

REPUBLIC OF KENYA



OFFICE OF THE CLERK

COUNTY ASSEMBLY OF KITUI

KITUI COUNTY

FIRST ASSEMBLY – THIRD SESSION - 2015

COMMITTEE

ON

IMPLEMENTATION & DELEGATED LEGISLATION

A REPORT

ON IMPLEMENTATION STATUS OF THE KITUI COUNTY CHARCOAL MANAGEMENT ACT, 2014, THE KITUI COUNTY VILLAGES ACT, 2015 AND THE RESOLUTION PASSED BY THIS HOUSE ON THE RECOMMENCEMENT OF THE CONSTRUCTION OF FIVE (5) SAND DAMS IN EACH OF THE FORTY (40) WARDS IN THE COUNTY AS PER THE MOTION MOVED BY THE MEMBER FOR TOWNSHIP WARD HON. DANIEL NGOIMA AND WHICH WAS ADOPTED BY THE ASSEMBLY ON 14TH MAY, 2015.

Clerk's Chambers,
Kitui County Assembly Buildings,
KITUI.

OCTOBER, 2015

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ACRONYMS AND ABBREVIATIONS

IDL	Implementation and Delegated Legislation	committee
KCPSB	Kitui County Public Service Board	
S.O	Standing Orders	
CPAs	Charcoal Producers Associations.	
CTAs	Charcoal Transporters Associations	
KCCTA	Kitui County Charcoal Transporters Association	
CA	County Assembly	
CEC	County Executive Committee	
C.O	Chief Officer	
CGA	County Government Act	
CoK	Constitution of Kenya	
MEEMID	Ministry of Environment, Energy and Investments Development.	Mineral
SSD	Sub Surface Dams	
KFS	Kenya Forest Services	

EXECUTIVE SUMMARY

The select Committee on Implementation and Delegated Legislation held a six (6) days retreat from 24th to 29th August, 2015 at Mwingi Cottage Hotel.

The objective of the retreat was to prepare and write a committee report on the implementation status of the Kitui county charcoal management act, 2014, the Kitui county villages act, 2015 and the resolution passed by this house on the recommencement of the construction of five (5) sand dams in each of the forty (40) wards in the county as per the motion moved by the member for township ward Hon. Daniel Ngoima and which was adopted by this assembly on 14th may, 2015.

This report documents the findings and recommendations of the committee on the implementation status of the aforementioned Acts/ motion.

During the report writing retreat, the committee met with the chief Officers for the ministry of Agriculture, Water and Irrigation and that of Environment, Energy and Mineral investments development on different days to shed more light to the committee on the implementation status of various County Assembly resolutions on motions and Acts including but not limited to the implementation status of the Kitui County Charcoal management Act, 2014, the implementation status of the Kitui County Villages Act, 2015 and the motion seeking to compel the executive to recommence the construction of 5 sand dams in all forty (40) wards across the County.

The committee had successful deliberations from which it was recommended that the executive be more proactive in matters implementation of County Assembly resolution without delay.

Preface

Mr. Speaker,

I, the chairman of the committee on implementation and delegated legislation (2013-2016) having been authorized by the committee to present the report, on their behalf, do present this report on the committee findings and recommendations regarding the implementation status of the Kitui county charcoal management act, 2014, the Kitui county villages act, 2015 and the resolution passed by this house on the recommencement of the construction of five (5) sand dams in each of the forty (40) wards in the county as per the motion moved by the member for township ward Hon. Daniel Ngoima and which was adopted by the assembly on 14th may, 2015.

Mandate of the committee

The committee on implementation and delegated legislation is a select committee established under Standing Order Nos. 188 and 189 as follows;

Committee on implementation-Standing Order No. 188.

