

THE COUNTY GOVERNMENT OF KITUI



THE COUNTY ASSEMBLY

SECOND ASSEMBLY – (THIRD SESSION)

BUDGET AND APPROPRIATIONS COMMITTEE REPORT ON
CONSIDERATION OF THE KITUI COUNTY
APPROPRIATION BILL, 2019 (C/A BILL NO. 4, 2019)

THE CLERK'S CHAMBERS
P. O BOX 694 - 90200
KITUI

NOVEMBER, 2019

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- i. Singed copy of Members list
- ii. Minutes of the Committee adopting the report.

1.0 Preamble

Mr. Speaker Sir,

Article 224 of the Constitution provides that on the basis of Division of Revenue Bill passed by Parliament under Article 218, each County government shall prepare and adopt its own annual budget and appropriation Bill in the form, and according to the procedure, prescribed in an Act of Parliament.

As contemplated, Section 131 (1) of the Public Finance management Act, 2012 (PFM Act, 2012) provides that;

“The county assembly shall consider the county government budget estimates with a view to approving them, with or without amendments, in time for the relevant appropriation law and any other laws required to implement the budget to be passed by June, in each year”.

Mr. Speaker Sir,

In law and Government appropriation is the act of setting apart something for its application to a particular usage to the exclusion of others. This is to say that, despite approval of the Kitui County Estimates for this financial year, 2019/2020, the allocations made to the votes and programs further requires to be ring fenced through a certain law. The Kitui County Appropriation Bill, 2019/2020 therefore is the piece of legislation that is contemplated to legally set aside funds for utilization in the intended purpose. It is also the law that operationalizes the approved budget and as such the authority to spend on the approved budget.

2.0 Background

Mr. Speaker Sir,

The Kitui County Budget for the financial year 2019/2020 was approved by the Assembly on 14th November, 2019 during afternoon sitting. Its approval thereof gave birth to the preparation of the Kitui County Appropriation Bill, 2019 in accordance with Section 129 of the PFM Act, 2012 which states;

“Upon approval of the budget estimates by the County Assembly, the County Executive Committee Member for Finance shall prepare and submit a County Appropriation Bill to the County Assembly for the approved Estimates”.

Mr. Speaker Sir,

In Compliance with the above provisions therefore, the County Executive Committee Member (CECM) for County Treasury submitted to the office of the Hon. Speaker the Kitui County Appropriations Bill, 2019 on 19th November, 2019.

Mr. Speaker Sir,

It is imperative to note that, the Kitui County Appropriation Bill, 2019 (C/A Bill No. 4, 2019) had been published on same day and to fast track its approval thereof, the maturity period was reduced by the Assembly to one day. The reduction for the maturity period was necessitated by the fact that, an appropriation Bill can only be introduced to the Assembly on expiry of seven days period, such publication day inclusive as envisaged in Standing Order 116.

This was done via a motion moved by the Chairperson, Committee on Budget and Appropriations pursuant to the same Standing Order.

Mr. Speaker Sir,

The Kitui County Appropriations Bill, 2019 was introduced to the Assembly through First reading on 20th November, 2019 and subsequently stood committed to the Committee on Budget and Appropriations. This was done in line with Standing Order 120 which inter alia states; “

“A Bill having been read a First Time shall stand committed to the relevant Committee without question put”.

Mr. Speaker Sir,

The rationale behind the committal of the Bill to the Committee was to generate a report upon consideration on the same by the Committee and make recommendations for approval by the Assembly. For this particular case, the Committee was considering the Appropriation Bill which had been prepared in line with the Approved County Budget Estimates for the financial year 2019/2020. Therefore, it is prudent to note that the task before the Committee was only to ascertain the accuracy and compliance of the Bill with the approved Budget Estimates as envisaged in Section 129(7) of the PFM Act, 2012.

Mr. Speaker Sir,

The role of Consideration of the County Appropriation law is assigned to the Budget and Appropriations Committee as provided by Standing Order 186 (3) which outlines the functions of the Committee and Standing Order 120.

