

The SENATE

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Division of Revenue (Amendment) Bill, 2024 introduced in the House

The National Treasury is also seeking to amend Section 5 of the Division of Revenue Act, 2024 so that if the actual revenue targets are not met, the shortfall shall be borne by both the national government and the county governments equitably.

Counties will have to adjust their expenditure plans if the Division of Revenue (Amendment) Bill, 2024, is enacted into law, as it seeks to reduce the amount due to counties in the 2024/25 financial year.

The Bill, which was introduced in the House on Thursday, seeks to reduce equitable share to be allocated to counties to take into account the revenue shortfall occasioned by the recent rejection of the Finance Bill, 2024 by the National Assembly.

The National Treasury is proposing to reduce the amount due to counties by Sh20.1 billion. The Bill, which originated from the National Assembly, is proposing to allocate the 47 counties Sh380 billion in this financial year, instead of the Sh400.1 billion that had been initially allocated during the budget making process.

The new figure is Sh5 billion lower than what the County Governments received in the last financial year, 2023/24.

The proposed Sh380 billion translates to 24 percent of the last audited accounts and approved by Parliament.

Even though the 2022/23 financial accounts have been tabled in the National Assembly, the House is yet to debate and make decision on them. This means that the last national Government approved accounts are for financial year 2020/21 which the state collected Sh1.6 trillion.

The National Treasury had initially projected to collect revenue amounting to Sh2.948 trillion in this financial year, translating to a significant growth from what is used to share revenues between the two levels of governments.

However, the rejection of the Finance Bill, 2024 has forced authorities to revise the figure downwards to Sh2,602.1 tril-

lion, a whole Sh346 billion less, which has to be borne by both county and national governments.

The county governments' shareable revenue has been reduced by Sh20 billion, while that of the national Government has come down by Sh325 billion.

In the Bill, which Speaker Amason Kingi committed to the Committee on Finance and Budget, the National Treasury is also seeking to amend Section 5 of the Division of Revenue Act, 2024 so that if the actual revenue raised nationally in the financial year 2024/25 falls short, the short fall shall be borne by both the national government and the county governments equitably.

The National Treasury further proposes that the proportion of the shortfall to be borne by county governments shall not exceed 15 per cent of that shortfall.

"In order to ensure that the national government and county governments are able to perform assigned functions, as well as ensure the National Government is able to provide requisite resources to address the critical expenditures, the National Treasury proposes that both levels of government bear this shortfall equitably.

The National Treasury argues that the Sh20.1 billion reduction translates to 5.8 percent of the projected Sh346 billion deviation in projected shareable revenue.

The move to amend the Act comes after President William Rut refused to assent to the County Allocation of Revenue Bill, 2024, an annual law that provides for the allocation of revenue raised nationally among the 47 counties.

In his refusal to sign the Bill, the President cited the failure by Parliament to enact the Finance Bill, 2024 which has necessitated the reorganisation and ratio-



Senator Ali Roba, the chair of the Committee on Finance and Budget which is considering the Division of Revenue (Amendment) Bill, 2024.

nalisation of the Government's financial arrangements for 2024/2025 financial years.

In the memorandum to the House the President wants the lawmakers to amend the Bill and reduce the share due to counties from Sh400.1 billion to Sh380 billion for this financial year.

"The reduction is meant to accommodate the anticipated revenue reduction that would have been collected had the Finance Bill, 2024 come into force," says the President in his memorandum, which has since been committed to the Committee on Finance and Budget.

If the House agrees with the President, then the overall equitable share will be reduced by Sh20 billion, which is likely to affect the operations of County Governments in this financial year.

Nairobi County will lose up to Sh1.1

billion if the lawmakers concur with the President. Instead of the Sh20.9 billion that it was set to receive, Nairobi will now receive Sh19.8 billion.

Bungoma County was to receive Sh11.54 billion in the Bill as passed by the Senate and in the Presidential Memo it will receive 10.95 billion, a difference of Sh750 million, Turkana has lost out more than Sh700 million. It was set to receive Sh13.63 billion it will now receive Sh12.95 billion.

Kiambu County will lose out more than Sh600 million. From the Sh12.71 billion, it will now receive Sh12.04 billion, Mandera County will receive Sh11.47 billion, Sh600 million less than what the Senate had allocated, while Nakuru County has lost out on more than Sh750 million.

Scrap certificate replacement fee, Senators urge KNEC



Senator Beth Syengo



Senator Dan Maanzo



Senator Samson Cherarkey



Senator Miraj Abdulrahman



Senator Ledama ole Kina



Senator Gloria Orwoba

Senators have asked the Kenya National Examination Council (KNEC) to scrap the Sh5,220 they charge for replacements of lost academic certificates, saying the fee is punitive and amounts to subjecting the public to double taxation.

The lawmakers further want to know why the Council does not replace lost certificates but instead issue a certified letter, which essentially confirms that one sat for the examinations.

The lawmakers advised the Council to digitise its services as this will make it easy to replace lost certificates if, and when, necessary.

"I call upon the Chairperson and the CEO [of KNEC] to consider digitising everything," said Senator Ledama ole Kina during the debate in the House on Tuesday.

on a statement sought by Senator Miraj Abdulrahman on the i

"KNEC has a portal. They are collecting data, and they already have that data," he explained, stating his objections to the Sh5,220 charged by the Council as cost of replacement.