- (1) There shall be a select committee to be known as the Committee on Implementation.
- (2) The Committee shall scrutinize the resolutions of the County Assembly (including adopted committee reports), petitions and the undertakings given by the County Executive Committee and examine –
 - a) whether or not such decisions and undertakings have been implemented and where implemented, the extent to which they have been implemented; and whether such implementation has taken place within the minimum time necessary; and
 - b) Whether or not legislation passed by the County Assembly has been operationalized and where operationalized, the extent to which such operationalization has taken place within the minimum time necessary.
- (3) The Committee may propose to the County Assembly, sanctions against any member of the County Executive Committee who fails to report to the relevant select Committee on implementation status without justifiable reasons.

Committee on Delegated County Legislation-Standing Order No. 189.

- 1) There shall be a select committee to be known as the Committee on Delegated County Legislation.
- 2) Whenever a statutory instrument is submitted to the County Assembly pursuant to the Constitution, any law or these Standing Orders, the statutory

instrument shall, unless a contrary intention appears in the relevant legislation, be laid before the County Assembly by the Chair of the relevant Sectoral Committee, or any other member and shall thereafter stand referred to the Committee on Delegated County Legislation.

- 3) The Committee shall consider in respect of any statutory instrument whether it-
- (a) is in accord with the provisions of the Constitution, the Act pursuant to which it is made or other relevant written law;
 - (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 the County Assembly;
 - (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 of which the Constitution or the Act does not expressly give any such power;
 - (g) involves expenditure from the County Revenue 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 unjustifiable delay in its publication or laying before County Assembly;
 - (k) makes rights, liberties or obligations unduly dependent upon non-reviewable decisions;
 - (l) makes rights, liberties or obligations unduly dependent 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 County Assembly scrutiny; and,
 - (q) Accords to any other reason that the Committee considers fit to examine.

(4) If the Committee-

(a) Resolves that the statutory instrument, be acceded to, the Clerk shall convey that resolution to the relevant county department or the authority that published the statutory instrument.

(b) does not accede to the statutory instrument, the Committee may recommend to the County Assembly that the County Assembly resolves that all or any part of the statutory instrument be annulled and if the instrument if a resolution is passed by the County Assembly within

twenty days on which it next sits after the instrument laid before it under paragraph (2), that all or part of the statutory instrument be annulled, the instrument or part thereof shall henceforth stand annulled.

(5) In this standing order, “statutory instrument” means any rule, order, regulation, direction, form, tariff of costs or fees, letter patent, commission, warrant, proclamation, by-law, resolution, guideline or other instrument issued, made or established in the execution of a power conferred by or under an Act of the County Assembly under which that statutory instrument or subsidiary legislation is expressly authorized to be issued”

PROCEEDINGS

Prior to the writing of this report, the committee held several meetings to deliberate on the pending Acts and resolutions after which the members retreated for 6 days in Mwingi town from 24th to 29th August 2015 to work on this final report . The committee also summoned the Chief Officers for both Administration and coordination of County affairs and Agriculture, water and Irrigation to shed light on implementation status of the Kitui County Villages Act, 2015, and the Kitui County Charcoal Management Act respectively which forms part of this report.

Committee Membership

The Committee on Implementation and Delegated Legislation is comprised of the following members;

1. Hon. Nzyoni Mang’uye	Chairperson
2. Hon. Boniface M. Katumbi	Vice – Chairperson
3. Hon. Stephen Kithuka	Member
4. Hon. Grogan Tito Mbivi	”
5. Hon. Angela Kanza	”
6. Hon. Ruth Kinyumu	”
7. Hon. Irene Muvea	”
8. Hon. Dominic Kilonzo Kauthi	”
9. Hon. Nelson Kitema	”
10. Hon. John K. Nyamai	”
11. Hon. Peter M. Kilonzo	”

Acknowledgement

Mr. Speaker Sir,

The committee extends its appreciation to the offices of the Speaker and the Clerk of the County Assembly for the necessary support accorded to it while executing its mandate. I similarly take this opportunity to thank members of the committee for their dedication to public duty which contributed to accomplishment of this report.

Mr. Speaker Sir,

On behalf of the Implementation and Delegated Legislation committee, I now wish to table the report and urge the House to adopt it and the recommendations therein.

