

**KITUI COUNTY HEALTH FACILITIES MANAGEMENT COMMITTEES (AMENDMENT)  
BILL, 2016**

**A BILL for**

**An ACT of Kitui County Assembly to amend the Kitui County Health Facilities Management Committee Act, 2014.**

**ENACTED by the County Assembly of Kitui as follows:-**

- Short title**     1.    This Act may be cited as the Kitui County Health Facilities Management Committees (Amendment) Act, 2016.
- Amendment of Section 5**   2.    Section 5 subsection 1 of the Kitui County Health Facilities Management Committees Act, in this Act referred to as “the Principal Act” is amended by deleting the proviso that reads “provided the area members of the County Assembly in the sub-county where the hospital is situated shall be at liberty to attend any meetings of the committee in furtherance of their oversight role”
- Amendment of Section 8**   3.    Section 8 of the Principal Act be amended under subsection 1 by deleting paragraph b in its entirety and substituting therefor with:
- “b) The County Executive Committee Member for Culture, Youth, Sports and Social Services”**
- Amendment of Section 22**   3.    Section 22 of the Principal Act be amended under subsection 1 by deleting paragraph b in its entirety and substituting therefor with:
- “b) Any person appointed from the County Ministry of Culture, Youth, Sports and Social Services”**
- Amendment of Section 25**   4.    Section 25 of the Principal Act be amended by deleting the proviso that reads “provided the area members of the county assembly in the sub county where the hospital is situated shall be at liberty to attend any meetings of the committee in furtherance of their oversight role.”

## **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 5,8,22 and 25 of the Kitui County Health Facilities Management Committee 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 Ministry of Culture, Youth, Sports and Social Services in the management and running of the county's health sector.

### **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

**JOYCE MWENDE,**  
*Chairperson, Committee on Health and Sanitation*