"I have no objection with you charging Sh200, but asking for Sh5,200 does not make sense. I know it costs money for someone to sit and process the documentation. However, once you carry out the digitisation process, it makes it easy."

The matter was brought on the floor through Senator Miraj Abdulrahman, through a personal statement. She is demanding the Council comes clean on the process which she describes as "expensive and tedious".

sive and tedious".

Following recent public complaints about the application for replacement of lost certificates, the Council issued a statement on its X platform, formerly twitter, clarifying that they do not replace lost certificates and that, instead, they only issue a certified letter.

The Council listed the number of documents that must be attached during the process of application.

Apart from the application fees, the Council requires one to present a copy of lost certificate results slip, which is mandatory, a copy of national identity card, passport size photo and police abstract.

The applicant is also required to obtain a confirmation letter from the registrar of persons.

"Realising that ordinary life is prone to various misfortunes such as fire, flooding, theft, which cause loss of vital documents such as title deeds, ID cards, passports, certificates why would KNEC fail to put in place effective and efficient systems to ensure that lost certificates are actually replaced in a similar manner as other documents are replaced? If a passport or ID can be replaced, why not academic certificates?" posed Senator Miraj.

The lawmaker said despite the Sh5,220 fee, the process of obtaining the certified letter is completely tedious and requires for an applicant to travel from wherever they reside countrywide to confirm personal details with the Registrar of Persons in Nairobi, a requirement the Senator argues is totally unwarranted.

ed.

"Public institutions must begin to be accountable. We cannot continue to treat service delivery so casually. KNEC should come forward to not only answer the questions, but also begin a genuine process of internal audit to ascertain whether they are truly responsive and efficient in discharging their mandate."

Senator ole Kina wondered the rationale behind the insistence by KNEC that an applicant must submit a copy of the lost certificate.

"If you have lost, you have lost. It does not make any sense."

Senator Samson Cherarkey supported the call to scrap the fee saying it is punitive to many young jobless Kenyans

"KNEC is a public institution and gets its budget from Kenyans. This is double taxation," he said.

Senator Joe Nyutu, who chairs the Committee on Education, said the Council has all the data of each and every candidate that ever sat a KNEC exam and thus, it should not be a big deal replacing a lost certificate.

"If there are problems with replacements, they should just make a new certificate and stamp it 'replacement'. It should not be a tedious process because all the information is there," he explained, supporting calls for KNEC to digitise their processes.

He also proposed that the requirement that one should travel to Nairobi in order for them to verify their details should be removed by KNEC.

The verification should be done at the

nearest Registrar of Persons office because the office has branches in all counties and sub-counties.

The lawmaker said the charge of Sh5,220 is punitive because KNEC is funded by the national government.

"What they should do is make a proper budget from the funding they receive from the Government. This should operate like insurance and only a few students will lose their certificates," he said, adding the charge should be scrapped and the replacement of certificates should be planned for and put in the budget of KNEC.

Senator Beth Syengo said the replacement should be a process of joint effort between the Ministry of Education and KNEC, both which should have a system that makes the replacement of lost certificates seamless.

"Replacement of lost certificates should be free because what makes people lose their certificates are accidents. People may not prepare for accidents."

Senator Gloria Orwoba said digitisation would ensure that people do not submit fake documents or create documents. "Digitisation will actually cure the issue of authenticity and making sure that people are able to be tracked in terms of what they have studied, where they have studied and even who their classmates are because it should be in a public portal."

Senator Dan Maanzo supported the fee arguing that replacing a lost certificate has an expense and also discourages people from losing their documents.

Speaker hails County Assemblies



Speaker Amason Kingi and Senator Raphael Chimera and Senator Miraj Abdulrahman during the meeting with MCAs from Mombasa County Assembly Hon Abdirahman Hussein (left) and Hon Patrick Mbelle.

Speaker Amason Kingi has hailed the county assemblies terming their role of oversight, legislation and representation a central pillar in the implementation of Devolution.

The role mirrors what Parliament does at the national level and demonstrates the close link between the two tiers of the Kenyan legislature, the Speaker said.

He challenged the MCAs to always strive to foster good working relations with the county executives, for the sake of the operations of the county govern-

ments and service delivery.

He spoke when he met Members of the County Assembly of Mombasa: Hon Patrick Mbelle of Bamburi Ward, Hon Abdirahman Hussein (Old Town Ward) and Hon Solomon Ngugi (Nominated), who paid him a courtesy call after they attended the afternoon plenary of the House proceedings.

The MCAs were accompanied by Senators Raphael Chimera and Senator Miraj Abdillahi Abdulrahman.



Speaker Kingi and Senator Raphael Chimera and Senator Miraj Abdulrahman share a light moment in the Speaker's office before the arrival of MCAs from Mombasa County Assembly who were in Parliament Buildings for a tour of the Senate.



Speaker Amason Kingi and Senator Raphael Chimera (Right) and Senator Miraj Abdulrahman pose for a picture with the MCAs: Hon Solomon Ngugi (left), Hon Abdirahman Hussein (third left) and Hon Patrick Mbelle (second right).

