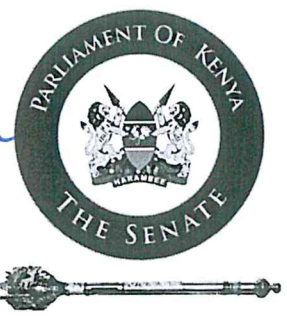


CO 4

Recommended for approval for tabling.

23/09/2025



REPUBLIC OF KENYA

② Hon. Speaker
You may support for tabling.
MA
23/9/25

13TH PARLIAMENT | 4TH SENATE | 4TH SESSION

STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS

REPORT ON A PETITION TO AMEND THE COUNTY GOVERNMENTS ACT 2012, ON THE MANDATE OF COUNTY GOVERNORS ASSIGNING PORTFOLIO OF A COUNTY EXECUTIVE COMMITTEE MEMBER TO THE DEPUTY COUNTY GOVERNORS

PAPERS LAID	
DATE	25/9/2025
TABLED BY	Sen. MUMBI
COMMITTEE	-
CLERK AT THE TABLE	Clerk

23/09/25



Clerk's Chambers,
The Senate,
Parliament Buildings,
NAIROBI.

AUGUST, 2025

DC-EG
This is forwarded and recommended for approval for tabling
23/09/2025

TABLE OF CONTENTS	
LIST OF ABBREVIATIONS/ACCRONYMS	iii
PRELIMINARIES	iv
Mandate of the Committee	iv
Membership of the Committee	iv
CHAIRPERSON’S FOREWORD.....	v
CHAPTER ONE: INTRODUCTION	1
1.1 Right to Petition.....	1
1.2 Background of the Petition.....	1
1.3 Overview of the Legal Framework	5
CHAPTER TWO: CONSIDERATION OF THE PETITION.....	8
2.1 Conduct of inquiry into the petition.....	8
2.2 Submissions from Tripple the Impact (CBO).....	8
CHAPTER THREE: ANALYSIS OF THE PETITION	10
CHAPTER FOUR: COMMITTEE OBSERVATIONS AND RECOMMENDATIONS	13
4.1 Committee Observations	13
4.2 Committee Recommendations.....	14
ANNEXURES.....	15

LIST OF ABBREVIATIONS/ACCRONYMS

- CBO - Community Based Organization
- CECM - County Executive Committee Member

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 Abbas, CBS, MP	-	Chairperson
2. Sen. Catherine Muyeka Mumma, MP	-	Vice Chairperson
3. Sen. (Prof.) Margaret Kamar, EGH, MP	-	Member
4. Sen. (Dr) Oburu Oginga, MGH, MP	-	Member
5. Sen. Peris Pesi Tobiko, CBS, MP	-	Member
6. Sen. Paul Karungo Thangwa, CBS, MP	-	Member
7. Sen. Richard Momoima Onyonka, EBS, MP	-	Member
8. Sen. Mohamed Said Chute, MP	-	Member
9. Sen. Hezena M. Lemaletian, MP	-	Member

The Minutes of the Committee in considering the petition are attached as **Annex 1** of this Report.

CHAIRPERSON'S FOREWORD

Mr. Speaker,

On 17th April, 2024, the Senate received a Petition from the Executive Director of Tripple The Impact CBO, Mr. Japheth Makokha, to amend the County Governments Act 2012, on the mandate of county governors assigning portfolio of a County Executive Committee Member to the deputy county governors.

The Petition was presented in the Senate by the Speaker on Tuesday, 14th May, 2024 Pursuant to Standing Order 236(2)(b) of the Senate Standing Orders. Consequently, the Petition stood committed to the Standing Committee on Devolution and Intergovernmental Relations pursuant to Standing Order 238(1) of the Senate Standing Orders.

Mr. Speaker,

The salient issues raised in the petition were that Section 32 under Part V of the County Governments Act of 2012, relates to the Functions of a Deputy County Governor. Particularly, Sub-section 3 of Section 32 of the County Governments Act of 2012 states that, "The governor may assign the deputy governor any other responsibility or portfolio as a member of a county executive committee". That, based on this very Section 32(3), there have been unclear public debates and misunderstanding whether county governors have assigned or delegated some functions to their deputies for once.

The petitioner opined that since the county governors have NOT been obliged by the law to assign duties or portfolio to their deputy county governors, this section of the County Government Act of 2012 appears ambiguous in relation to implementation as fewer governors have discharged this function. Further, that because of the disagreements that have existed between many county governors and their deputies, a lot of county CEOs have avoided the implementation of this section. Moreover, some First Term County Governors have expressed fears and anxieties that assigning their deputies some portfolios might render them ineffective and unpopular in the court of public opinion, especially when the deputy county governors apparently display higher performance in better governance,

leadership, and service delivery than them. This usually comes at the expense of the citizens who need the bringing of development closer to them through effective and efficient service delivery.

Mr. Japheth stated that, many county governors (who are mostly politicians but not technocrats) have demonstrated high propensity of picking technocrats as their deputies (at the electioneering periods) as a way of imploring the citizens to vote for their candidacy tickets. Definitely, it implies that the deputy governors have always displayed better leadership and governance acumens than the county governors because of their richness of experience in high managerial positions, and a majority of the voters have held this public notion.

The petitioner was concerned that, some county governors have strongly felt that the usefulness of their deputies do not go beyond the electioneering periods; therefore, they have used all means necessary within their powers, others even abusing the public office and funds just to thwart their deputies for fears that they start to have gubernatorial political ambitions. Some county governors may even subject the public offices of their deputies to prolonged series of constructions and refurbishments as a way of keeping them away from exercising their mandate. He added that, some Second Term Governors who might not want their deputies to succeed them for they prefer other candidates, would therefore demonstrate high capacity of hesitancy in assigning duties or portfolio for the fear that their deputies would steal the attention of the public, and thus get popular.

The Petitioner informed that, without deputy county governors (who are selected or picked based on high competencies and suitability) getting assigned any function or portfolio, the citizens strongly feel that it is a waste of business talent and time for the tax-payers to see the bearers of public duty sit idly with zero functions. Further, that, the citizens of each particular county strongly opine that the deputy county governors continue to draw their salaries and remunerations monthly for 5 years from the Consolidated Fund but their talents, competencies, creativities cannot be put into meaningful use to help improve the relevant county government, especially the absentee deputies who go abroad to keep

themselves engaged in further studies at the expense of the plight of the residents like the case of West Pokot County.

Additionally, that the citizens strongly fear that the monies being paid to the 47 deputy county governors is a waste of public resources as it increases the percentage of wage bill against the national revenue but yet the holders of these county offices do not compound positively the total labor productivity in the county executive.

