituency pride ourselves in having successfully participated in assisting the government address the insecurity menace in this area through our past engagements. We reiterate our commitment towards supporting the government in ending insecurity in Tiaty Constituency and its environs and therefore wish to offer ourselves to undertake this noble duty.

A pokot proverb goes, once a fly floats on a cup of milk, you pick and throw away the fly and preserve the milk for use you don't pour the milk. This "chelolos" are a flies who want to destroy our community. We have to pick them and preserve the community.

Finally, the Bible in the book of Genesis 18; 23-32 says "(... *Will you sweep away the righteous with the wicked? what if I find fifty... fourth....thirty...twenty...ten righteous people. The Lord said I will not destroy the place for the sake of the few*).

God Bless Us All, God Bless Kenya

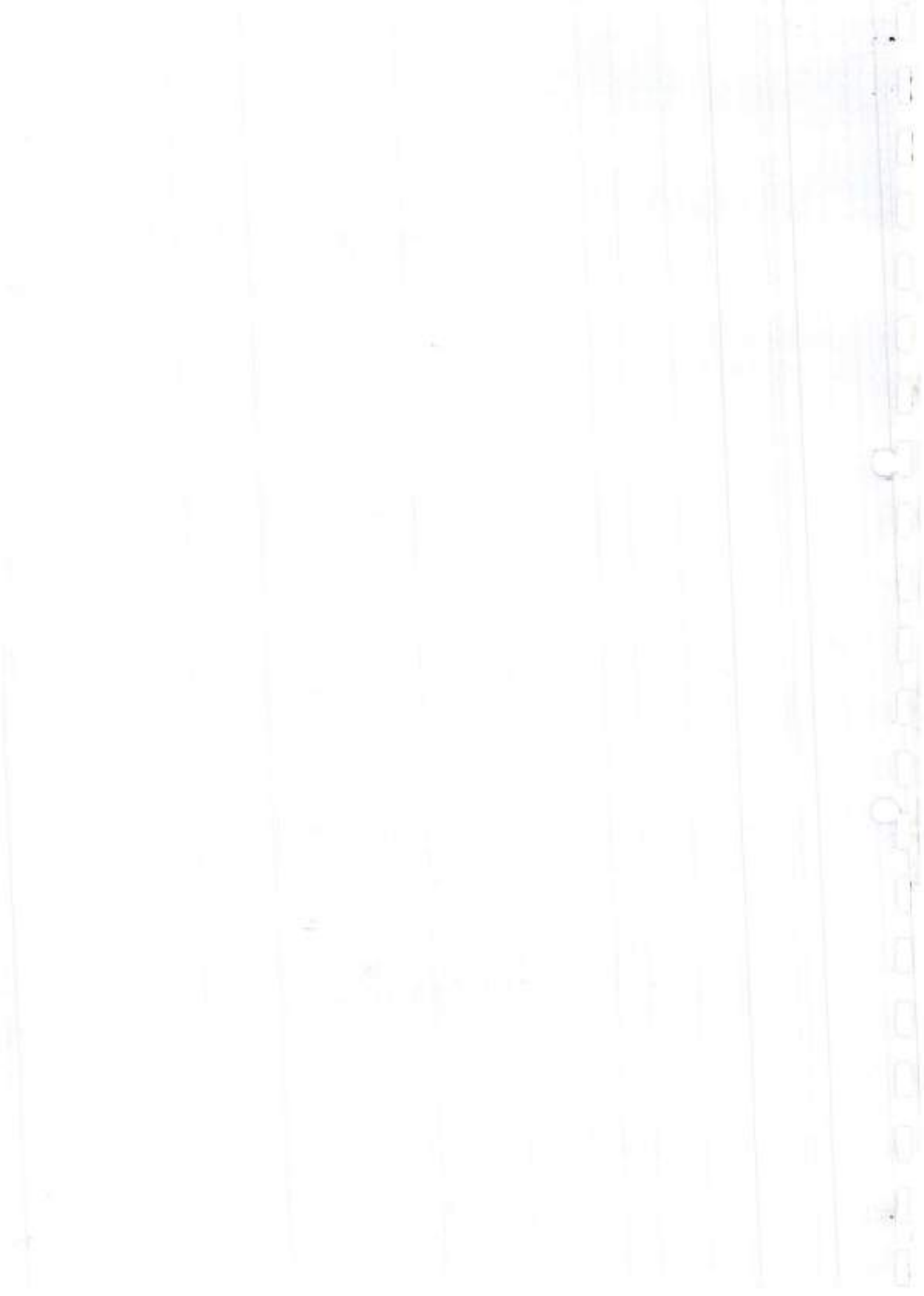
May Peace be our Portion.

EAST POKOT RELIGIOUS LEADERS AND COUNCIL OF ELDERS DELEGATION

1. Rev. Canon Christopher Chochoi-----ACK East Pokot
2. Asst. Bishop, Rev. Dr. Yusuf K. Losute, HSC, AIC Baringo Area Church Council
3. Bishop, Richard Kachepkow-----FGCK East Pokot
4. Rev. Amos Lomoto-----Chair AIC Churo Region, Tiaty East
5. Rev. Gideon Lomoyo-----FGCK, Tiaty East
6. Rev. Wilson Moru-----AIC Tiaty West Region
7. Rev. Francis Rotich-----PAG Tiaty West
8. Pr. Stephen Kemer-----Peace Elder Tiaty East
9. Rev. John Nambair-----East Pokot Pastors Peace Initiative Fellowship Chairperson
10. Joseph Kangogo-----Peace, Elder Tiaty West
11. Musa Amokon-----Peace Chairman, Tiaty East
12. Peter Lokoromoi-----Peace Elder Tiaty East
13. Mr. James Arimonyang-----Peace Elder Tiaty East