Senate takes a three-week break



Governor Kawira Mwangaza is led to the Senate Chamber by a Parliamentary officer during her previous impeachment trial.

The decision by the County Assembly of Meru to impeach Governor Kawira Mwangaza is likely to interfere with the calendar of the Senate.

The House has already taken a three-week break but the impeachment means that Senators will have to return for special sittings to consider the matter.

Governor Kawira was impeached on Thursday, for the third time in as many years. It was the same day the Senate proceeded to a three-week recess, which is to end on September 3, 2024.

Under the constitution, the Senate is mandated to carry out a trial to determine whether the allegations determined by an impeached Governor are substantiated.

The County Assembly has two days to inform the Speaker of the Senate of the impeachment. Thereafter, the Speaker of the Senate will have 7 days to inform the House.

With the House already in recess, Speaker Amason Kingi will have to summon a special sitting to inform the lawmakers on the impeachment.

Majority Leader Aaron Cheruiyot hinted at this possibility on Thursday.

"As I was walking into the Chamber, I saw some breaking news," he stated, without mentioning the impeachment as lawmakers are not supposed to anticipate debate.

"I am more than certain that despite stating that we will be back here on September 3, I know that there will be business by statutory demand that we must conduct in the next seven days should you receive a certain letter," he told the House.

The Senate will proceed on recess until 3rd September barring the letter that I have just pointed to and also the fact that presently, the Inspector General of Police (IG) is being vetted by both

committees of the Houses in charge of national security."

Before they took the break, the House had 54 Bills pending conclusion in the House. A total 42 Bills are at the Second Reading stage and 12 are at the Committee of the Whole stage.

There are 21 Motions that are pending conclusion, 20 Petitions are due for reporting by the respective House Committees and 394 Statements are pending before Committees.

"I would like to implore the Committees to capitalise on the recess to conclude on the business that is pending before them, including the resolution on the state of the nation and the various committees that were mentioned," he said.

Upon resumption from recess, the Senate Business Committee (SBC) will meet on September 3, to consider the business for the week.

Senator calls for employment policy review

Senator James Lomenen wants the State to review employment policies to ensure that public service recruitment processes are equitable and provide fair consideration to individuals from marginalised and underrepresented communities.

The Senator wants the House Committee on National Cohesion, Equal Opportunity, and Regional Integration in conjunction with the relevant Government institutions to push for the review arguing that it will promote an inclusive and prosperous Kenya.

In a personal statement to the House, the Senator says such a review should establish clear affirmative action, targets and measures to increase the representation of marginalised and underrepresented in public service roles.

Senator Lomenen hailed the Public Service Commission (PSC) for its effort to improve inclusivity in recruitment but pointed out that much work remains.

“The Constitution in Articles 54 and 56 mandates affirmative action and professional representation to ensure that marginalised groups have access to employment opportunities,” said the Senator even as regretted the efforts have not been adequately implemented for Turkana County and other similarly marginalised communities.

“Kenya cannot effectively tackle its National Poverty Index without implementing affirmative measures to include



Senator James Lomenen

these underrepresented communities in opportunities.”

Turkana County is one of the largest counties in Kenya with a population of 926,976 according to the 2019 Census. Despite its size and the potential of its people, the County is significantly underrepresented in national Government positions and the public service, according to the Senator.

“This underrepresentation hampers

the growth and development of the region and perpetuates economic disparities, causing the community to lag behind others due to inequality in national affairs,” he explained.

Out of 252,007 civil servants employed by the PSC, some of the marginalised communities, including the Konso, Dahalo, Makonde, Aweer, Wayyu, El Molo, Ogaden, Suba, Dorobos, Njemps, Taveta, Burji, Borana, Gabra, Rendile,

Garre, Daasanach, Somali, Sakuye, Maasai, Turkana, Samburu and Pokot, are marginalised and underrepresented.

Some other communities account for nearly half of all civil servants holding 96,248 positions.

“These statistics highlight a systematic issue that requires urgent corrective measures. This underrepresentation has a ripple effect on the communities, exacerbating poverty and limiting access to opportunities that could lead to other economic and social development.”

Their lack of representation in national institutions contributes to a cycle of deprivation that affects generations, he said.

He wants the State to establish clear affirmative action, targets and measures to increase the representation of marginalised and underrepresented in public service roles.

Promote active participation by encouraging individuals from the marginalised and underrepresented communities to participate in public service recruitment through outreach and information campaigns.

Develop robust mechanisms for monitoring and reporting on the progress of affirmative action initiatives to maintain transparency and accountability.

Senator Khalwale questions non-use of coins

Senator Boni Khalwale wants an explanation in respect of the non-use of the 50 cent coins and the one shilling coins in trading activities.

He wants the Committee on Finance and Budget to provide details on the worth of the coins minted and released into circulation when the new generation coins were unveiled.

He also wants an explanation why the coins are no longer in use for trading and the inflationary impact the failure of using these coins has caused on the economy given that in many instances the price of commodities is normally rounded off at the expense of members of the public.

The Committee should state steps the Central Bank of Kenya (CBK) is taking to ensure that hundreds of billions of money worth of these coins held is brought back into circulation.