Thank you,

SIGNED

**(HON. NZYONI MANG'UYE, MCA)
CHAIRPERSON**

DATE:

We Members of the Committee on Implementation and Delegated Legislation of County Assembly of Kitui do hereby affix our signatures this day of Tuesday the 13th October, 2015 to this report to affirm the correctness of the contents and support for the same.

1. Hon. Nzyoni Mang'uye, MCA Chairman
2. Hon. Boniface M. Katumbi, MCA Vice Chairperson
3. Hon. Stephen Kithuka, MCA Member
4. Hon. Grogan T. Mbivi, MCA Member
5. Hon. Kilonzo Kauthi, MCA Member
6. Hon. Ruth Kinyumu, MCA Member.....
7. Hon. Angela Kanza, MCA Member.....
8. Hon. John K. Nyamai, MCA Member.....
9. Hon. Nelson Kitema, MCA Member.....
10. Hon. Irene Muvea, MCA Member.....
11. Hon. Peter M. Kilonzo, MCA Member.....

IMPLEMENTATION STATUS OF THE KITUI COUNTY CHARCOAL MANAGEMENT ACT, 2014, THE KITUI COUNTY VILLAGES ACT, 2015 AND THE RESOLUTION PASSED BY THIS HOUSE ON THE RECOMMENCEMENT OF THE CONSTRUCTION OF FIVE (5) SAND DAMS IN EACH OF THE FORTY (40) WARDS IN THE COUNTY AS PER THE MOTION MOVED BY THE MEMBER FOR TOWNSHIP WARD HON. DANIEL NGOIMA AND WHICH WAS ADOPTED BY THE ASSEMBLY ON 14TH MAY, 2015.

MOTIONS ADOPTED

Mr. Speaker Sir,

Since inception, this Assembly has adopted a total of **66** motions as follows;

1. From July 2013- Dec 2013- 20 motions.
2. From Feb 2014- Dec 2014-19 motions
3. From Feb 2015-July 2015- 27 motions with 2 being subjected to amendments.

See Annex 1- Register for effective implementation of motions passed by the county assembly of Kitui

COMMITTEE REPORTS ADOPTED

The house has also adopted **20** reports by various committees as shown below;

1. From July 2013- Dec 2013- 1 report
2. From Feb 2014- Dec 2014- 6 reports
3. From Feb 2015-July 2015-13 reports

See Annex 2: Register for effective implementation of County Assembly committee reports adopted by the county assembly of Kitui

BILLS ADOPTED

Mr. Speaker Sir, this house has adopted a total of 17 Bills out of which 14 have been gazzeted to become laws after being assented to by his Excellency the Governor.

Bills RETURNED SO FAR

Mr. Speaker Sir, the following bills were returned with an appended memorandum by his Excellency the Governor. They are as follows;

- 1) The Kitui County Health Facilities Management Committee Bill, 2014.
- 2) The Kitui County Business Licensing Bill, 2014.

In addition, the Kitui County Supplementary Appropriation Bill 2, 2015

is awaiting collection from the Government printer.

See Annex 3: Register for effective implementation of Acts/Bills passed by the County Assembly of Kitui

REGULATIONS ADOPTED

Mr. Speaker the house has also passed three (3) regulations as shown below;

1. County Assembly Members Car and Mortgage Loans Regulations.
2. County Executive Car and Mortgage Loans Regulations.
3. County Assembly Staff Car and Mortgage Loans Regulations.

GUIDELINES ADOPTED

Similarly Mr. Speaker Sir, this house has adopted three (3) guidelines as indicated below;

1. Guidelines for implementation of the Community Level Infrastructure and Pro-Poor Programmes.
2. Guidelines for establishing the Community Liaison Mining Committee.
3. Guidelines on the implementation of the youth local infrastructure, savings and investments program.

FINDINGS ON IMPLEMENTATION STATUS OF THE ACTS/MOTION/COUNTY ASSEMBLY RESOLUTIONS

THE KITUI COUNTY CHARCOAL MANAGEMENT ACT, 2014.