Mr. Speaker,

The petitioner's prayers were that the Senate;

- i) Amends Section 32, sub-section 3 of the County Governments Act of 2012 by replacing the word "may" with "shall" so that the law obliges the 47 county governors to assign a portfolio of the county executive committee to their deputy governors. Amending this section would impact greatly on synergies and harmonious execution of public duties of both county governors and their deputies. In turn, it would demonstrate clear sharing of power within the frameworks of devolved units with the common good will of improving service delivery, discharging better governance and accountable leadership, thus spurring economic development that would indeed improve the lives and livelihoods of the residents within the county.
- ii) Amending this very section and sub-section of the County Governments Act of 2012, would bring value for monies that are paid out of the Consolidated Fund for the 47 county deputy governors as salaries and remunerations for the work done, instead of paying out monies to public officers without portfolios.
- iii) Amending this Act would see 47 county governments cut down on the Wage Bill of the County Executive because the County Governor would NOT have to appoint with approval of County Assembly and further allocate salaries and remunerations and other subsistence votes associated with an EXTRA County Executive Committee Member.

iv) Hears and considers the petition with a view of it having to be dealt pursuant to the respective laws, and further to be disposed-off appropriately and expeditiously.

Mr. Speaker,

The Committee proceeded to consider the petition and to seek stakeholder submissions on the same. Having considered the County Government Laws (Amendment) Bill, 2024, a legislative proposal seeking to amend the County Governments Act, 2012 and assign specific functions for the deputy governors, the committee deliberated on the petition and resolved to invite the petitioner to give his submissions on his petition and further invite him for the public hearing on the Bill.

Appearing before the Committee on 17th April, 2025, The Executive Director of Tripple the Impact made his submissions on behalf of the organization, in **support** of the amendment to the County Governments Act, 2012. In his submissions, the petitioner recommended the assigning portfolios of CEC Member to office of the Deputy Governors, stating that this would help improve delivery of services to the people by enhancing implementation of county development agendas, and further save a lot of tax payers money previously meant for appointing an additional County Executive Committee Member.

Mr. Speaker,

Noting the alignment in the petitioner's prayers and the proposals in the County Government Laws (Amendment) Bill, 2024, the Committee did an in-depth analysis of the stakeholder submissions received on this petition and on the Bill.

The Committee made the following observations;

- (1) The petitioner prays that the Senate amends Section 32 (3) of the County Governments Act, 2012 by replacing the word "may" with "shall" so that the law obligates all 47 county governors to assign a County Executive Committee portfolio to their deputy governors. The County Government Laws (Amendment) Bill, 2024 directly addresses the petitioner's concerns. The Bill proposes amendments to

Section 32 of the County Governments Act (Cap. 265) to provide that the Deputy Governor shall undertake the functions of an appointed position in the County Executive Committee as may be assigned by the Governor.

- (2) The Committee observed that while assigning a portfolio to the Deputy Governor is a practice that works well in some counties, making such an assignment mandatory may present practical and accountability challenges, particularly where the Deputy Governor is required to act as Governor under Article 179(5) of the Constitution. The Committee noted that such an assignment should remain a discretionary decision of the Governor, based on the unique operational dynamics of each county.

Based on the findings and observations made, the Committee made the following recommendations;

- (1) That, owing to the fact that the Office of the Deputy Governor is financed by public resources, it is imperative that there be a deliberate assignment of responsibilities to ensure optimal utilization of such resources. Therefore, the County Governments Act, Cap 265, be amended to impose a mandatory requirement on the Governor to assign specific responsibilities to the Deputy Governor and to ensure that the Office of the Deputy Governor is adequately facilitated to effectively deliver on those responsibilities.
- (2) That the assignment of a portfolio to the Deputy Governor as a member of the County Executive Committee remain a discretionary decision of the Governor, based on the unique operational dynamics of each county, as making such an assignment mandatory may present practical and accountability challenges, particularly where the Deputy Governor is required to act as Governor under Article 179(5) of the Constitution.

Mr. Speaker,

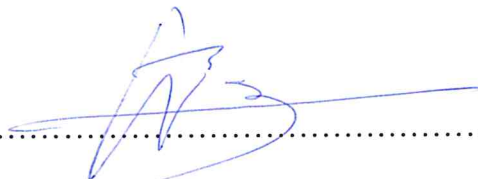
May I take this opportunity to commend the Members of the Committee for their devotion and commitment to duty, which made the consideration of the Petition successful.

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 presented their submissions on the Petition to the Committee.

Mr. Speaker,

It is now my pleasant duty, pursuant to Standing Order 148(1), to present the report of the Standing Committee on Devolution and Intergovernmental Relations on a petition to amend the County Governments Act 2012, on the mandate of county governors assigning portfolio of a County Executive Committee Member to the deputy county governors.

Signed



Date.....

28/08/25

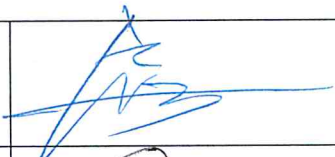
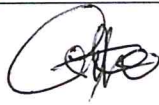







SEN. SHEIKH MOHAMED ABASS, CBS, MP

CHAIRPERSON,

**STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL
RELATIONS**

**ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON DEVOLUTION
AND INTERGOVERNMENTAL RELATIONS ON A PETITION TO AMEND THE
COUNTY GOVERNMENTS ACT 2012, ON THE MANDATE OF COUNTY
GOVERNORS ASSIGNING PORTFOLIO OF A COUNTY EXECUTIVE COMMITTEE
MEMBER TO THE DEPUTY COUNTY GOVERNORS**

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, CBS, MP	- Chairperson	
Sen. Catherine Muyeka Mumma, MP	-Vice-Chairperson	
Sen. (Prof.) Margaret Kamar, EGH, MP	-Member	
Sen. (Dr) Oburu Oginga, MGH, MP	-Member	
Sen. Peris Pesi Tobiko, CBS, MP	-Member	
Sen. Paul Karungo Thangwa, CBS, MP	-Member	
Sen. Richard Momoima Onyonka, EBS, MP	-Member	
Sen. Mohamed Said Chute, MP	-Member	
Sen. Hezena M. Lemaletian, MP	-Member	

CHAPTER ONE: INTRODUCTION

1.1 Right to Petition

1. The right of every person to present petitions to public authorities is provided for under Article 37 of the Constitution. Further, Article 119(1) provides that ‘Every person has a right to petition Parliament to consider any matter within its authority, including enacting, amending or repealing any legislation.’
2. Parliament enacted the Petition to Parliament (Procedure) Act (No. 12 of 2012) to make provision for the procedure for the exercise of this right. Further, Part XXVII of the Senate Standing Orders also provides for how such right may be exercised.

