

# THE KITUI COUNTY BUSINESS LICENSING (AMENDMENT) BILL, 2016

## A BILL for

An ACT of Kitui County Assembly to amend the Kitui County Business Licensing Act, 2014.

ENACTED by the County Assembly of Kitui as follows:-

- Short title** 1. This Act may be cited as the Kitui County Business Licensing (Amendment) Act, 2016.
- Amendment of section 2** 2. Section 2 of the Kitui County Business Licensing Act 2014, in this Act referred to as the Principal Act, is amended by introducing a new definition to follow in the alphabetical order:
- “**County Budget and Economic Forum**” means the County Budget and Economic Forum established pursuant to Section 137 of the Public Finance Management Act, 2012.
- Amendment of section 17** 3. Section 17 of the Principal Act is amended in subsection 3(a) by deleting the said sub-section in its entirety and substitution therefor with the following:
- “**Three members of the County Budget and Economic Forum, that is**
- i) **The County Executive Committee Member for Finance and Economic Planning;**
  - ii) **The County Executive Committee Member for Trade, Industry, ICT and Co-operatives;**
  - iii) **One Person appointed by the Governor under Section 137 (2)(c) of the Public Finance Management Act of 2012”.**

## **MEMORANDUM OF OBJECTS AND REASONS**

### **Statement of the objects and reasons of the Bill.**

THIS Bill seeks to amend the Kitui County Health Facilities Management Act 2014

The main object of this Bill is to amend sections 2 and 17 of the Kitui County Business Licensing Act 2014 in order to ensure that the County Assembly of Kitui is not directly involved with the functioning of the Executive arm of the County Government in line with Article 185 of the Constitution which provides for the principle of separation of powers.

The Bill also seeks to bring on board the County Budget and Economic Forum to be part of the County government team that ensures that licenses are given fairly, procedurally and for the correct prescribed fees as well as assist in resolving any disputes that occur during the licensing process.

### **Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms.**

This Bill does not delegate legislative powers nor does it limit fundamental rights and freedoms.

### **Statement on how the Bill concerns county governments.**

This Bill concerns County Government of Kitui.

### **Statement as to whether the Bill is a money Bill within the meaning of Article 114 of the Constitution.**

This Bill is not a money Bill within the meaning of Article 114 of the Constitution.

Dated the 15<sup>th</sup> September, 2016

**DANIEL K. NGOIMA,**  
*Chairperson, Committee on Trade, Industry, ICT & Co-operative*