Brief overview

The County Assembly of Kitui adopted the Bill on the Kitui County Charcoal Management 2014 which was tabled on the floor of the house and subsequently debated and adopted by the house on 8th October 2014. Similarly, this Bill became an Act of the County Assembly of Kitui on 28th November 2014. The Kitui County Charcoal Management Act seeks to regulate and manage the production, use and trade of charcoal in Kitui County as contained in the Long title of the Act.

The committee therefore summoned the Chief Officer Ministry of Environment, Energy and Mineral investments Development to evaluate the efforts made by the Executive towards the implementation of this Act.

The committee noted that despite the effort made by the Executive, towards charcoal production/burning and trade, the situation remained dire and the County forests are becoming more susceptible and deforested.

The committee further noted that the ministry lacked proper strategies to regulate charcoal burning and transportation and the KFS is not doing enough to curb this menace.

Similarly the committee noted that despite the formation of the Charcoal producers association (CPAs) and the Charcoal Transporters associations (CTAs) as stipulated in the Act, these groups are not proactive enough in ensuring people who are not registered do not engage in the charcoal business.

The committee further noted that very little effort has been made by the County Government to ensure there is regulated charcoal production and trade within the County. Furthermore, the committee noted that even after the County Government employed enforcement officers and Game Rangers with an aim of manning County forest reserves and protect unscrupulous charcoal traders, nothing has changed. Charcoal is still being transported at night in some areas by people who are not licensed to engage in charcoal trade.

The committee however noted that although the ministry has developed licenses/ permits for charcoal transporters, there are challenges in the implementation since most charcoal traders are not using them.

Findings;

- 1) That the ministry of Environment, Energy and Mineral Investments (MEEMID) initiated the implementation of this Act by constituting the county charcoal management committee as per section 5 of this act and the committee is already working.
- 2) That the Chief Officer has vetted and approved applications from the Charcoal Producers association, transporters and individual farmers as per section 7 (a) of this act. For instance, the committee found out that 23 Charcoal Producers Associations (CPAs) have been formed in the County. (See *attached list of CPAs*).
- 3) That all persons engaging in commercial charcoal production have organized themselves to form Charcoal producer association as per section 9 of this Act.
- 4) That the ministry through the County Public Service Board (CPSB) has succeeded in recruiting Game Rangers as well as the Enforcement officers to help the county government in enforcing this Act.
- 5) The ministry has developed a permit/control forms which will be used in the regulation of charcoal production and Transporters and sale in the County. (*Sample of permit/control forms annexed elsewhere in this report*)
- 6) In an effort to mitigate deforestation, the ministry of Environment, Energy and Mineral Investments (MEEMID) is sensitizing citizens to plant more trees in their farms and mostly in charcoal producing areas.
- 7) The County ministry of Environment, Energy and Mineral Investments has mobilized Kitui County Charcoal traders through the already formed committee and has conducted election of Charcoal transporters unit

umbrella as per section 12 of the Act consisting of the Kitui County Charcoal Transporters Association (KCCTA)

- 8) The Kenya Forest Service and the County Government of Kitui has successfully jointly prepared transition implementation Plan (TIP) FOR Kitui County 2015/2016. This is per distribution of devolved functions between the National Government and the County Government as set out in fourth schedule of the Constitution of Kenya 2010.

THE MOTION ON RECOMMENCEMENT OF CONSTRUCTION OF FIVE (5) SAND DAMS IN ALL FORTY (40) WARDS ACROSS KITUI COUNTY.

Brief overview

On the 14th of May 2015, this house passed a resolution arising out of a motion by Hon. Daniel K. Ngoima. The resolutions sought the intervention of the ministry of Agriculture, Water and Irrigation to recommence the construction of 5 sand dams in each wards across Kitui County and ensure this has been undertaken in the remaining wards as per the earlier arrangements.

The committee therefore took an intervention and summoned the Chief Officer to appraise itself with the effort made by the County Executive and in particular the Ministry of Agriculture, Water and Irrigation towards the implementation of the said county assembly resolution on the aforementioned motion.