1.2 Background of the Petition

3. On 17th April, 2024, the Senate received a Petition from the Executive Director of Triple The Impact CBO, Mr. Japheth Makokha, to amend the County Governments Act 2012, on the mandate of county governors assigning portfolio of a County Executive Committee Member to the deputy county governors.
4. Pursuant to Standing Order 236(2)(b) of the Senate Standing Orders, the Petition was presented in the Senate on Tuesday, 14th May, 2024 by the Speaker of the Senate. Consequently, the Petition stood committed to the Committee on Devolution and Intergovernmental Relations pursuant to Standing Order 238(1) of the Senate Standing Orders.
5. Pursuant to Standing Order 238(2) the relevant Committee is required in not more than sixty calendar days from the time of reading the prayer to respond to the Petitioner by way of a report addressed to the Petitioner and laid on the Table of the Senate.
6. The Petitioner drew the attention of the Senate to the following:
 - i. That, he wrote this submission on the behalf of the membership of Triple The Impact CBO in Nairobi and on behalf of the silent majority within 47 counties of Kenya.

- ii. That, Triple The Impact CBO is mandated by the Societies Act of 2012 to act as the enabler of better governance, effective service delivery, and high-performance review on management by intentionally holding to accounts the public officers, particularly the elected individual in their execution of public duties.
- iii. That, as the Executive Director of Triple The Impact, a person of sane mind, and citizen of this nation, the petitioner is obliged by the Constitution of Kenya 2010 to petition the Senate on any matter touching the Devolution, National Importance, and Constitutional Nature.
- iv. That, Part V (County Executive) of the County Governments Act of 2012, Section 32 relates to the Functions of a Deputy County Governor.
- v. That, Sub-section 3 of Section 32 of the County Governments Act of 2012 states, "The governor may assign the deputy governor any other responsibility or portfolio as a member of a county executive committee".
- vi. That, based on this very Section 32(3), there have been unclear public debates and misunderstanding whether county governors have assigned or delegated some functions to their deputies for once.
- vii. That, since the county governors have NOT been obliged by the law to assign duties or portfolio to their deputy county governors, this section of the County Government Act of 2012 appears ambiguous in relation to implementation as fewer governors have discharged this function.
- viii. That, because of the disagreements that have existed between many county governors and their deputies, a lot of county CEOs have avoided the implementation of this section. Moreover, some First Term County Governors have expressed fears and anxieties that assigning their deputies some portfolios might render them ineffective and unpopular in the court of public opinion, especially when the deputy county governors apparently display higher performance in better governance, leadership, and service delivery than them. This usually comes at the expense of the citizens who need the bringing of development closer to them through effective and efficient service delivery.

- ix. That, many county governors (who are mostly politicians but not technocrats) have demonstrated high propensity of picking technocrats as their deputies (at the electioneering periods) as a way of imploring the citizens to vote for their candidacy tickets. Definitely, it implies that the deputy governors have always displayed better leadership and governance acumens than the county governors because of their richness of experience in high managerial positions. And indeed a majority of the voters have held this public notion.
- x. That, some county governors have strongly felt that the usefulness of their deputies do not go beyond the electioneering periods; therefore, they have used all means necessary within their powers, others even abusing the public office and funds just to thwart their deputies for fears that they start to have gubernatorial political ambitions. Some county governors may even subject the public offices of their deputies to prolonged series of constructions and refurbishments as a way of keeping them away from exercising their mandate.
- xi. That, some Second Term Governors who might NOT want their deputies to succeed them for they prefer other candidates, would therefore demonstrate high capacity of hesitancy in assigning duties or portfolio for the fear that their deputies would steal the attention of the public, and thus get popular.
- xii. That, without deputy county governors (who are selected or picked based on high competencies and suitability) getting assigned any function or portfolio, the citizens strongly feel that it is a waste of business talent and time for the tax-payers to see the bearers of public duty sit idly with zero functions.
- xiii. That, the citizens of each particular county strongly opine that the deputy county governors continue to draw their salaries and remunerations monthly for 5 years from the Consolidated Fund but their talents, competencies, creativities cannot be put into meaningful use to help improve the relevant county government, especially the absentee deputies who go abroad to keep themselves engaged in further studies at the expense of the plight of the residents like the case of West Pokot County.

xiv. That, the citizens strongly fear that the monies being paid to the 47 deputy county governors is a waste of public resources as it increases the percentage of wage bill against the national revenue but yet the holders of these county offices do not compound positively the total labor productivity in the county executive.

7. Therefore, the **petitioner's prayers** were that the Senate;

- (1) Amend Section 32, sub-section 3 of the County Governments Act of 2012 by replacing the word "may" with "shall" so that the law obliges the 47 county governors to assign a portfolio of the county executive committee to their deputy governors. Amending this section would impact greatly on synergies and harmonious execution of public duties of both county governors and their deputies. In turn, it would demonstrate clear sharing of power within the frameworks of devolved units with the common good will of improving service delivery, discharging better governance and accountable leadership, thus spurring economic development that would indeed improve the lives and livelihoods of the residents within the county.
- (2) Amending this very section and sub-section of the County Governments Act of 2012, would bring value for monies that are paid out of the Consolidated Fund for the 47 county deputy governors as salaries and remunerations for the work done, instead of paying out monies to public officers without portfolios.
- (3) Amending this Act would see 47 county governments cut down on the Wage Bill of the County Executive because the County Governor would NOT have to appoint with approval of County Assembly and further allocate salaries and remunerations and other subsistence votes associated with an EXTRA County Executive Committee Member.
- (4) Hears and considers the petition with a view of it having to be dealt pursuant to the respective laws, and further to be disposed-off appropriately and expeditiously.

1.3 Overview of the Legal Framework

(a) The Constitution of Kenya, 2010

8. The Constitution of Kenya, 2010, under **Article 179**, establishes the County executive committees, which consist of the governor, the deputy governor and members appointed by the county governor with the approval of the Assembly. It further provides that the county governor and the deputy county governor are the chief executive and deputy chief executive of the county, respectively.
9. **Article 179 (5)** stipulates that when the county governor is absent, the deputy county governor **shall act** as the county governor.
10. Additionally, **Article 182 (2)** of the **Constitution** states that if a vacancy occurs in the office of the county governor, the deputy county governor shall assume office as county governor for the remainder of the term of the county governor.

(b) The County Governments Act, 2012 (CAP 265)

11. **Section 32** of the County Governments Act, 2012 provides the Functions of the deputy governor as follows;
 - i) The deputy governor **shall deputize** for the governor in the execution of the governor's functions;
 - ii) The governor **may assign** the deputy governor any other responsibility or **portfolio as a member of the county executive committee;**
 - iii) When **acting** in office as contemplated in Article 179(5) of the Constitution, the deputy governor shall not exercise any powers of the governor, to nominate, appoint or dismiss, that are assigned to the governor under the Constitution or other written law;
 - iv) The governor shall not delegate to the deputy governor any of the functions referred to in the above subsection.

