



**COUNTY GOVERNMENT OF KITUI**

**THE COUNTY ASSEMBLY**

**FIRST COUNTY ASSEMBLY – (FIFTH SESSION)**

**ORDERS OF THE DAY**

**WEDNESDAY 18<sup>TH</sup> 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 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) read together with article 185 (4);

**Further aware that,** the County Government act number 17 of 2012 article 8 (b), (c) and (e) read together with 9 (a), (b), (d) and (e) extensively provides the mandate of this assembly to provide critical leadership to the residents of this county in adherence and pursuit of realization of full development agenda including rights to information as provided in the constitution to citizens article 35 as well as executive to be providing the assembly with full and regular reports on matters

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**(007)**

**(015)**

relating to the county as provided in the constitution article 183 (3);

**Aware** that Kitui County Government Arm of Executive has Implemented several budgets since coming into life of this government, as approved by this Kitui assembly being the oversight and legislative arm as provided in the Kenya constitution 2010;

**Concerned** that prior to any budget appropriation and approval by this assembly, annual physical strategy paper is prepared and approved by this assembly to guide budget preparation and implementation by all county entities so as to ensure fiscal disciplinary by county accounting officers;

**Knowing that** for 2015/2016 and 2016/2017 budgets implementations have not been implemented according to Kenya constitution 2010 article 227 (1) and (2), Public procurement and disposal act 2015 section 44 (2) and 53 section (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 procurements procedures are not adhered to by most departments of executive arm of Kitui County Government

Noting that most of the departments of the executive arm of kitui County government has 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 procurements 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 regulation are adhered to by enforcing fiscal discipline when it comes to budget implementation as well as procurement of goods and services;

**Persuaded that** is the duty of this assembly to ensure the executive arm of the government adhere to supreme law and other enabling legislations and policies;

**THIS ASSEMBLY RESOLVES THAT:**

1. Kitui County Executive member of finance and economic planning to bring to this assembly comprehensive reports of all the contracts awarded and the methods of procurements tendering used and the reasons by each departments as provided in the approved 2015/2016 and 2016/2017 annual budgets before the approval of supplementary committed to this assembly on 1<sup>st</sup> of 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;

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3. The said report should be committed and explained to members of this honorable house by the said Kitui CEC member of finance and economic planning as soon as the supplementary report by budget and appropriation committee is laid to this house which had been committed to the house on 1<sup>st</sup> 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 M. MUTEMI)*

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

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