The committee noted that the Chief Officer acknowledged the recipient of the copy of the County Assembly resolutions on the same on 29th June 2015 and subsequently the same reached the office of the CEC member on 2nd July 2015. The committee noted that this was a bit late for the Executive to start implementation on the same because the house resolution reached them at the end of the financial year and the money had already been diverted to drilling of boreholes following the cabinet resolutions according to the Chief Officer for Agriculture, water and Irrigation ministry.

During the financial year 2013/2014, the ministry had apportioned Ksh. 60 million to construct 5 sub-surface dams/Sand dams in each ward across the County. This was in anticipation that the cost will range from three hundred to four hundred thousand per Sub surface dam depending on the site. The ministry had advertised tenders for 80 sub-surface dams ranging from 2 to 3 per ward but only 25 binders succeeded in the tendering process and others failed to qualify for lack of required vital documents.

Findings

1. That the ministry had advertised tenders for 80 sub-surface dams on the 14th December 2014. Out of these 80 advertised SSD, the ministry managed to get only 25 responses from the binders.

2. That the cabinet resolved to divert money set aside to construct sand dams to drilling of boreholes after realizing that only 25 binders successfully tendered the advertised projects for sand dams but this was not communicated back to the Assembly. The low responsiveness of tenders was occasioned by low allocation of funds for sand dam construction.
3. That the ministry has set aside ksh. 50 million this financial year to recommence the construction of the sub-surface dams starting October this year because the earlier budget had been diverted to drilling and equipping of boreholes.
4. There is lack of proper communication channel from the Executive to the public. This is evident in the low responsiveness of the binders whenever the County tenders are advertised.
5. That sometimes County Assembly resolutions don't reach to the Executive at the right time as it is expected for the Executive to have humble time to act on them.
6. The Committee observed that the Executive is constantly delaying implementation of motions/resolutions of the County Assembly as there is laxity on their side.

THE KITUI COUNTY VILLAGES ACT, 2015

Brief overview

The Constitution of Kenya 2010 section 176 (2) stipulates that **“every County Government shall decentralize its functions and the provisions of its services to the extent that it is efficient and practicable to do so”**. In this regard, the County Assembly of Kitui came up with a Bill for establishing 247 Village units within Kitui County for effective functioning of the County Government. This is in line with County Government Act, 2012 section 48(1)(d) which states that **“... such number of village units in each county as may be determined by the county assembly of the respective county”**.

Members are aware that the Kitui Villages Bill, 2014 was one of the Bills which generated a lot of heat and interest from all quarters' including the County Assembly members. At one point, the Kitui Villages Bill 2014 had to be withdrawn sometimes last year for the committee to do further consultation on the number of villages needed across the County. Finally, the County Assembly of Kitui adopted the Kitui County Villages Bill 2014 on 25th February, 2015 with amendments. Subsequently the Bill became an Act of the County Assembly of Kitui on 24th March 2015.

The Spirit of devolution was to bring services closer to the people and this Act seeks to do that by providing for the establishment of Village units, ensuring that there is effective coordination, management and supervision of the general administrative functions in the villages.

In this regard therefore, the committee summoned the Chief Officer for Administration and Coordination of County affairs with an aim to find out whether this Act has been implemented and to what extent.

FINDINGS

1. That the Executive is reluctant in implementing this Act because since this law came into existence, 7 months are now over and nothing has been done to this effect.
2. That the Executive is planning to bring on board village administrators as provided for in the Act early next year starting January, 2016. This is contrary to the member's anticipation that the village administrators will be on board by July 2015 since their salaries were captured in the budget for financial year 2014/2015 budget.
3. That the Village Councils as provided for in section 53 of the County Government Act, 2012 has not been constituted.
4. That the Kitui County Public Service Board (KCPSB) has contravened the provisions of section 62(2) of the County Government Act which requires it to submit its proposal to establish or abolish an office, to the County Assembly for approval through the office of the County Executive Committee Member responsible for the County Public Service in creating the offices of the Deputy Ward Administrators.