Elsewhere, the Committee on Roads, Transportation and Housing has been



Senator George Mbugua

asked to provide details regarding approval of building plans by the County Government of Mombasa.

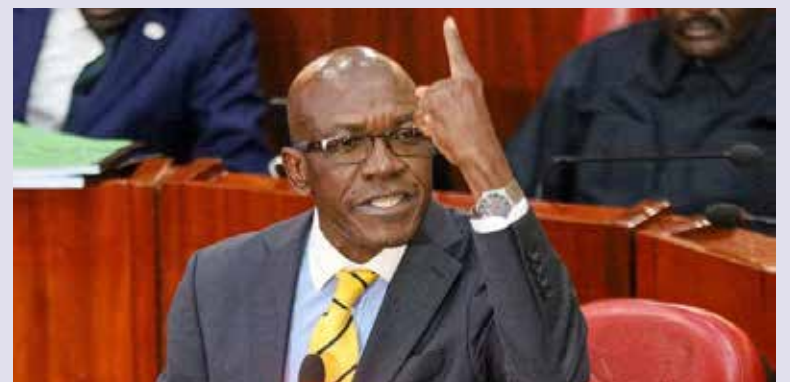
Senator George Mbugua wants an explanation the delays in issuance of approvals for building plans by the County, stating the number of building plans approved from August 1, 2022 to June 30, 2024, indicating the average time for approval upon application.

The Senator wants the Committee to outline the fees payable for approval of the building plans and whether building plans submitted under invoice No. MS/AAA/7888 were subjected to public participation by the developer.

“The Committee should clarify whether the developer and the county government have taken into account the

views of the public,” said the Senator.

He also wants to know the safeguards put in place by the county government to mitigate the impact of plan development as well as any challenges that may arise in the implementation of the plan, considering that plan development is on the beach and is likely to have a huge impact on the ecosystem of the area.



Senator Boni Khalwale

House mulls change of law to stem pending bills



Senator Wakoli Wafula



Senator Tabitha Mutinda



Senator Okiya Omtatah



Senator Godfrey Osotsi

Senators have termed pending bills in the counties as the greatest risk facing devolution, noting that nothing much has been done to address the matter despite regular concerns raised by the House.

The House expressed concern that contractors and suppliers are going through tough times, to the extent that some are stressed due to not being paid by the County Governments.

The House has adopted the motion compelling counties to clear their pending bills that stood at Sh156 billion, but little has been achieved, according to the lawmakers.

“We are seeing very little progress being made to address the problem of pending bills,” said Senator Godfrey Osotsi during the Wednesday sitting.

He went on: “When this House passed the motion on pending bills we were very clear on what we wanted done to address the problem. I am concerned that the institutions that are supposed to have implemented our resolutions are also moving very slowly in addressing this matter.”

Senator Wafula Wakoli asked the Committee on Finance and Budget to issue a statement regarding the pending bills owed to contractors, with a particular focus on Bungoma County Government.

The Senator wants the Committee to provide details of pending bills in the county ranging from the year 2013 to 2024 and provide a breakdown of all outstanding payments owed to contractors by the Bungoma county government.

He also wants the details of the affected contractors, including the services they rendered be provided.

“The Committee should state how much was allocated in settling the pending bills in the 2013/2014 budget to date and provide a list of all requisitions for payment of the pending bills with evidence and certificates of each payment,” Senator Wakoli said.

Senator Tabitha Mutinda, the vice chair of the Committee, said the issue of pending bills is a subject of discussion before her Committee.

During the discussion on the Division of Revenue Bill, 2024 a delegation of the Council of Governors led by Chairperson Anne Waiguru made a presentation on the issue.

She proposed that it is time for the Committee to push for amendments to the Public Finance Management (PFM) Act.

“Before any new contracts are awarded to any new suppliers and contractors, the pending bills must be cleared. Payments must be made even before the new contracts are awarded. An amendment

on the procurement laws should be the way to go,” said Senator Mutinda.

She said it was unfortunate that when new governors come into office with their new people, the old ones remain in the same system without being paid.

Majority Leader Aaron Cheruiyot challenged Senator Ali Roba, the chair of the Committee, or Senator Tabitha Mutinda to move the House towards an amendment to the PFM Act that sets pending bills as a first charge to the consolidated fund of county governments.

“This will ensure that governors do not end up contracting new services before, first of all, paying for that which they consumed the previous financial year,” he said, noting that the amendment is urgent.

“Otherwise, year after year, we shall continue dealing with this problem the same way we have dealt with it the last six years. Occasionally, such a matter appears before the Senate, we speak on behalf of the people we represent and say how we are concerned and dismayed at the behaviour of governors.”

He asked the Committee to be ready with an amendment towards the fulfilment of the desire and benefit of many citizens who work and contract services for and on behalf of our county governments.

Senator Okiya Omtatah said pending

bills have basically morphed into a form of borrowing by county governments adding that counties end up with pending bills which come back to the public to be financed.

“Borrowing by counties is regulated by the Constitution in Article 212. A county government may only borrow if the national government guarantees the loan and with the approval of the county government’s assembly,” he stated.

He said pending bills are creations of the county executive who refuse to operate within their budgets and manipulate the issuing system by voiding what has been approved and diverting money.

