
 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 31 MAR 2026	DAY: TUE
TABLED BY: HON. SAMUEL CHEPKONGA, MP CHAIRPERSON	
CLERK AT THE TABLE: V. WAMBUI	

*Approved
SNA
31/3/26*

REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – FIFTH SESSION – 2026

COMMITTEE ON DELEGATED LEGISLATION

REPORT ON:

**THE PUBLIC FINANCE MANAGEMENT (WILDLIFE CONSERVATION TRUST FUND)
REGULATIONS, 2025 (LEGAL NOTICE NO. 190 OF 2025)**

MARCH 2026

*The Directorate of Audit, Appropriations
& General Purpose Committees
The National Assembly
Parliament Buildings*



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ABBREVIATIONS AND ACRONYMS

AG	Attorney General
CBS	Chief of the Order of the Burning Spear
CEO	Chief Executive Officer
DLS	Directorate of Legislative and Procedural Services
EGH	Elder of the Order of the Golden Heart
EBS	Elder of the Order of the Burning Spear
GoK	Government of Kenya
LN	Legal Notice
MDA	Ministry, Department and Agency
MP	Member of Parliament
OAG	Office of the Auditor-General
ODM	Orange Democratic Movement
UDM	United Democratic Movement
UDA	United Democratic Alliance
UPA	United Progressive Alliance
UPIA	United Party of Independent Alliance
WDM–Kenya	Wiper Democratic Movement–Kenya

CHAIRPERSON'S FOREWORD

The Public Finance Management (Wildlife Conservation Trust Fund) Regulations, 2026 were made vide LN. No. 190 of 2025 pursuant to powers conferred on the Cabinet Secretary for the National Treasury and Planning under section 24(4) of the Public Finance Management Act (Cap. 412A), hence, is a statutory instrument within the meaning of section 2 of the Statutory Instruments Act (Cap. 2A).

The Regulations were published in the Gazette on Wednesday, 26th November 2025 and received by the Clerk of the National Assembly on Tuesday, 9th December 2025. Subsequently, they were tabled before the House on Tuesday, 10th February 2026, within the statutory timelines set out in section 11(1) of the Statutory Instruments Act (Cap. 2A) and then committed to the Committee on Delegated Legislation for consideration.

The purpose of this Statutory Instrument is to establish the Wildlife Conservation Trust Fund to support wildlife conservation in Kenya including to develop wildlife conservation initiatives, manage and restore protected areas and conservancies, protect endangered species, support wildlife security operations, support community-based initiatives, award wildlife conservation grants, conserve endangered and endemic species, provide education and advocacy for wildlife policies, provide for wildlife conservation and national wildlife research priorities and to support initiatives to mitigate human-wildlife conflict.

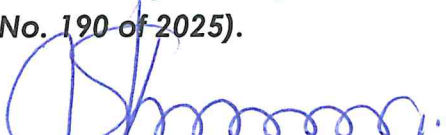
Pursuant to section 16 of the Statutory Instruments Act (Cap. 2A), which requires the Committee to confer with the regulation-making authorities before making its decision, the Committee held a meeting with the National Treasury and Economic Planning on Thursday, 12th March, 2025, to deliberate on the Regulations.

Having examined the Public Finance Management (Wildlife Conservation Trust Fund) Regulations, 2025 (LN. No. 190 of 2025) against the Constitution, the Statutory Instruments Act (Cap. 2A), the Public Finance Management Act (Cap. 214A), and the Interpretation and General Provisions Act (Cap. 2), the Committee resolved to recommend **that the House APPROVES the Public Finance Management (Wildlife Conservation Trust Fund) Regulations, 2025 (LN. No. 190 of 2025) in accordance with section 24(4) the Public Finance Management Act (Cap. 412A)**

I sincerely thank the Speaker and the Office of the Clerk of the National Assembly for the invaluable support accorded to the Committee in the

discharge of its mandate. I also wish to thank the Committee Membership and the Secretariat for their diligence in considering these Regulations.

On behalf of the Members of the Committee on Delegated Legislation and pursuant to Standing Order 210, it is my pleasure and duty to present to the House the Committee's **Report on the Consideration of the Public Finance Management (Wildlife Conservation Trust Fund) Regulations, 2025 (LN. No. 190-of-2025)**.



HON. CHEPKONG'A KIPRONO SAMUEL, CBS, MP.
Chairperson, Committee on Delegated Legislation.