COMMITTEE RECOMMENDATIONS

(a) Kitui County Charcoal Management Act, 2014

The committee recommends the following;

1. The County Charcoal management committee members should serve for a tenure of not more than three years.
2. The ministry keep close supervision on the use of control forms/permits to ensure regulation of charcoal production and transportation is done by authorized groups.
3. The ministry should foster close working relationship with Kenya Forest Service (KFS) who are under the national Government in order realize full implementation of the Kitui County charcoal management Act.
4. The ministry should organize trainings for the newly employed game rangers and enforcement officers on how to enforce the law on charcoal management.
5. The ministry should also sensitize the citizens through public barazas on the importance of Kitui County charcoal management Act 2014.

(b) Motion on recommencement of construction of 5 sand dams in all forty wards.

The committee recommends the following;

1. In future County Assembly resolutions should be forwarded to the executive in good time to give them humble time to implement them.
2. The Executive has no mandate to change the resolutions of the County Assembly without their knowledge. If this is done, the same should be forwarded to the Assembly for approval.
3. The Executive should improve on their communication channels to ensure information dissemination to the public is timely and readily available. The committee therefore recommend that the Executive should make use of local FM station and other channel of communication to reach out to the public.
4. The month of October is not viable for the construction of sand dams since it coincides with the onset of short rains. Therefore, the committee recommends that the construction should be done either during the months of August and September or February and March.
5. That there should be specific allocation of funds for specific projects instead of generalizing to motivate binders to apply for the advertised projects. The engineers should visit the sites and allocate adequate fund for the particular projects before coming up with the Bill of Quantities.
6. The ministry should ensure that the tender committee awards tenders in good time for the contractors to have adequate time to do their work and complete them good time.
7. The Sectoral committees be proactive in their oversight role on the implementation of motions and reports that have been adopted in the house.

(C) The Kitui County Villages Act, 2015

The committee recommends that;

1. The executive should be proactive enough in implementing this vital Act as an evidence that the County Government is committed into devolving power to the grassroots.
2. The Executive should have employed Village administrators before the deputy ward administrators since the latter is not provided for anywhere in the County Government Act 2012.
3. The County assembly resolutions should be implemented in good time and the cabinet should not make decision that contradicts the resolution of the County Assembly to ensure a good working relationship between the two arms of the County Government.
4. The CPSB should always follow the law when establishing or abolishing the offices as it is stipulated in the County Government Act 2012 section 62 (2).

5. All members and clerk assistants be trained on their role in implementation of adopted committee reports, motions and Acts.
6. Due to nature of its work, this committee should always be allocated adequate time for committee sittings every week to do a follow up on the implementation status of county assembly resolutions.

ANNEX 1**MONITORING AND EVALUATION REGISTER FOR EFFECTIVE IMPLEMENTATION OF MOTIONS PASSED BY THE COUNTY ASSEMBLY OF KITUI**MOTION REGISTER
(FIRST SESSION)

Folio	ITEM	DESCRIPTION	COMMITTEE	DATE ADOPTED	DUE DATE	MOVER	REMARKS
1	Motion on Insecurity along Kitui and Tana River County Border	Establishment of permanent patrol base and security buffer zones within the affected boundaries	Administration and Coordination of County Affairs	18 th Sep, 2013	18 th Nov, 2013	Hon. Nelson Kitema	Motion still in committee stage. The committee concerned should investigate the matter and bring the report in the Assembly without delay.
2	Motion on transfer of Inyuu portable bridge to Athi River at Uasi crossing area	Transfer and erect portable Inyuu bridge at Athi river at Nzambia location to connect Kitui and Makueni counties	Lands, Infrastructure, and Urban Development	24 th Sep, 2013	24 th Nov, 2013	Hon. Nzuki Wambua	The committee found that the bridge was not viable for that purpose.