“I think that the governors who were in office when these pending bills were created should not go scot-free. Their fate must be held to the fire and they must tell us why they are creating a public debt contrary to the Constitution,” added Senator Omtatah.

“As we go forward in terms of settling pending bills and to dissuade this culture from continuing, I urge that the consideration of this statement go as far as making recommendations on how to handle rogue governors who end up using their procurement powers within approved budgets approved to create pending bills,” he said.

Senator Asige engages public on 10 Bills



1. Senator Asige engages members of the public who attended her sensitisation forums in Mombasa County.
2. Members of the public who attended the sensitisation forums on the Bills sponsored by Senator Asige in Mombasa County.
3. Senator Asige stresses a point during the forum at the Swahili Pot Hub in Mombasa County.
4. The Senator listens and follows the proceedings in Mombasa.

Senator Chrystal Asige has in the past few weeks held meetings to sensitise the public on the 10 Bills she has sponsored under what she calls Mswaada Wangu Bill Sensitisation forums.

The first such a meeting was held at the Swahili Pot Hub in Mombasa on July 25.

During the forum, the lawmaker highlighted legislative efforts aimed at improving the lives of Persons with Disability.

Four of the Bills, including the Startup Bill, Persons with Disabilities Bill, Learners with Disability Bill and Kenya Sign Language Bill have been passed in the Senate and are awaiting consider-

ation by the National Assembly.

The Startup Bill aims at supporting the Small and Medium Enterprises community by providing legal backing to startups and innovations in the Micro, Small, and Medium Enterprises (SMEs) sector.

“This Bill seeks to create an enabling environment for startups to thrive and contribute significantly to the economy,” she said.

The Learners with Disability Bill aims to promote the rights of children with disabilities to access education and receive the support they need to succeed, ensuring inclusive education provisions for all disabled children without separation. The Bill further proposes fines for

parents who secretly hide their children from education.

The Kenya Sign Language Bill, another crucial piece of legislation, aims to ensure that sign language is taught in schools and incorporated into the curriculum. The law will make it mandatory for all public institutions to employ sign language interpreters to assist those with hearing impairments. This Bill, if adopted, will significantly enhance the inclusion and accessibility of services for persons with hearing disabilities.

During the forum, various stakeholders highlighted the pressing need for more sign language interpreters in Mombasa County.

They shared stories of how the inter-

preter shortage has impeded their ability to communicate effectively in critical situations, such as medical appointments, legal proceedings, and educational settings.

Without proper interpretation, persons with hearing impairments often find themselves marginalized and unable to access vital information and services.

Senator Asige also discussed the new Persons with Disability Bill, which seeks to repeal the old Disability Act of 2003.

The new Bill aims to incorporate new ideas, technologies, and solutions to address contemporary disability issues that were not covered in the old Act.

Ofisi ya ardhi mjini Embu yapigwa tochi



Seneta Munyi Mundigi

Ombi limewasilishwa Bungeni kutaka taarifa kuhusu shughuli za ofisi ya Ardhi mjini Embu, katika Kaunti ya Embu.

Seneta Munyi Mundigi anaitaka Kamati ya Ardhi, Mazingira na Rasilimali Asili kutoa taarifa kuhusu kwa nini ofisi hiyo ina maafisa wawili tu licha ya uhitaji mkubwa wa huduma zake.

Seneta Munyi anaitaka Kamati hiyo pia kutoa maelezo ya iwapo Serikali ina mpango wowote wa kuwajiri maafisa zaidi kusaidia katika kutoa huduma kwa wakazi.

Kulingana naye, ombi hili la taarifa limetokana na kilio cha wakazi wa Embu kuhusiana na huduma duni zinazotolewa na ofisi hiyo.

Kwingineko, Seneta Wafula Wakoli anaitaka Kamati ya Fedha na Bajeti ku-

toa taarifa ya madeni wazabuni wanaidai Serikali ya Kaunti hiyo.

Kwenye ombi hilo la taarifa, Kamati hiyo inahitajika kutoa maelezo kamili kuhusu madeni yote Serikali ya Kaunti ya Bungoma inadaiwa na wakandarasi tangu mwaka wa 2013 hadi sasa.

Kamati hiyo ina wajibu wa kutoa maelezo kuhusu wakandarasi wenyewe na huduma walizotoa.

Kamati hiyo inayoongozwa na Seneta Ali Rioba itatakiwa kuripoti kuhusu kiasi cha pesa zilizotengewa ulipaji wa madeni hayo kwenye Bajeti ya Kaunti kuanzia mwaka wa kifedha wa 2013/14 hadi sasa na malipo yote yaliyofanywa kufikia leo.

Wakati uo huo, Seneta Beth Syengo anataka taarifa kutoka kwa Kamati ya

Elimu kuhusu kucheleweshwa kwa mgao wa pesa za kuwezesha elimu ya chekechea katika Kaunti ya Nairobi.

Seneta Syengo anaitaka Kamati hiyo kuelezea sababu za kuchelewa kwa mara kwa mara kwa fedha zinazofaa kutolewa kwa shule za ECDE kote nchini, hasa Kaunti ya Nairobi.

