

FIRST ASSEMBLY

(003)

FIFTH SESSION

(004)



COUNTY GOVERNMENT OF KITUI

THE COUNTY ASSEMBLY

FIRST COUNTY ASSEMBLY – (FIFTH SESSION)

ORDERS OF THE DAY

WEDNESDAY 11TH JANUARY, 2017 AT 2.30 P.M.

PRAYERS

1. Administration of Oath;
2. Communication from the Chair;
3. Messages;
4. Petitions;
5. Papers;
6. Notices of Motions;
7. Statements;

COMMENCEMENT OF BUSINESS

8.*. MOTION ON ADOPTION OF THE REPORT BY THE COMMITTEE ON AGRICULTURE, WATER AND IRRIGATION ON THE BENCHMARKING VISIT TO THE STATE OF ISRAEL (Chairperson, Committee on Agriculture Water and Irrigation).

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THAT, Pursuant to the provisions of the Standing Order No. 190(5), this Assembly hereby adopts the Report by the Committee on Agriculture, Water and Irrigation on the Benchmarking Visit to the State of Israel laid on the Table of the Assembly on Thursday 1st December, 2016 during the afternoon sitting.

(Hon Titus Kasinga- M.C.A.)

9.*. MOTION ON THE STATUS OF BUDGET IMPLEMENTATION IN KITUI COUNTY (MCA Kiomo/ Kyethani Ward)

AWARE of the mandate of this County Assembly to offer its legal and constitutional role of oversight to the Executive under Article 185(3) as well as its legislative and approval mandate to all Executive programs under the Constitution Article 185(2) as read together with Article 185(4);

FURTHER AWARE THAT, the County Government Act Number 17 of 2012 Section 8(b), (c) and (e) as read together with Section 9(a), (b), (d) and (e) extensively provides the mandate of this Assembly is to provide critical leadership to the residents of this County in adherence and pursuit of the realization of full development agenda, including rights to information to citizens as provided in Article 35 of the Constitution as well as the Executive to be providing the Assembly with full and regular reports on matters relating to the County as provided in the Constitution Article 183(3);

AWARE THAT the Executive arm of Kitui County Government has implemented several budgets since coming into life of this government as approved by the Assembly being the oversight and legislative arm as provided in the Kenya Constitution 2010.

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CONCERNED THAT, prior to any budget appropriation and approval by this Assembly, the annual fiscal strategy paper is prepared and approved by this Assembly to guide budget preparation and implementation by all County entities so as to ensure fiscal discipline by County accounting officers;

KNOWING THAT, the 2015/ 2016 and 2016/ 2017 financial year budgets have not been implemented according to Kenya Constitution 2010 Article 227(1) and (2), Public Procurement and Disposal Act, 2015, Section 44(2) and Section 53(3),(8) and (9) and Public Finance and Management Act No. 18 of 2012 regulations section 39(3)(a) & (b), (7) and (9) as well as 42(1) (b) where even procurement procedures are not adhered to by most departments of the Executive arm of Kitui County Government;

NOTING THAT, most departments of the Executive arm of Kitui County Government have been using restricted tenders and quotations to almost all procurements of goods and services without following the regulations section 91 up to 114 on methods of procurement as determined and published by the Cabinet Secretary of Finance in the Republic of Kenya;

DETERMINED THAT, there is great need to offer corrective and punitive measures by this Assembly and ensure laws and government policies and regulations are adhered to by enforcing fiscal discipline when it comes to budget implementation as well as procurement of goods and services;

PURSUADED THAT, it is the duty of this Assembly to ensure that the Executive arm of the Government adheres to the supreme law and other enabling legislations and policies;

THIS ASSEMBLY RESOLVES THAT:

1. The Kitui County Executive Committee Member for Finance and Economic Planning to bring to this Assembly comprehensive reports of all the contracts awarded and the methods of procurement tendering

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used and the reasons by each Department as provided in the approved 2015/ 2016 and 2016/ 2017 annual budgets before the approval of the supplementary budget committed to this Assembly on 1st December, 2016;

2. Comprehensive report of all contracts awarded by each department and the name of the firms awarded with the work accomplished, amount paid out and pending bills;
3. The said report should be committed and explained to the members of this Honourable House by the said CEC Member of Finance and Economic Planning as soon as the supplementary report by the Budget and Appropriations Committee is laid in this House which had been committed to the House on 1st December 2016 so as to inform members on the status of finances of Kitui County Government as they approve the said supplementary budget.

(Hon Peter Mutemi- M.C.A.)

****Denotes order of the day****