3	Motion on Charcoal production and Trade in Kitui	Bring forth a policy and a bill on this matter to control and regulate production,	Environment, Energy and Mineral investments Development	31 st Jul, 2013	31 st Sep, 2013	Hon. Peter Kilonzo	The Bill on the same was adopted and it's in the process of implementation
4	Motion on County Assembly Select and Sectoral committees membership	To fully oversight the Executive	Selection committee	7 th Aug, 2013	7 th Oct, 2013	Hon. Kilonzo Maundu	Fully Implemented.

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5	Motion on deteriorating standards of education in Kitui County	The National and County government to take urgent measures to reverse the declining educational standards in Kitui County	Basic Education, Training and skills Development	6 th March 2014	6 th May, 2014	Hon. Nzungi Ngwele	
6	Motion on absorption of ECDE teachers in Kitui County	The County Government to absorb ECDE teachers across all ECDE centers in the County	Basic Education, Training and skills Development	25 th March, 2014	25 th March, 2014	Hon. James Munuve	

7	Motion on Garbage collection Mechanism in Kitui County	The County Government to purchase garbage collection trucks and put proper mechanism of cleaning Kitui Town.	Environment, Energy and Mineral Investment Development	10 th June, 2014	10 th Aug, 2014	Hon. James Munuve	Fully implemented.
8	Motion on the Kitui County Game Reserves	The County Government to establishing the reserves boundaries, put up an electric fence and evict all trespassers and encroachers to give way to conservation and wildlife restocking.	Tourism and Natural resources	16 th Sep, 2014	16 th Nov, 2014	Hon. Kilonzo Kauthi	In progress

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9	Motion on the Nzambani Rock	County Government to revoke the lease given to Nzambani Rock development Company	Tourism and Natural resources	11 th Feb, 2015	11 th April, 2014	Hon. Robinson Mativo	In progress
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		and revert the same to County Government					
10	Motion on recommencement of the project on construction of Sand Dams across Kitui County.	The executive to resume the construction of sand dams which had been terminated and be undertaken in the remaining wards	Agriculture, Water and Irrigation	14 th May, 2015	15 th July 2015	Hon. Daniel Ngoima	In progress
11	Motion to update the County assembly on the status of human resource employments in Kitui County	The county assembly to constitute a select committee to conduct an inquiry on the affairs of the Board and report back in the assembly.	Labour and social welfare	23 rd July 2015	Hon. Peter Kilonzo	In committee stage

ANNEX 2

MONITORING AND EVALUATION REGISTER FOR EFFECTIVE IMPLEMENTATION OF COUNTY ASSEMBLY COMMITTEE REPORTS ADOPTED BY THE COUNTY ASSEMBLY OF KITUI

NO.	TITLE	COMMITTEE	DATE ADOPTED	DUE DATE	REMARKS
1	The Report on County Assembly Familiarization Tour held from 2nd to 6th September 2013	...	18 th Sep, 2013	18 th Nov, 2013	done
2	Report of the County Assembly Israel Trip	Adhoc Committee on Israel Trip	28 th , May, 2014	28 th , July, 2014	...

3	Report on Guidelines for Community Level Infrastructural Development Programme and Pro-Poor Programme	Administration and coordination of County Affairs	18 th Nov, 2014	18 th Jan, 2015	Implemented
4	Report on the Kitui County Integrated Development Plan 2013 to 2017	Finance and Planning	19 th Nov, 2015	19 th Jan, 2015	done
5	Report on Guidelines for establishing The Committee Liaison Committee for Mineral and Other Natural Resources in Kitui County	Environment, Energy, Mineral investments Development	2 nd Dec, 2014	2 nd Feb, 2015	implemented
6	Report on consideration and vetting of members of the Kitui County Lands Management Board	Appointment	2 nd Dec, 2015	done
7	Report on inspection tour by the lands, infrastructure and urban development committee	lands, infrastructure and urban development	3 rd Dec, 2014	3 rd March, 2015	...
8	Committee report on the consideration of the guidelines for operation of the Youth Local Infrastructure savings and investments programme	Culture, Youth, Sports and Social Services committee.	18 th March 2015	18 th May 2015	Fully Implemented
9	Report of the Trade, Industry, ICT and Cooperatives Committee on Study Visit to Mining Industries in Kenya	Trade, Industry, ICT & cooperatives	pending
10	Report of the Procedure and Rules Committee on Amendments to the Kitui County Assembly Interim Standing Orders	Procedure and Rules Committee	1 st July, 2015	1 st Sep, 2015	Gazzeted