Kamati hiyo inawajibishwa pia kueleza ikiwa kuna mikakati yoyote ya Serikali ya Kaunti ya Nairobi kutatua suala hilo na kuhakikisha pesa hizo zinatolewa kwa wakati siku za usoni.

Kadhalika, Seneta Syengo anaitaka Kamati hiyo ya Elimu kufafanua mbinu zozote za uwajibikaji zilizowekwa, na mikakati yoyote inayofanywa na Serikali ya Kaunti kuhakikisha matumizi mazuri ya fedha za Ufadhili wa Elimu wa shule za chekechea.

Seneta Sigei ataka ufafanuzi kuhusu kukwama kwa miradi Bomet

Kaunti ya Bomet imetakiwa kufafanua kuhusu miradi iliyokwama kwenye sekta ya afya.

Seneta Wakili Sigei amewasilisha ombi la Kauli akitaka majibu kuhusiana na miradi mbalimbali iliyokwama au kuachwa katika kitengo cha afya.

Seneta Sigei anasema kuripotiwa kwa miradi kadhaa iliyokwama au kuachwa kwenye Kaunti ya Bomet kunawasilisha ujumbe tosha wa matumizi mabaya ya rasilimali huku hatua hiyo ikiwanyima pakubwa wakazi wa Kaunti ya Bomet huduma za afya na faida nyingine ambazo wanafaa kuzipokea kufungamana na sheria.

Miongoni mwa miradi hiyo ni Zahanati ya Kagasi na ya Chepkalwal zilizoko Eneo bunge la Sotik, Zahanati ya Kimuchul iliyo katika Eneo bunge la Bomet Mashariki, vyumba vya upasujaji na X-ray katika Hospitali ya Kaunti Ndogo ya Sigor, Zahanati ya Kitaima katika Eneo bunge la Bomet ya Kati na vyumba vya kina mama kujifungua vya Zahanati ya Segutiet.

Sasa Kamati ya Afya inatakiwa kutoa maelezo kuhusu sababu zinazochangia kukwama, kuachwa au kutotumika kwa miradi hiyo.

Seneta Sigei anataka pia maelezo kuhusu utoaji wa zabuni kwa wakan-



Seneta James Murango

darasi waliopatiwa zabuni za kushughulikia miradi hiyo, zikiwemo nakala za matangazo ya zabuni hizo na ripoti za tathmini ya zabuni hizo kwa kila mjawapo wa miradi hiyo.

Katika ombi hilo la taarifa, Serikali ya Kaunti hiyo itawajibishwa pia kueleza hali ya utekelezwaji wa miradi hiyo, migao ya kibajeti, matumizi ya pesa, malipo yaliyofanywa kwa wakandarasi wa miradi hiyo na malipo mengine yoyote ambayo bado hayajafanywa.

Ombi hilo la taarifa lazima lijumuishie pia kipindi ambamo miradi hiyo inatarajiwa kukamilika na kuanza kutumiwa na wananchi.

Huku hayo yakijiri, Seneta Sigei



Seneta Wakili Sigei

amewasilisha ombi kwa Kamati ya Ardhi, Mazingira na Rasilimali asili kutoa taarifa kuhusu miradi ya maendeleo iliyokwama au kutekelezwa katika Kaunti ya Bomet.

Katika ombi la taarifa lililosomwa kwa niaba yake na Seneta James Murango, Seneta Sigei analalamikia hatua ya wakazi wa Bomet kunyimwa huduma wanazostahili kutokana na miradi hiyo kutoshughulikiwa kwa kipindi cha miaka mitatu hadi kumi. Miradi hiyo ni pamoja na Miradi ya Maji ya Ndanai, Aonet, Bondet, Oinopset, Ondieki, Chabangang na Skutiet.

Katika taarifa hiyo, Kamati hiyo chini ya Mwenyekiti Seneta John Methu



Seneta John Methu

itatakiwa kutoa maelezo kwa nini miradi hiyo ilikwama au kutelekezwa, ama haitumiki na kueleza ni mikakati ipi inawekwa kuhakikisha inakamilishwa na kutumika.

Seneta Methu na Kamati yake wanatakiwa pia kuonesha migao ya kibajeti ya kila mradi, matumizi ya pesa na malipo yaliyofanywa kwa wakandarasi na madeni yoyote yanayodaiwa.

Aidha ombi hilo la taarifa linaitaka Serikali ya Kaunti kuwasilisha kumbukumbu za mikutano ya utoaji zabuni, nakala za matangazo ya zabuni hizo na ripoti za tathmini ya zabuni ya kila mradi, na hali ya sasa ya utekelezwaji wa miradi hiyo.

Harambee organisers to keep records of collections, Bill proposes

Anybody who raises money through a public fund raiser will have an obligation to keep record reflecting the income and expenditure relating to the monies raised.

The obligation will include recording details of all the persons who make contributions and the amounts contributed by each person, the name, telephone number and address of the bank into which the monies will be deposited and the full details of all funds and assets received as a result of the fund raiser.

The requirements are contained in the Public Fundraising Appeals Bill, 2024, which was introduced in the House on August 1, 2024.