1.0 PREFACE

1.1 Establishment and Mandate of the Committee

1. The Select Committee on Delegated Legislation is established under **Standing Order No. 210** of the National Assembly Standing Orders and is mandated to consider statutory instruments submitted to Parliament for consideration. The Committee is expected to consider, in respect of any statutory instrument, whether it is in accordance with the provisions of the Constitution, the Act pursuant to which it is made or other relevant written laws.
2. The Committee is mandated to consider, in respect of any statutory instrument, whether it:
 - a) is in accordance with the provisions of the Constitution, the Act pursuant to which it is made or other relevant written laws;
 - b) infringes on fundamental rights and freedoms of the public;
 - c) contains a matter which, in the opinion of the Committee should more properly be dealt with in an Act of Parliament;
 - d) contains imposition of taxation;
 - e) directly or indirectly bars the jurisdiction of the Courts;
 - f) gives retrospective effect to any of the provisions in respect to which the Constitution or the Act does not expressly give any such power;
 - g) involves expenditure from the Consolidated Fund or other public revenues;
 - h) is defective in its drafting or for any reason the form or purport of the statutory instrument calls for any elucidation;
 - i) appears to make some unusual or unexpected use of the powers conferred by the Constitution or the Act pursuant to which it is made;
 - j) appears to have had an unjustifiable delay in its publication or laying before Parliament;
 - k) makes rights, liberties or obligations unduly dependent upon non-reviewable decisions;
 - l) makes rights, liberties or obligations unduly dependent on insufficiently defined administrative powers;

- m) inappropriately delegates legislative powers;
- n) imposes a fine, imprisonment or other penalty without express authority having been provided for in the enabling legislation;
- o) appears for any reason to infringe on the rule of law;
- p) inadequately subjects the exercise of legislative power to Parliamentary scrutiny; and
- q) accords to any other reason that the Committee considers fit to examine.

1.2 Committee Membership

3. The Committee membership comprises –

Chairperson

Hon. Chepkong'a Kiprono Samuel, CBS, M.P.

Ainabkoi Constituency

UDA

Vice-Chairperson

Hon. Githinji Robert Gichimu, M.P.

Gichugu Constituency

UDA

Committee Members

Hon. Mbuyi Robert, CBS, M.P

Kathiani Constituency

WDM-Kenya

**Hon. (Maj) (Rtd) Dekow Barrow
Mohamed, M.P**

Garrisa Township Constituency

UDA

**Hon. Julius Lekakeny Ole Sunkuli,
EGH, EBS, M.P.**

Kilgoris Constituency

KANU

Hon. Kamene Joyce, M.P

Machakos County

WDM-Kenya

**Hon. Dr. Onchoke, Mamwacha
Charles, M.P.**

Bonchari Constituency

UPA

**Hon. Dr. Kimaiyo, Gideon Kipkoech,
M.P.**

Keiyo South Constituency

UDA

Hon. Waithaka, John Machua, M.P.

Kiambu Constituency

UDA

Hon. Chebor, Paul Kibet, M.P.

Rongai Constituency

UDA

Hon. Yakub Adow Kuno, M.P

Bura Constituency

UPIA

**Hon. (Maj) (Rtd) Abdullahi, Bashir
Sheikh, M.P.**

Mandera North Constituency

UDM

Hon. Mwirigi John Paul, M.P.

Igembe South Constituency

UDA

Hon. Odoyo, Jared Okello, M.P.

Nyando Constituency

ODM

Hon. Chepkorir Linet, M.P.

Bomet County

UDA

Hon. Munyoro Joseph Kamau, M.P

Kigumo Constituency

UDA

Hon. Oluoch, Anthony Tom, M.P.

Mathare Constituency

ODM

Hon. Lenguris Pauline, M.P.

Samburu County

UDA

Hon. Moses Okoth Omondi, M.P.

Ugunja Constituency

ODM

Hon Mnyazi Amina Laura, MP.

Malindi Constituency

ODM

Hon. Mugabe Innocent Maino, M.P.

Likuyani Constituency

ODM

1.3 Committee Secretariat

4. The Secretariat facilitating the Committee comprises –

Ms. Wanjiru Mwaura	Principal Clerk Assistant (Team Leader)
Mr. Dima Dima	Deputy Director-DLS
Mr. Brian Langwech	Clerk Assistant III
Ms. Grace Odedere	Clerk Assistant III
Mr. Peter Barasa	Legal Counsel II
Ms. Angela Musau	Legal Counsel II
Ms. Angela Musau	Legal Counsel II
Ms. Brenda Michira	Research Officer III
Mr. Noah Chemweno	Serjeant at Arms
Mr. Daniel Psirimoi	Media Relations Officer III

2.0 CONSIDERATION OF THE PUBLIC FINANCE MANAGEMENT (WILDLIFE CONSERVATION TRUST FUND) REGULATIONS, 2025 (L.N. NO. 190 OF 2025)