(c) The County Government Laws (Amendment), Bill (Senate Bills No. 52 of 2024)

12. The County Government Laws (Amendment) Bill, 2024 is a Bill that seeks to amend the County Governments Act, 2012, to provide for definitive roles for the office of deputy governor. Further, the Bill seeks to amend the Intergovernmental Relations Act, Cap 265F to provide for the representation of governors by deputy governors in the meetings of the National and County Government Coordinating Summit.
13. **Clause 2** of the Bill outlines the specific functions of the deputy governor, including:
- (a) The deputy governor shall deputize the governor in the execution of the governor's functions, including the general administration of the county government and overseeing the implementation of county executive committee decisions.
 - (b) The deputy governor may undertake specific roles assigned by the governor as a member of the county executive committee, including making recommendations to the governor on matters related to their assigned portfolio.
 - (c) The deputy governor shall represent the governor and the county government in various official capacities at both the national and county levels of government.
 - (d) The deputy governor shall facilitate and maintain effective intergovernmental relations between the county government and the national government to promote the interests of the county and ensure effective service delivery.
 - (e) The deputy governor shall engage with the public and various stakeholders on issues affecting the county, addressing concerns, and promoting transparency and accountability in governance.
 - (f) The deputy governor shall attend county executive committee meetings as a member and is entitled to reasonable notice of such meetings.
 - (g) The deputy governor shall assist the governor in the implementation of the county budget, including monitoring expenditure, ensuring fiscal responsibility, and promoting financial accountability in line with national and county regulations.
 - (h) The deputy governor shall serve as a liaison between the county executive committee and the county assembly, fostering positive relations and enhancing the

smooth implementation of the county government's development agenda and policies.

- (i) The deputy governor shall, from time to time, appear before the county assembly to respond to questions regarding the implementation of county development projects by the county executive committee.

14. **Clause 3** seeks to amend Section 9 of the Intergovernmental Relations Act, Cap 265F to allow a Governor to nominate the Deputy Governor to attend and represent them in meetings of the National and County Government Coordinating Summit, whenever they are unable to attend.

CHAPTER TWO: CONSIDERATION OF THE PETITION

2.1 Conduct of inquiry into the petition

15. Pursuant to the Senate Standing Orders and the Petition to Parliament (Procedure) Act, 2012 the Committee proceeded to consider the petition and to seek stakeholder submissions.
16. Having considered the County Government Laws (Amendment) Bill, 2024, a legislative proposal seeking to amend the County Governments Act, 2012 to assign specific functions for the deputy governors, the committee deliberated on the petition and resolved to invite the petitioner to give his submissions on his petition and further invite him for the public hearing on the Bill.
17. Appearing before the Committee on 17th April, 2025, The Executive Director of Tripple the Impact made his submissions on behalf of the organization, in **support** of the amendment to the County Governments Act, 2012.

2.2 Submissions from Tripple the Impact (CBO)

18. The Executive Director for Tripple the Impact, Mr. Japheth Makokha, recommended the assigning portfolios of CEC Member to office of the Deputy Governors, stating that this would help improve delivery of services to the people by enhancing implementation of county development agendas, and further save a lot of tax payers money previously meant for appointing an additional CECM that would be definitely foregone.
19. Mr. Japheth submitted that the wealth of experience, candid expertise and stellar academic qualifications of County Deputy Governors is underutilized in terms of total labour productivity, which impacts negatively on the review of the county performance management, an important pillar of measuring development in the county, pursuant to section 47 of the county governments act of 2012.
20. He added that sundry deputy county governors have no specific duties and functions amounting to a waste of their business talents and time, especially if there is no

incapacitation in the office of the county governor, leading to slowed delivery of services to the people for the reason that the county governors are perceived to be overwhelmed with duties and functions and yet some could be delegated to their deputies.

21. In their view, Tripple the Impact stated that the monthly remunerations to the non-working deputy county governors was seen as a waste of limited public resources and a huge loss of taxes from hardworking Kenyans amounting to the swelling percentage of public wages against the country's national revenue. Therefore, assigning the deputy county governors a portfolio of CEC would save the tax payer's money meant for appointing an additional CEC Member whom the appointing county authority would forego.

CHAPTER THREE: ANALYSIS OF THE PETITION

22. Disagreements between county governors and their deputies have become increasingly common across various counties. These tensions have often escalated into administrative stalemates, creating a challenging working environment and undermining effective governance. In some cases, conflicts have led to impeachment proceedings against either party, further destabilizing leadership and service delivery.
23. The Fourth Senate has so far considered the proposed removal from office by impeachment of two deputy governors namely – Hon. Dr. William Oduol, Deputy Governor of Siaya County, and Hon. (Dr.) Robert Monda, the Deputy Governor of Kisii county. From both impeachment cases, the common challenge affecting the deputy governors was the ambiguity in roles and responsibilities, often leading to overlaps and conflicts at the executive.
24. Additionally, the Standing Committee on Devolution and Intergovernmental Relations considered requests for intervention in disputes between the Governors and Deputy Governors in Counties. These were from the Deputy Governors of Trans-Nzoia and Siaya counties, where lack of a specific mandate of the Deputy Governor appeared to be a major issue affecting their performance in the Counties.
25. At the root of these conflicts, is the ambiguity in the legal framework governing the role of deputy governors. **Article 179** of the **Constitution of Kenya, 2010**, establishes the County Executive Committees, comprising of the governor, the deputy governor and other members appointed by the county governor with the approval of the County Assembly. **Section 32(3)** of the County Governments Act, 2012 provides that “the governor **may assign** the deputy governor any other responsibility or portfolio as a member of the county executive committee.” This permissive language gives governors full discretion on whether or not to allocate meaningful responsibilities to their deputies.
26. The lack of legal obligation has led to inconsistent practices across counties. Some governors have assigned substantial portfolios to their deputies, while others have opted

not to assign any duties, resulting in underutilization of qualified personnel and poor use of public resources.