Sponsored by Majority Leader Aaron Cheruiyot, the Bill is proposing the establishment of a regulatory mechanisms at the national and county levels to oversee the conduct of fundraisings.

It also seeks to provide for the licensing and regulation of fundraisers; the promotion of transparency and accountability in the conduct of appeal for fundraising and also the regulation of the conduct by State and public officers in the participation in public fundraisings.

A person who organises the fund raiser will also be required to provide full details of the use to which the funds and assets received were put to, details of the amount applied to the purposes or objects of the fund raiser and how it was distributed.

Any expenditure on assets, wages, salaries, commissions and other remuneration, administrative expenses related to the appeal.

In coming up with the Bill, Senator Cheruiyot seeks to harness the original spirit of Harambee through which individuals would voluntarily contribute their resources in form of cash for the communal good.

However, the harambee spirit has been abused and often bred corruption,



Majority Leader Aaron Cheruiyot, the sponsor of the Bill.

with government officials sometimes soliciting donations for their own means and trying to evoke harambee to enact public programmes paid by private donations.

“The Bill is developed against the need to maintain the altruistic rationale that harambees serve in the Kenyan society while addressing the shortcomings that have accompanied this process,” says Senator Cheruiyot in the Memorandum of Objects of the Bill.

He seeks to repeal the Public Collections Act whose institutional architec-

ture does not align with the devolved structures and is not sufficiently robust to address corruption tendencies associated with public fundraising appeals.

He says the Public Collections Act excludes from its purview, charitable and religious purposes yet this forms a large component of harambees.

The Bill is based on the need to reduce the culture of dependency that harambees have imbued in society, extending even essentially private affairs to the larger public.

If enacted it will restrict its applica-

tion to private fundraising appeals except where such appeals fall within public appeals for public purposes. Its passage will promote the use of devolved structures as entities for promoting structured social development by ensuring that the conduct of harambee is approved by assessing their links to the needs and priorities of the counties and their decentralised structures.

A person planning to collect money through harambee will be required to apply and obtain a permit from the authorities, both at national and county government.

Such a person will be required to submit to the Cabinet Secretary or the respective county executive committee member an application for a permit at least 14 days before the date of the harambee.

The application will include the full names and address of the person intending to collect the money, the purpose of the fundraising, the necessity of collecting the money, the date of the fund raiser, the names and contact details of the persons assisting in the collections and the amount intended to be raised.

Clause 32 of the Bill obligates the person conducting a harambee to ensure the records are kept in a way that enables them to be conveniently and properly audited.

Such a person shall ensure that accounts containing a summary of the records are finalised within three months of the date the harambee ends.

Clause 36 provides that: “A person who makes a contribution to a fundraising appeal shall specify the source of the contribution.”

A person who receives funds as a beneficiary or for the benefit of a beneficiary who is a child pursuant to a fundraising appeal shall declare such contribution in the income tax returns submitted by such person pursuant to the Income Tax Act.

County to set up Sports Fund in proposed law



Senator Edwin Sifuna seeks to promote the development of sports at the grass root through the enactment of the Bill.

Each of the 47 County Governments will have a County Sports Associations Fund if a Bill before the House is enacted into law.

The Sports (Amendment) Bill, 2024, which is sponsored by Senator Edwin Sifuna, went through the First Reading last week and was committed to the Committee on Labour and Social Welfare to conduct public participation.

Senator Sifuna is proposing that the Fund will provide funding to support sports association registered in the County.

The Fund will also facilitate the acquisition and provision of equipment to sports facilities, identification, nurtur-

ing and development of talent in sports, training and capacity building programmes for persons involved in sports and finance the development of sports facilities including stadia, gymnasiums, buildings and tracks.

"The Fund is primarily focused on nurturing and supporting county sports associations, with the intention of fostering the development of sports at the grassroots level," explains Senator Sifuna in the memorandum of objects accompanying the Bill.

The Senator is proposing that one per cent of all monies swept in the County Revenue Fund (CRF) be paid into the County Sports Associations Fund to sup-

port the growth of sports.

Each of the 47 County Governments has a CRF account into which all money raised or received by or on behalf of the county government are paid.

Such monies include equitable share revenue which each county receives from the national Treasury as part of the revenue collected by the national government.

The law requires all monies collected by counties as own source revenue to be swept into the CRF before any expenditures.

This money is paid into each CRF, which is where all money raised or received by or on behalf of the County Government, including money raised from property rates, entertainment taxes, levies, fees or charges, is also paid into.

In the Bill, Senator Sifuna is proposing that the Fund should include all monies from loans, grants or donations from the national government or international agencies for purposes of supporting county sports associations.

If enacted, the Chief officer in charge of matters related to sports should be the administrator of the Fund.

All registered county sports association will be eligible for funding but to access the money they will be required to have annual work plans aligned to the strategic plans of the association and the medium-term plans approved by their governing bodies.

The associations will also be required

to prepare project designs, plans and bills of quantities, approved by their respective governing bodies and the requisite regulatory approvals in the case of an infrastructure development project.

A person who wishes to receive funding from the Fund and meets the criteria, shall six months before the commencement of a financial year apply to the Administrator.

The application will be accompanied by certificate of registration, minutes of a properly constituted meeting of the governing body of the association containing the resolution to apply for funding, an annual work plan aligned to the strategic plan of the association and the medium-term plan approved by the governing body of the sports association.