2.1 Introduction

5. The Public Finance Management (Wildlife Conservation Trust Fund) Regulations, 2025 (LN. No. 190 of 2025) were made pursuant to the powers conferred on the Cabinet Secretary for the National Treasury and Planning under section 24(4) of the Public Finance Management Act (Cap. 412A) and section 23(2) of the Wildlife Conservation Management Act, 2013, hence, is a statutory instrument within the meaning of section 2 of the Statutory Instruments Act (Cap. 2A).
6. The Regulations were published in the Gazette on Wednesday, 26th November 2025, received by the Clerk of the National Assembly on Tuesday, 9th December 2025, and tabled before the House on Tuesday, 10th February 2026, within the statutory timelines contemplated under section 11(1) of the Statutory Instruments Act. They were subsequently transmitted to the Committee on Delegated Legislation for consideration.
7. Pursuant to section 16 of the Statutory Instruments Act Cap 2A, which requires the Committee to confer with the regulation-making authorities before making its decision, the Committee held a meeting with the National Treasury and Economic Planning and the Ministry of Tourism and Wildlife on Thursday, 12th March 2026, to deliberate on the Regulations.

2.2 Object and Purpose of the Regulations

8. The purpose of this Statutory Instrument is to establish a fund to support the wildlife conservation in Kenya and in particular:
 - (a) Develop wildlife conservation initiatives;
 - (b) Manage and restore protected areas and conservancies;
 - (c) Protect endangered species, habitats and ecosystems;
 - (d) Support wildlife security operations;
 - (e) Facilitate community-based wildlife initiatives;
 - (f) Award wildlife conservation grants based on criteria to be established by the governing board;
 - (g) Develop wildlife conservation initiatives for terrestrial and marine national parks, national reserves, community conservancies and sanctuaries;
 - (h) Conserve endangered and endemic species;
 - (i) Provide education awareness including advocacy for wildlife policies;

- (j) Provide for wildlife conservation and national wildlife research priorities;
- (k) Support initiatives to mitigate human-wildlife conflict; and
- (l) Such other purposes as may be provided by the governing board.

2.3 Policy Context and Rationale for the Public Finance Management (Wildlife Conservation Trust Fund) Regulations, 2025 (LN. No. 190 of 2025)

9. Wildlife resources contribute a substantial proportion of the country's earnings through tourism. This is because Kenya's wildlife, particularly the big five, are the most treasured unique selling point for the country's tourism.
10. Government intervention in wildlife conservation and management dates back to 1898, when the then British East African Protectorate enacted laws to control hunting and trade in wildlife and wildlife products. In 1945, the Royal National Parks of Kenya Ordinance was promulgated to provide for the establishment of national parks.
11. The first post-colonial wildlife policy in Kenya was Sessional Paper No. 3 of 1975 titled '*A Statement on Future Wildlife Management Policy in Kenya*'. By the mid-eighties, it had become clear that further policy adjustments were necessary to help deal with the chronic challenges in the sector such as increased human-wildlife conflict, increased poaching, failure to achieve integrated wildlife management approaches, and loss of wildlife populations within and outside the protected areas.
12. In 1989, the Wildlife Act (Cap 376) and later the Wildlife Conservation and Management Act, 2013 were enacted creating a legal framework for the establishment of various conservation institutions including the Kenya Wildlife Service (KWS), the Wildlife Research and Training Institute (WRTI), the Community Wildlife Conservation Committee (CWCC), the Wildlife Compensation Scheme and the Wildlife Conservation Trust Fund.
13. In June 2020, the national government through the Ministry responsible for Wildlife developed a Sessional Paper No. 01 of 2020 on Wildlife Policy that committed the government to; designate wildlife as a strategic national resource and allocate adequate funding from the

national budget; include the economic value of wildlife in the national income, accounting, planning and budgeting; promote retention of the benefits generated from wildlife and their habitats to develop and manage wildlife conservation areas; establish a Fund to promote wildlife conservation and management; promote access to innovative and sustainable utilization of wildlife as an economic incentive; and mainstream wildlife resources into the frameworks of blue and green economies.

2.4 Summary of the Public Finance Management (Wildlife Conservation Trust Fund) Regulations, 2025 (LN. No. 190 of 2025)

14. The Regulations are in five (5) parts: Part I contains the preliminary provisions; Part II contains the provisions on the establishment of the Fund; Part III contains the provisions on the management of the Fund; Part IV contains the financial provisions; and Part V contains the miscellaneous provisions.
15. **Regulations 1 and 2** are preliminary provisions which include the citation and interpretation.
16. **Regulation 3** establishes the Fund, while **Regulation 4** provides for its capital.
17. **Regulation 5** provides for the object and purpose of the Funds.
18. **Regulation 6** provides for the sources of the Fund.
19. **Regulation 7** provides for innovative funding arrangements with the private sector.
20. **Regulation 8** provides for mitigation of human-wildlife conflict.
21. **Regulation 9** establishes the Wildlife Conservation Trust Fund Governing Board.
22. **Regulation 10** provides for the functions of the Board.
23. **Regulation 11** establishes the office of the Chief Executive Officer, who shall be competitively recruited and appointed by the Governing Board, while **Regulation 12** provides for the qualifications of the Chief Executive Officer.
24. **Regulation 13** provides that the Administrator of the Fund shall be the Chief Executive Officer while **Regulation 14** provides for the functions of the Chief Executive Officer.