27. This discretionary approach has raised concern among the public and civil society organizations. Citizens view the continued payment of salaries and allowances to idle deputy governors as a misuse of limited public resources and a contributor to an inflated public wage bill. Moreover, it undermines the principle of efficiency and fiscal responsibility enshrined in Article 201 of the Constitution.
28. The petitioner's prayer to amend Section 32(3) of the County Governments Act by replacing the word "may" with "shall" seeks to address this gap by making it mandatory for county governors to assign a portfolio to their deputies. The proposal is aimed at ensuring that all deputy governors contribute meaningfully to county governance and service delivery, thereby enhancing productivity and accountability.
29. Notably, the County Government Laws (Amendment) Bill, 2024 directly addresses the petitioner's concerns. The Bill proposes amendments to Section 32 of the County Governments Act (Cap. 265) to provide for definitive roles for the deputy county governors, including undertaking the functions of an appointed position in the County Executive Committee as may be assigned by the Governor.
30. From a **comparative perspective**, countries like Nigeria and the Santa Cruz province in Argentina **do not** assign clearly defined duties to their deputy governors or vice provincial executives. In both jurisdictions, the Deputy Governor steps in or acts as Governor when the Governor is absent, incapacitated, or removed from office. Further, Section 193 (1) of the Constitution of Nigeria provides that a State Governor may, at their discretion, assign responsibilities to the Deputy Governor or any Commissioner, including the administration of any government department. These models are similar to Kenya's current model, where governors have discretionary powers to assign or withhold responsibilities from their deputies.
31. On the other hand, in the United States of America, States like Kentucky provide more structured mandates for Lieutenant Governors beyond assisting the Governor, such as

serving on state commissions and boards. Also, the Governor and Lieutenant Governor can agree on extra duties for the Lieutenant Governor within the state government.

32. While concerns may arise about creating parallel centers of power within county governments, these can be addressed through clear performance frameworks, alignment of reporting structures and legislative oversight by county assemblies.

CHAPTER FOUR: COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

4.1 Committee Observations

33. Based on its consideration of the petition, and noting the alignment in the petitioner's prayers and the proposals in the County Government Laws (Amendment) Bill, 2024, the Committee made the following observations;

- (1) The petitioner prays that the Senate amends Section 32 (3) of the County Governments Act, 2012 by replacing the word "may" with "shall" so that the law obligates all 47 county governors to assign a County Executive Committee portfolio to their deputy governors. The County Government Laws (Amendment) Bill, 2024 directly addresses the petitioner's concerns. The Bill proposes amendments to Section 32 of the County Governments Act (Cap. 265) to provide that the Deputy Governor shall undertake the functions of an appointed position in the County Executive Committee as may be assigned by the Governor.
- (2) The Committee observed that while assigning a portfolio to the Deputy Governor is a practice that works well in some counties, making such an assignment mandatory may present practical and accountability challenges, particularly where the Deputy Governor is required to act as Governor under Article 179(5) of the Constitution. The Committee noted that such an assignment should remain a discretionary decision of the Governor, based on the unique operational dynamics of each county.

4.2 Committee Recommendations

34. Based on the findings and observations made, the Committee made the following recommendations—

- (a) That, owing to the fact that the Office of the Deputy Governor is financed by public resources, it is imperative that there be a deliberate assignment of responsibilities to ensure optimal utilization of such resources. Therefore, the County Governments Act, Cap 265, be amended to impose a mandatory requirement on the Governor to assign specific responsibilities to the Deputy Governor and to ensure that the Office of the Deputy Governor is adequately facilitated to effectively deliver on those responsibilities.
- (b) That the assignment of a portfolio to the Deputy Governor as a member of the County Executive Committee remain a discretionary decision of the Governor, based on the unique operational dynamics of each county, as making such an assignment mandatory may present practical and accountability challenges, particularly where the Deputy Governor is required to act as Governor under Article 179(5) of the Constitution.€

ANNEXURES

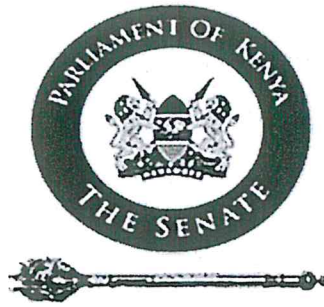
1. Minutes
2. Petition
3. Submissions from Tripple the Impact (CBO)

LIST OF ANNEXURES

<i>Annex 1</i>	Minutes of the Standing Committee on Devolution and Intergovernmental Relations
<i>Annex 2</i>	Copy of the Petition
<i>Annex 3</i>	Copies of stakeholder submissions on the Petition

Annex 1:

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



MINUTES OF THE HUNDRED AND EIGHTY-FOURTH (185TH) SITTING OF THE SENATE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS HELD ON MONDAY, 4TH AUGUST, 2025 AT 10:00 A.M. ON THE ZOOM ONLINE PLATFORM

PRESENT

1. Sen. Sheikh Mohamed Abass, CBS, MP - Chairperson
2. Catherine Mumma, MP - Vice-Chairperson
3. Sen. (Prof.) Margaret Kamar, EGH, MP - Member
4. Sen. Richard Onyonka, EBS, MP - Member
5. Sen. Peris Tobiko, CBS, MP - Member
6. Sen. Paul Karungo Thangwa, CBS, MP - Member

ABSENT WITH APOLOGY

1. Sen (Dr.) Oburu Oginga, MGH, MP - Member
2. Sen. Mohamed Said Chute, MP -Member
3. Sen. Hezena Lemaletian, MP - Member

SECRETARIAT

1. Ms. Sylvia Nasambu - Clerk Assistant I
2. Mr. Desmond Rasugu - Clerk Assistant III (**taking minutes**)
3. Ms. Angela Kagunyi - Legal Counsel II
4. Mr. Stanley Gikore - Media Relations Officer III
5. Mr. Charles Oyosi - Audio Officer III

MIN/SEN/DEVIR/965/2025

PRAYER

The meeting was called to order at 10:16 a.m by the Chairperson followed by a word of prayer by Ms. Sylvia Nasambu.

MIN/SEN/DEVIR/966/2025: ADOPTION OF THE AGENDA

The agenda of the meeting was adopted as presented after being proposed by Sen. Catherine Mumma, MP and seconded by Sen. Margaret Kamar, EGH, MP as follows

1. Prayer;
2. Adoption of the agenda;
3. Confirmation of the Minutes of the Previous Meeting;
4. Consideration of Matters Arising from the Minutes;
5. Consideration of the Report of the Committee on the Petition to amend the County Governments Act, 2012 Cap 265 regarding the mandate of County Governors assigning the portfolio of County Executive Committee Members to Deputy Governors; (Committee Paper No. 130)
6. Any other Business; and
7. Date of the Next Meeting and Adjournment.

MIN/SEN/DEVIR/967/2025: CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETING

The minutes of the one hundred and eighty-fourth sitting held on Thursday, 31st July, 2025 were confirmed as a true record of the proceedings after being proposed by Sen. Catherine Mumma, MP and seconded by Sen. Richard Onyonka, EBS, MP.

MIN/SEN/DEVIR/968 /2025:

CONSIDERATION OF MATTERS ARISING FROM THE MINUTES

There were no matters arising from the confirmed minutes.