3.0 The Committee Composition and mandate

3.1 The Committee Composition

Mr. Speaker,

The Committee on Budget and Appropriations is established under the provisions of Standing Order 186 which also spells the mandate and the functions of the Committee. The recent Changes in the County Assembly Committees affected the membership of the Committee and thus, the composition as currently constituted comprises of the following members;

- | | |
|------------------------------|--------------------|
| 1. Hon. Boniface K. Kasina | -Chairperson |
| 2. Hon. James M. Munuve | -Vice Chair Person |
| 3. Hon. Esther K. Ndile | -Member |
| 4. Hon. Mary K. Philip | “ |
| 5. Hon. Stephen M. Musili | “ |
| 6. Hon. Stephen I. Katana | “ |
| 7. Hon. James M. W Kula | “ |
| 8. Hon. Mary P. Ndumbu | “ |
| 9. Hon. Sylvester K. Munyalo | “ |

3.2 The Committee's Mandate

Mr. Speaker,

Standing Order 186 (3) outlines the roles of the Committee on Budget and Appropriations as to inter alia:-

- i. Investigate, inquire into and report on all matters related to coordination, control and monitoring of the county budget.*
- ii. Discuss and review the estimates and make recommendations to the Assembly.*

iii. Examine the Bills related to the county budget, including Appropriation Bills

In pursuit of the above mandate as outlined therefore, the Committee has considered the Kitui County Appropriation Bill, 2019 (C/A Bill No. 4, 2019) and has done some recommendations to the House for consideration and adoption.

4.0 Acknowledgment

The Committee on Budget and Appropriations extends her gratitude to the Office of the Speaker of Assembly and that of the Clerk of Assembly for the leadership and necessary material and logistical support shown during the entire budget execution process. Of importance to note is the Committee members' commitment to deliver timely results by working beyond the normal sitting hours. This can only be associated with utmost desire to deliver in their mandate.

The Clerks serving the Committee are as well associated with the successful delivery of the Committee mandate for the technical support they offer at all times of need.

Mr. Speaker Sir,

It is therefore my pleasant duty and pleasure on behalf of the Budget and Appropriations Committee to table this report and the recommendations for adoption by the Assembly.

Hon. Boniface Kilaa Kasina
Chairperson
Committee on Budget and Appropriations

November, 2019.

5.0 Committee highlights and considerations and recommendations

Mr. Speaker Sir,

The Kitui County Appropriation Bill, 2019 (C/A Bill No. 4, 2019) submitted by the County Executive Committee Member for the County Treasury was prepared in total adherence to Section 129 (7) of the Public Finance Management Act, 2012. It is therefore imperative to note that this Bill was in tandem with the County Budget approved by the Assembly on 14th November, 2019 during afternoon Sitting. Owing to this fact therefore, the Committee's key responsibility will be to ascertain the accuracy of figures put in the Bill that they conform to the approved estimates including the overall total budget figure of Kshs. **11,378,500,249,**

Mr. Speaker Sir,

The committee had a sitting as directed by the Hon. Speaker and as scheduled for 21st November, 2019 to consider the Bill and subsequently has come up with the recommendations to adopt the Bill with the recommendations in the sequence as provided under Standing Order 123 as follows;

CLAUSE WITHOUT AMENDMENTS

CLAUSE 2

- i. **THAT,** CLAUSE 2 as printed be part of the Bill

SCHEDULES

SCHEDULE I

- i. **THAT,** Schedule I as printed be the First Schedule to the Bill.

SCHEDULE WITH AMENDMENTS

SCHEDULE II

- i. **THAT**, amend Schedule II of the Bill by replacing vote No. R3723 in page eight (8) of the Bill with D3723.

LONG TITTLE

- i. **THAT** the Long Title as printed be the Title to the Bill.

CLAUSE 1

- i. **THAT**, CLAUSE 1 as printed be part of the Bill

6.0 Conclusion

Mr. Speaker Sir,

As I conclude I will humbly urge the Honorable Members to approve this Bill which is key in facilitating the implementation of the approved budget for the financial year 2019/2020. This Committee wishes to commend the County Executive Committee Member for County Treasury for adhering to the statutory budgeting process this time round and specifically the submission of the Appropriation Bill, 2019. Finally, the Committee wishes to thank the Members of the County Assembly for fast trucking the approval of the revised County Budget, 2019/2020 within the minimum time possible upon laying of the Committee report. The exemplary stewardship demonstrated in approval of this year's budget shall remain an icon of readiness to propel the County to another level.