25. **Regulation 15** provides for the functions of the Secretariat.
26. **Regulation 16** provides for the disbursements to be made in accordance with funding agreements.
27. **Regulation 17, 18, 19 and 20** provides for the financial provisions of the Fund.
28. **Regulation 21** provides for the records of disbursements.
29. **Regulation 22** provides for the administration cost of the Fund.
30. **Regulation 23** expenditure and commitments of the Fund.
31. **Regulation 24** provides for the investment of surplus funds.
32. **Regulation 25** provides for the retention of receipts, earnings and accruals.
33. **Regulation 26 and 27** provides for the annual reports and audited accounts.
34. **Regulation 28 and 29** provide for conflict of interest and conflict resolution mechanism.
35. **Regulation 30** provides for the procedure of the winding up of the Fund.
36. **Regulations 31** provide for the winding up of the Fund, and transitional clauses.
37. **Regulation 32** provides for the revocation of L.N. 220 of 2023, and transitional clauses.

2.5 Scrutiny of the Instrument

38. The Committee examined the Public Finance Management (Wildlife Conservation Trust Fund) Regulations 2025 (LN. No. 190 of 2025) against the Constitution, the Interpretation and General Provisions Act (Cap 2), the Public Finance Management Act (Cap. 412A) and the Statutory Instruments Act (Cap. 2A).
39. The scrutiny was undertaken following the tabling of the Regulations before the House on Tuesday, 10th February 2026 and their subsequent referral to the Committee on Delegated Legislation. The Committee held a meeting with the National Treasury and Economic Planning on Thursday, 12th March, 2026, at Room 21, 5th Floor, Bunge Tower, Parliament Buildings, to deliberate on the Regulations.

3.0 COMMITTEE OBSERVATIONS

40. Having examined the Public Finance Management (Wildlife Conservation Trust Fund) Regulations, 2025 (LN. No. 190 of 2025) against the Constitution, the Public Finance Management Act (Cap. 412A) and the Statutory Instruments Act (Cap. 2A), the Interpretation and General Provisions Act (Cap. 2), the Committee observed **THAT:** -

3.1 Statutory Timelines

41. The Regulations were published in the gazette on Wednesday, 26th November, 2025 vide Legal Notice No. 190 of 2025, submitted to the Clerk of the National Assembly on Tuesday, 9th December, 2025 and laid on the table of the House on Tuesday, 10th February, 2026, being within the requisite statutory timelines under section 11(1) of the Statutory Instruments Act (Cap. 2A).

3.2 Consultations/Public Participation

42. Articles 10 and 118 of the Constitution and section 5 of the Statutory Instruments Act require that the regulation-making authority conduct public participation and sufficient consultation with the stakeholders and persons likely to be affected by the regulations.

43. The Taskforce responsible for the preparation and development of the Regulations, held consultations with key stakeholders and their input was considered before finalization of the Draft Regulations. The Taskforce comprised the National Treasury and the Ministry of Wildlife and Tourism.

44. In line with section 5 of the Statutory Instruments Act (Cap. 2A), the National Treasury, together with the Ministry of Tourism and Wildlife, undertook public participation before publication of the Regulations. The mode of public participation included an invitation to key stakeholders via an advertisement posted on the National Treasury website and published in the My Gov Newspaper on 26th November, 2024, and written submissions received via ps@treasury.go.ke and jona.wala@treasury.go.ke.

3.3 Regulatory Impact Statement

45. The Ministry of National Treasury and Economic Planning prepared an impact assessment for the statutory instrument in line with Part II of the Statutory Instruments Act (Cap. 2A).


4.0 COMMITTEE RECOMMENDATION

46. Having examined the Public Finance Management (Wildlife Conservation Trust Fund) Regulations, 2025 (LN. No. 190 of 2025) in accordance with the Constitution, the Statutory Instruments Act (Cap. 2A), the Public Finance Management Act (Cap. 412A), the Interpretation and General Provisions Act (Cap. 2), the **Committee recommends that the House APPROVES the Public Finance Management (Wildlife Conservation Trust Fund) Regulations, 2025 (LN. No. 190 of 2025) in accordance with section 24(4) the Public Finance Management Act (Cap. 412A).**

Signed
Date 27/03/2026

THE HON. CHEPKONG'A SAMUEL KIPRONO, CBS, MP
(CHAIRPERSON)

COMMITTEE ON DELEGATED LEGISLATION

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CLERK-AT THE-TABLE:	Y. WAMBUL