It will also include the project designs, plans and bills of quantities, approved by the governing body and the requisite regulatory approvals from relevant government institutions, a statutory declaration of programmes funded through other sources, the details and signatories of the bank account in the name of the association where the funds shall be channelled.

Disbursements from the Fund shall be approved by the county executive committee member and utilised to support the objects and purpose of the Fund.

Clause 54 G provides that the county executive committee member shall set out other conditions and requirements for release of funds, to ensure efficient and effective management of resources.

This Week in History



"The history of our country and, indeed, the history of many countries the world over is replete with examples of the consequences of statements and utterances by those in leadership that are intended to cause division on grounds of ethnicity and other divisible ideas. Historical contexts force us to illustrate the risk and results of the use of negative or derogatory ethnic speech. The Nazi holocaust did not just begin as a holocaust. Here, I wish to quote my good friend and respected person, Senator (Prof.) Anyang'-Nyong'o, who told me one morning during the impeachment discussions that fascism has never started in a crowd of people. Fascism is generally started by one person who continues to influence others and eventually causes mayhem."

Senator Mutahi Kagwe contributing to the debate on the motion on the proposed removal from office, by impeachment, of Hon Benard Kiala, Deputy Governor, Machakos County on August 15, 2014.



"This is one of the toughest challenges when you find yourself in a Committee to fire or retain a person in employment, but this is where we have men and women of knowledge and wisdom; men who have taken oath of office to defend the Constitution of Kenya. Each day before we begin our parliamentary proceedings, we start with a prayer and there are some words which always linger in my mind. If I may quote a portion of our daily prayer which says that: "We seek guidance to treat and consider all matters that shall come under our deliberation in so just and faithful a manner as to advance the peace, prosperity and welfare of our country and for those whose interests you have committed to our charge". This is a prayer which lingers in my mind as I serve this House, even in committees."

Senator Kennedy Mongare Okongo contributing to the debate on the motion on the proposed removal from office, by impeachment, of Hon Benard Kiala, Deputy Governor, Machakos County on August 15, 2014.



"Impeachment is a very, very serious matter. In fact, it is an offence greater than most of the crimes that we know. This offence can make the United States of America remove their President whom they have elected by a majority from office. It is not a joke. In fact, this Constitution while referring to impeachment was very specific. Senator (Dr.) Agnes Zani who has just spoken talked of the threshold, which I believe is in the Constitution. In Article 181, which seems to have been referred to in the proceedings, the Constitution did not leave us in doubt as to what is the threshold. It said in Article 181 (1) (a) "Gross violation of this Constitution" and not just a violation of the Constitution."

Senator Otieno Kajwang contributing to the debate on the motion on the proposed removal from office, by impeachment, of Hon Benard Kiala, Deputy Governor, Machakos County on August 15, 2014.



"When devolution came to the counties, there was a real promise, especially from the common citizen, that there would be a difference about the way we do things; and that devolution will not be about power and power struggles between various people at various levels within the counties. It was expected as a result that social, economic and cultural development would actually take place. Therefore, we have to put into context this impeachment. For the other impeachments, the socio-cultural implications have not really been there. However, for this particular impeachment, the subjective nature of the charges makes it mandatory for us to relook at the scenario and the context of this particular impeachment."

Senator (Dr.) Agnes Zani contributing to the debate on the motion on the proposed removal from office, by impeachment, of Hon Benard Kiala, Deputy Governor, Machakos County on August 15, 2014.



1. Students and teachers of Luuya Girls Secondary School after their tour of Parliament Buildings an educational tour.
2. Students and teachers of Kataret Junior School, Bomet County, follow proceedings in the Senate Chamber during their educational tour of Parliament Buildings.
3. Students of Kabutei Secondary School from Nandi County follow proceedings at the Senate Chamber during their tour at the Senate.
4. Students and teachers of Mogoma Secondary School outside the Senate Chamber after their study tour of the Senate.
5. Senator Godfrey Osotsi poses for a photo with students of Rev. Dr. Moses Siboi Okonda Friends School Kiveye Girls, Vihiga County, after their tour of Parliament Buildings.
6. Students of Starehe Boys' Centre, who are in the Senate for community work, stand in honour of the Speaker as they were introduced to the House.
7. Members of the County Assembly of Mombasa, Hon Abdirahman Hussein (Old Town Ward) and Hon Patrick Mbelle (Bamburi Ward) follow proceedings in the Senate Chamber during their tour of Senate.



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8. Senator Hilary Sigei speaks to teachers and students of Tenwek Day Primary School at Parliament Buildings during their tour of the Senate.
9. Majority Whip Boni Khalwale flanked by Senator Edwin Sifuna speaks to Senators who had thrown a surprise party to celebrate his 64th birthday.
10. Speaker Amason Kingi leads other Senators in toasting for Senator Boni Khalwale's birthday.
11. Speaker Kingi and Majority Leader Aaron Cheruiyot congratulate Senator Boni Khalwale on his birthday.
12. Senator Veronica Maina, a Member of the Speaker's Panel, helps Senator Boni Khalwale in eating the cake to mark his birthday.



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