MIN/SEN/DEVIR/969/2025

CONSIDERATION OF THE REPORT OF THE COMMITTEE ON THE PETITION TO AMEND THE COUNTY GOVERNMENTS ACT, 2012 CAP 265, REGARDING THE MANDATE OF COUNTY GOVERNORS ASSIGNING THE PORTFOLIO OF COUNTY EXECUTIVE COMMITTEE MEMBERS TO DEPUTY GOVERNORS; (COMMITTEE PAPER NO. 130)

The Committee considered the above-mentioned report and adopted it with a minor amendment to the recommendations.

a) Meeting with the Governor of Nairobi City County

The Committee resolved to re-invite the Governor of Nairobi City County to appear before the Committee to deliberate on the low expenditure on development in the County for FY 2022/2023 and the issues raised in the Statement by Sen. Ediwn Sifuna, CBS, MP on the stalled projects in Nairobi City County. The date of the meeting was scheduled for **Monday, 18th August, 2025.**

b) Consideration of the letter from the Deputy Governor of Siaya County on the absence from office of the Governor of Siaya County.

The Committee deliberated on the letter from the Deputy Governor of Siaya in which he invites the Committee to intervene on the prolonged absence from Office of the Governor of Siaya County without delegating his duties to the Deputy. The DG alleged that this has left the management of the County in a state of confusion. Upon deliberations, the Committee resolved to –

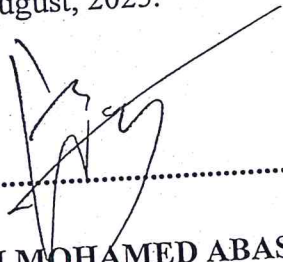
- i. Write to the Governor of Siaya County requesting him to submit his written response to the issues raised in the letter; and
- ii. Carry out a visit to Siaya County on **Saturday, 16th August, 2025,** to meet with the Governor and the Deputy Governor to deliberate on the aforementioned matter and another matter the Committee has been considering regarding the strained working relationship between the Governor and the Deputy Governor.

c) Participation of the Committee in the 2025 Devolution Conference.

The Committee deliberated on its participation in the upcoming Devolution Conference and resolved to participate in a pavilion session where it shall showcase the broader role and achievements of the Senate in strengthening Devolution and the specific achievements of the Committee on the same.

The Chairperson adjourned the meeting at 11:18 a.m. The next meeting to be held on Thursday, 7th August, 2025.

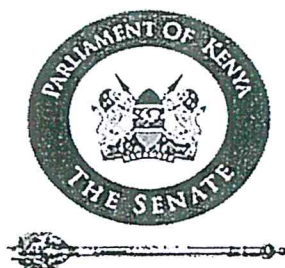
SIGNED.....



DATE.....

4/08/25

**SEN. SHEIKH MOHAMED ABASS, CBS, MP,
CHAIRPERSON, STANDING COMMITTEE ON DEVOLUTION AND
INTERGOVERNMENTAL RELATIONS.**



**MINUTES OF THE HUNDRED AND SIXTY-THIRD SITTING (163RD)
SITTING OF THE SENATE STANDING COMMITTEE ON DEVOLUTION
AND INTERGOVERNMENTAL RELATIONS HELD ON THURSDAY, 17TH
APRIL, 2025, AT 10.00 A.M. AT FIRST FLOOR, BUNGE TOWER AND ON
THE ZOOM ONLINE PLATFORM.**

PRESENT

1. Sen. Sheikh Mohamed Abass, CBS, MP - Chairperson
2. Sen. (Prof.) Margaret Kamar, EGH, MP - Member
3. Sen (Dr.) Oburu Oginga, MGH, MP - Member
4. Sen. Richard Onyonka, EBS, MP - Member
5. Sen. Peris Tobiko, CBS, MP - Member
6. Sen. Paul Karungo Thangwa, CBS, MP - Member

ABSENT WITH APOLOGY

1. Sen. Catherine Mumma, MP - Vice-Chairperson
2. Sen. Mohamed Said Chute, MP -Member
3. Sen. Hezena Lemaletian, MP - Member

IN ATTENDANCE

1. Mr . Mwaura Kabata - Vice President, LSK
2. Ms. Cherotich Maryleen - LSK
3. Mr. Matththew Omitii - LSK
4. Mr. Japheth Makokha - Executive Director, Triple the Impact

SECRETARIAT

1. Ms. Sylvia Nasambu - Clerk Assistant I
2. Mr. Desmond Rasugu - Clerk Assistant III (taking minutes)
3. Mr. Angela Kagunyi - Legal Counsel II
4. Ms. Mwanamisi Mwachasi - Research Officer III
5. Ms. Celestine Jepkosgey - Public Communications Officer III
6. Mr. Charles Oyosi - Audio Officer III
7. Ms. Julia Gachoki - Serjeant-at-arms

MIN/SEN/DEVIR/827/2025

PRAYER

The meeting was called to order at 10:20 a.m by the Chairperson, followed by a word of prayer by Ms. Sylvia Nasambu.

MIN/SEN/DEVIR/828/2025: ADOPTION OF THE AGENDA

The agenda of the meeting was adopted as presented after being proposed by Sen. (Dr.) Oburu Oginga, MGH, MP and seconded by Sen. Peris Tobiko, CBS, as follows -

1. Prayer;
2. Adoption of the agenda;
3. Meeting with the Law Society of Kenya to receive submissions on the Office of the County Attorney (Amendment) Bill, 2024 (Senate Bills No. 47 of 2024);
4. Meeting with the Executive Director of Triple The Impact to receive views on the County Government Laws (Amendment) Bill, 2024 (Senate Bills No. 52 of 2024);
5. Any other Business; and
6. Date of the Next Meeting and Adjournment.

MIN/SEN/DEVIR/829/2025:

MEETING WITH THE LAW SOCIETY OF KENYA TO RECEIVE SUBMISSIONS ON THE OFFICE OF THE COUNTY ATTORNEY (AMENDMENT) BILL, 2024 (SENATE BILLS NO. 47 OF 2024)

The Vice President of the Law Society of Kenya made oral submissions on the views of LSK on the above-mentioned Bill. In summary, the Law Society of Kenya opposed all the proposed amendments in the Bill. They argued that increasing the qualifications of appointment of the County Attorney from five to ten years contradicts section 6 (2) of the County Governments Act of 2012 which states that the County Attorney shall have the status and rank of a member of the County Executive Committee. The qualification for a member of the County Executive Committee is possession of knowledge and experience of not less than five years in the relevant field and therefore an amendment to the qualifications for County Attorney cannot be made without making a similar adjustment to the provisions for a member of a County Executive Committee.

The Society similarly opposed the proposal to amend the term of service of a County Attorney from six years to the term of the Governor. They argued that this provides a safeguard against circumstances which are likely to cause disruptions and instability within the leadership and administration of counties, such as death and impeachment.