11	Report of the Committee on Trade, Industry, ICT and Cooperatives on Educational Tour to Turkey	...	14 th April 2015	14 th June, 2015	...
12	Report of the Public Investments and Accounts Committee on Consideration of Audited Accounts of the Defunct Councils of Kitui for the FY 2011/2012 and the Financial operations of the County Government of Kitui for the Period from 1st January to 30th June 2013	Office of the Governor	22 nd July 2015	22 nd Sep, 2015	...
13	Report of the Committee on Budget and Appropriations on consideration of the Kitui County Supplementary Estimates for the Financial Year 2014/2015	Budget and Appropriations	15 th April, 2015	15 th June, 2015	Implemented
14	Report of the Budget and Appropriations Committee on Consideration of the Second Kitui County Government Supplementary Estimates for the FY 2014/2015	Budget and Appropriations	20 th May, 2015	20 th , July, 2015	Implemented
15	Report of the Finance and Planning Committee on Consideration of the Annual Development Plan for the FY ending on 30th June 2016	Finance and Planning	24 th June, 2015	24 th Aug, 2015	...
16	Report on Kitui County Health facilities inspection tour	Health and sanitation	29 th July 2015	29 th Sep, 2015	...

ANNEX 3

MONITORING AND EVALUATION REGISTER FOR EFFECTIVE IMPLEMENTATION OF ACTS PASSED BY THE COUNTY ASSEMBLY OF KITUI

ACT	ACTIVITY	RESPONSIBLE OFFICER/COMMITTEE	DATE ASSENT/ BECAME AN ACT	REMARKS
1. The Kitui County Charcoal Management Act, 2014	1. Establishment of County Charcoal Management Committee	CEC Member	28 TH NOV, 2014	Done
	2. Vetting and approval of applications from the charcoal producers Associations, Transporters, and individual farmers	County Charcoal Management Committee		Done
	3. Commercial Charcoal Producers association to organize themselves to Charcoal Producers Associations (CPAs) (section 9 of the Act)	Chief Officer		Done
	4. Registration of all associations under the societies Act {section 12 (2) of the Act}			In progress
2. Kitui County Villages Act, 2015	1. The establishment of Village Administrators Offices.	CPSB	24 th March 2015	Not done
	2. The establishment of Village Councils in each Village Unit	Village Administrator		Not done

	3. Creation of 247 Village Units in Kitui County	CPSB		Not done
The committee has also received copies of the following Acts and its planning to do a follow up on the implementation of the same and report the progress in this house in due course.				
3. Kitui County Alcoholic Drinks Act, 2014	1. Establishment of the County Alcoholic Drinks Control Committee	Ministry of Administration and coordination of County Affairs	10 th October, 2014	
	2. Establishment of Rehabilitation facilities and programs	County Alcoholic Drinks Control Committee		
	3. Establishment of the Kitui County Alcoholic Control Fund	CEC Member for Finance and Planning		
	4. Establishment of the Sub-County Alcoholic Control Committee	Sub-county administrator		
4. The Kitui County Sorghum Act, 2014			5 th September, 2014	
5. The Kitui County Abattoirs Act, 2014			22 nd November, 2014	

6. The Kitui County Markets and Farm produce Trade Act, 2014	1. Establishment of County directorate of Trade and markets.		21 st Nov, 2014	
	2. Establishment of market divisions			
	3. Establishment and control of markets			
7. The Kitui County Flags, Symbols and Names Act, 2015			12 th May, 2015	
The following bills have been returned to the Assembly with an appended memorandum by His Excellency The Governor.				
8. The Kitui County Health Facilities Management Committee Bill, 2014				
9. The Kitui County Business Licensing Bill, 2014				