14. Henry Losikiriatum-----Peace Elder Tiaty East
15. Isaack Galla-----Peace Elder Tiaty East
16. Isaack Intalo-----Peace Elder Tiaty West
17. Mohammud Ali-----Peace Elder Tiaty East
18. Peter Losute-----Peace Elder, Tiaty East
19. Ezekiel Lonyangapeta-----Peace Elder, Tiaty East
20. Michael Kolem-----Peace, Elder Tiaty East
21. Jonathan Kipsikirio-----Peace, Elder Tiaty East
22. David Arupe-----Peace, Elder Tiaty East
23. Hosea Kipkugat-----Peace Elder Tiaty East
24. Hon. Joseph Lotodo-----Peace Elder-East Pokot
25. Moses Akeno-----Peace Elder –East Pokot
26. Peter Kokulei-----Peace Youth Rep. East Pokot
27. Alice Charem-----East Pokot Women Affairs Rep
28. Reggina Sarich-----East Pokot Special Interest Group
29. Irine Lopakale-----East Pokot Women Affairs Rep
30. Paul Cheptai-----Interested Group
31. Mary Panga-----East Pokot Women Affairs
32. Jane Sarich-----East Pokot Women Affairs
33. Florence Lomariwo-----East Pokot KNUT Rep.
34. Susan Nakoru-----East Pokot Women Affairs Rep.

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Annex 7:

The Committee Stage

Amendments to the County

Boundaries Bill (Senate Bills No.

6 of 2023)

20th April, 2023

The Clerk of the Senate,
Parliament Buildings,

NAIROBI.

**RE: COMMITTEE STAGE AMENDMENTS TO THE COUNTY BOUNDARIES
BILL, SENATE BILLS NO. 6 OF 2023**

NOTICE is given that Sen. Sheikh Mohamed Abass, Chairperson, Committee on Devolution and Intergovernmental Relations intends to move the following amendments to the County Boundaries Bill, Senate Bills No. 6 of 2023, at the Committee Stage—

CLAUSE 4

THAT clause 4 of the Bill be amended—

- (a) in sub-clause (1) by deleting the word “electronic” appearing immediately after the words “an up to date” and substituting therefor the words “digital and manual”;
- (b) in sub-clause (2) by deleting the words “utilize the appropriate technology to ensure” appearing immediately after the words under subsection (1)” and substituting therefor the words “ensure appropriate technology is utilized for”.

CLAUSE 5

THAT clause 5 of the Bill be amended in sub-clause (2)(a) by inserting the word “committee” immediately after the words “County Executive”

CLAUSE 7

THAT clause 7 of the Bill be amended in sub-clause (1) by —

(a) deleting the words "experience in alternative dispute resolution" and substituting therefor the words "post-admission experience and an accredited mediator" in paragraph (a);

(b) inserting the following new paragraph immediately after paragraph (d)—

(da) a commissioner of the National Cohesion and Integration Commission nominated by the National Cohesion and Integration Commission from amongst the commissioners;

CLAUSE 10

THAT clause 10 of the Bill be amended in the proviso to sub-clause (1) by deleting the words "Physical planning or" appearing immediately after the words "experience in" and substituting therefor the words "mapping and".

CLAUSE 23

THAT clause 23 of the Bill be amended by deleting the word "nominate" appearing immediately after the words "receipt of the petition," and substituting therefor the word "appoint".

CLAUSE 24

THAT clause 24 of the Bill be amended in sub-clause (1) by—

(a) deleting the words "and physical planning" appearing immediately after the words "matters related to" and substituting therefor the words "surveying and mapping" in paragraph (d);

(b) deleting the words "nominated by the Council of County Governors" appearing immediately after the words "opposite gender," and substituting therefor the words "each of whom shall be nominated by the Council of Governors and the institution responsible for coordinating the 47 County Assemblies" in paragraph (e).

CLAUSE 25

THAT clause 25 of the Bill be amended in sub-clause (2)(c) by inserting the following new sub-paragraph immediately after sub-paragraph (ii)—

(iii) land survey and physical planning; and

CLAUSE 41

THAT clause 41 of the Bill be amended in sub-clause (4)(b)(ii) by deleting the word “commission’s” and substituting therefor the word “ministry’s”.

CLAUSE 42

THAT clause 42 of the Bill be amended by—

- (a) re-numbering the existing sub-clause (6) as sub-clause (2);
- (b) amending the re-numbered sub-clause (2) by deleting the words “the specific geographical” appearing immediately after the words “under sub section (1),” and substituting therefor the words “a comprehensive description of boundary with adequately enlarged scaled map”.

CLAUSE 45

THAT clause 45 of the Bill be amended—

- (a) in sub-clause (1) by deleting the word “may” appearing immediately after the words “Cabinet Secretary” and substitute therefor the words “shall within two years of coming into force of this Act”;
- (b) by re-numbering the existing sub-clause (14) as sub-clause (2); and
- (c) in the re-numbered sub-clause (2) by inserting the words “and the Council of Governors.” immediately after the words “Boundaries Commission”.

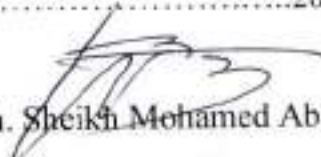
CLAUSE 2

THAT clause 2 of the Bill be amended—

- (a) by deleting the words “and physical planning” and substituting therefor the words “surveying and mapping” in the definition of the word “County Secretary”;

(b) by deleting the words "and physical planning" appearing immediately after the words "matters relating to" and substituting therefor the words "surveying and mapping" in the definition of the term "County executive committee member";

Dated.....2023.


Sen. Sheikh Mohamed Abass,
Chairperson,

Committee on Devolution and Intergovernmental Relations.