MIN/SEN/DEVIR/830/2025

MEETING WITH THE EXECUTIVE DIRECTOR OF TRIPLE THE IMPACT TO RECEIVE VIEWS ON THE COUNTY GOVERNMENT LAWS (AMENDMENT) BILL, 2024 (SENATE BILLS NO. 52 OF 2024)

The Executive Director of Triple the Impact made oral submissions of the organization on the above-mentioned Bill. In summary, he submitted that the organizations supports amendment of the County Governments Act, 2012 to provide for definitive roles to the office of the Deputy Governor. He argued, that currently, the Deputy Governors don't have specific duties and functions to perform, amounting to a waste of their talents and time, leading to slow service delivery in the Counties.

He submitted that to save the taxpayers money, there is need to amend Bill amend the Bill to assign portfolio of CEC Member to the office of the Deputy Governor. This would help improve the delivery of services to the people by enhancing the implementation of the county development agenda and further save a lot of taxpayers' money for appointing an additional CECM which can be taken by the Deputy Governor.

MIN/SEN/DEVIR/831/2025

ANY OTHER BUSINESS

There was no any other Business

MIN/SEN/DEVIR/832/2025

ADJOURNMENT AND DATE OF NEXT MEETING

The Chairperson adjourned the meeting at 11:32 a.m. The next meeting to be held on notice.

SIGNED..........

DATE.....5/5/2025.....

SEN. SHEIKH MOHAMED ABASS, CBS, MP,
CHAIRPERSON, STANDING COMMITTEE ON DEVOLUTION AND
INTERGOVERNMENTAL RELATIONS.



Annex 2:

Copy of the Petition

TRIPLE THE IMPACT

(Community Center of Governance & Public Engagements)



P.O. BOX 12368-00100

Nairobi, Kenya

Email: tripleimpact.ke@gmail.com

Tel: +2547(20) 185473

TO THE CLERK OF THE SENATE
PARLIAMENT BUILDINGS
P.O. BOX 41842 – 00100
NAIROBI.

~~RE: PETITION TO THE SENATE TO AMEND THE COUNTY GOVERNMENTS ACT OF 2012 ON THE MANDATE OF COUNTY GOVERNORS ASSIGNING PORTFOLIO OF A COUNTY EXECUTIVE COMMITTEE TO THE DEPUTY COUNTY GOVERNORS.~~

I, the undersigned,

Citizen of the Republic of Kenya, a resident of Nairobi City County, and the Executive Director of Triple The Impact Community-Based Organization (CBO);

DRAW the attention of the Honorable Senate to the following:

1. **That**, I have written this submission on the behalf of the membership of Triple The Impact CBO in Nairobi and on behalf of the silent majority within 47 counties of Kenya.
2. **That**, Triple The Impact CBO is mandated by the Societies Act of 2012 to act as the enabler of better governance, effective service deliver, and high performance review on management by intentionally holding to accounts the public officers, particularly the elected individual in their execution of public duties.
3. **That**, as the Executive Director of Triple The Impact, a person of sane mind, and citizen of this nation, I am obliged by the Constitution of 2010 to petition the Senate on any matter touching the Devolution, National Importance, and Constitutional Nature.
4. **That**, Part V (County Executive) of the County Governments Act of 2012, Section 32 relating to the Functions of a Deputy County Governor.
5. **That**, Sub-section 3 of Section 32 of County Governments Act of 2012 states, "The governor may assign the deputy governor any other responsibility or portfolio as a member of a county executive committee".

PETITION TO THE SENATE TO AMEND THE COUNTY GOVERNMENTS ACT OF 2012 ON THE MANDATE OF COUNTY GOVERNORS ASSIGNING PORTFOLIO OF A COUNTY EXECUTIVE COMMITTEE TO THE DEPUTY COUNTY GOVERNORS.

TRIPLE THE IMPACT

(Community Center of Governance & Public Engagements)



P.O. BOX 12368-00100

Nairobi, Kenya

Email: tripleimpact.ke@gmail.com

Tel: +2547(20) 165473

6. **That**, based on this very Section 32(3), there have been unclear public debates and misunderstanding whether county governors have assigned or delegated some functions to their deputies for once.
7. **That**, since the county governors have NOT been obliged by the law to assign duties or portfolio to their deputy county governors, this section of the County Government Act of 2012 appears ambiguous in relation to implementation as fewer governors have discharged this function.
8. **That**, because of the disagreements that have existed between many county governors and their deputies, a lot of county CEOs have escapably avoided the implementation of this section. Moreover, some First Term County Governors have expressed fears and anxieties that assigning their deputies some portfolios might render them ineffective and unpopular in the court of public opinion, especially when the deputy county governors apparently display higher performance in better governance, leadership, and service delivery than them. This usually comes at the expense of the citizens who need the bringing of development closer to them through effective and efficient service delivery.
9. **That**, many county governors (who are mostly politicians but not technocrats) have demonstrated high propensity of picking technocrats as their deputies (at the electioneering periods) as a way of imploring the citizens to vote for their candidacy tickets. Definitely, it implies that the deputy governors have always displayed better leadership and governance acumens that the county governors because of their richness of experience in high managerial positions. And indeed a majority of the voters have held this public notion.
10. **That**, some county governors have strongly felt that the usefulness of their deputies do not go beyond the electioneering periods; therefore, they have used all means necessary within their powers, others even abusing the public office and funds just to thwart their deputies for fears that they start to have gubernatorial political ambitions. Some county governors may even subject the public offices of their deputies to prolonged series of constructions and refurbishments as a way of keeping them away from exercising their mandate.
11. **That**, some Second Term Governors who might NOT want their deputies to succeed them for they prefer other candidates would therefore demonstrate high capacity of

PETITION TO THE SENATE TO AMEND THE COUNTY GOVERNMENTS ACT OF 2012 ON THE MANDATE OF COUNTY GOVERNORS ASSIGNING PORTFOLIO OF A COUNTY EXECUTIVE COMMITTEE TO THE DEPUTY COUNTY GOVERNORS.

TRIPLE THE IMPACT

(Community Center of Governance & Public Engagements)



P.O. BOX 12368-00100

Nairobi, Kenya

Email: tripleimpact.ke@gmail.com

Tel: +2547(20) 165473

hesitancy in assigning duties or portfolio for the fear that their deputies would steal the attention of the public, and thus get popular.

12. **That**, without deputy county governors (who are selected or picked based on high competencies and suitability) getting assigned any function or portfolio, the citizens strongly feel that it is a waste of business talent and time for the tax-payers to see the bearers of public duty sit idly with zero functions.
13. **That**, the citizens of each particular county strongly opine that the deputy county governors continue to draw their salaries and remunerations monthly for 5 years from the Consolidated Fund but their talents, competencies, creativities cannot be put into meaningful use to help improve the relevant county government, especially the absentee deputies who go abroad to keep themselves engaged in further studies at the expense of the plight of the residents like the case of West Pokot County.
14. **That**, the citizens strongly feel that the monies being paid to the 47 deputy county governors is a waste of public resources as it increases the percentage of wage bill against the national revenue but yet the holders of these county offices do not compound positively the total labor productivity in the county executive.

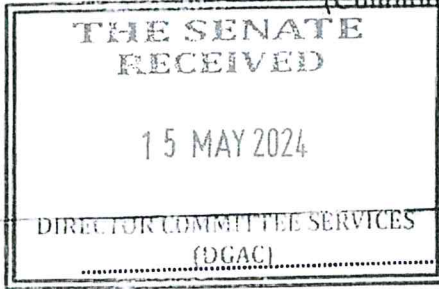
HEREFORE your humble petitioner(s) Pray that the Senate –

1. Amend Section 32, sub-section 3 of the County Governments Act of 2012 by replacing the word “may” with “shall” so that the law obliges the 47 county governors to assign a portfolio of the county executive committee to their deputy governors. Amending this section would impact greatly on synergies and harmonious execution of public duties of both county governors and their deputies. In turn, it would demonstrate clear sharing of power within the frameworks of devolved units with the common good will of improving service delivery, discharging better governance and accountable leadership, thus spurring economic development that would indeed improve the lives and livelihoods of the residents within the county.
2. Amending this very section and sub-section of the County Governments Act of 2012 ~~would bring value for monies that are paid out of the Consolidated Fund for the 47~~ county deputy governors as salaries and remunerations for the work done, instead of paying out monies to public officers without portfolios.

PETITION TO THE SENATE TO AMEND THE COUNTY GOVERNMENTS ACT OF 2012 ON THE MANDATE OF COUNTY GOVERNORS ASSIGNING PORTFOLIO OF A COUNTY EXECUTIVE COMMITTEE TO THE DEPUTY COUNTY GOVERNORS.

TRIPLE THE IMPACT

(Community Center of Governance & Public Engagements)



P.O. BOX 12368-00100

Nairobi, Kenya

Email: tripleimpact.ke@gmail.com

Tel: +2547(20) 165473

3. Amending this Act would see 47 county governments cut down on the Wage Bill of the County Executive because the County Governor would NOT have to appoint with approval of County Assembly and further allocate salaries and remunerations and other subsistence votes associated with an EXTRA County Executive Committee Member.

And your PETITIONER(S) will ever pray.

That this humble petition is heard and considered with a view of it having to be dealt pursuant to the respective laws, and further to be disposed-off appropriately and expeditiously.

Date this16TH..... Day ofAPRIL..... 2024.

	Name of Petitioner	Full Address	National ID	Signature
1.	JAPHETH J. MAKOKHA (ON BEHALF OF TRIPLE THE IMPACT CBO)	P.O. BOX 12368-00100 NAIROBI 0720 165 473	29492014	

PETITION TO THE SENATE TO AMEND THE COUNTY GOVERNMENTS ACT OF 2012 ON THE MANDATE OF COUNTY GOVERNORS ASSIGNING PORTFOLIO OF A COUNTY EXECUTIVE COMMITTEE TO THE DEPUTY COUNTY GOVERNORS.

Annex 3:

***Copies of Stakeholders
submission on the Petition***



Ref: SEN/DGAC/DEVIR/2025/071

15th April 2025

TO THE SENATE
CLERK'S CHAMBERS
PARLIAMENT BUILDINGS
P.O. BOX 41842-00100
NAIROBI.

Email: clerk.senate@parliament.go.ke
cc: senate.devolution@parliament.go.ke

Dear Sir,

**SUBJECT: MEMORANDUM ON THE COUNTY GOVERNMENT LAWS
(AMENDMENT) BILL, 2024 (SENATE BILL NO. 52 OF 2024).**

1) INTRODUCTION

Triple The Impact (CBO) submits this memorandum in response to the County Government Laws (Amendment) Bill, 2024 (Senate Bill No. 52 of 2024) and in line with the averment of public participation as enshrined in the article provisions 1, 10, 118, 174, & 196 of the Constitution of Kenya, 2010. Indubitably, the residents of Kenya across the nation are so concerned with the efficaciousness of the 47 county governments towards effective service delivery. Inasmuch as the residents feel that good governance is represented so well by the presence of both county governors and their deputies, they have otherwise implicitly and expressively registered their dissatisfactions on the underutilization of many deputy county governors' talents and expertise for the reason that it occludes proper county performance management. In turn, such a gap in exercise

MEMORANDUM ON THE COUNTY GOVERNMENT LAWS (AMENDMENT) BILL, 2024 (SENATE BILL NO. 52 OF 2024)

TRIPLE THE IMPACT

(Community Center of Governance & Public Engagements)



P.O. BOX 12368-00100

Nairobi, Kenya

Email: tripleimpact.ke@gmail.com

Tel: +2547(20) 165473

of duties and functions in county executive muddles the implementation of development agendas.

2) KEY CONCERNS AND RECOMMENDATIONS

- I. The wealth of experiences, candid expertise, and stellar academic qualifications of County Deputy Governors is underutilized in terms of total labor productivity, which of course impacts negatively on the review of the county performance management, an important pillar of measuring development in the county, pursuant to Section 47 of County Government Act of 2012.
- II. Sundry deputy County Governors have no specific duties and functions amounting to a waste of their business talents and time, especially if the “there is no incapacitation in the office of county Governor” leading to a slowed delivery of services to the people for the reason that the county governors are perceived to be overwhelmed with duties and functions and yet some could be delegated to their deputies.
- III. The monthly remunerations to the non-working deputy county governors is seen as a waste of limited public resources and a huge loss of taxes from hardworking Kenyans amounting to the swelling percentage of public wages against the country’s national revenue.



IV. As a country, we continue to struggle with increasingly high public wages against the value of national revenue. Therefore, assigning the deputy county governors a portfolio of CEC would save the tax payers' money meant for appointing an additional CEC member whom the appointing county authority would forgo.

Recommendations: Therefore, we recommend that assigning portfolios of CEC member to the office of the deputy county governors would help improve delivery of services to the people by enhancing implementation of county development agendas, and further save a lot of tax payers money previously meant for appointing an additional CECM that we would definitely forgo.

3) CONCLUSION

We highly commend the proactiveness and noble intentions of the honorable senators in their bid to amend the County Government Laws and bring a lasting solution to the troubled office of the deputy governors.

Submitted by:

Japheth J. Makokha

Executive Director

Triple The Impact (CBO)

