



REPUBLIC OF KENYA  
THE NATIONAL TREASURY AND PLANNING

Telegraphic Address: 22921  
Finance-Nairobi  
Fax No.: 310833  
Telephone: 2252299  
When Replying Please Quote;

THE NATIONAL TREASURY  
P.O. Box 30007  
NAIROBI

Ref. No. ZZ 40/64/011 TY<sup>3</sup>

Date: 8<sup>th</sup> June 2020

Mr. Michael Sialai, CBS  
Clerk of the National Assembly  
Parliament Buildings  
P.O. Box 41842 – 00100  
NAIROBI



① DLSP  
to register and having them

Dear *Sialai,*

RE: THE PUBLIC FINANCE MANAGEMENT (STRATEGIC FOOD RESERVE TRUST FUND) (REVOCAION) REGULATIONS, 2020

tabled in the

The Public Finance Management (Strategic Food Reserve Trust Fund) (Revocation) Regulations, 2020 have been published vide Legal Notice No. 61 of 2020

House for further processing

Towards this end, the National Treasury is submitting the following documents in accordance with the Statutory Instruments Act, 2013 to the National Assembly for further necessary action:-

- a. The published Public Finance Management (Strategic Food Reserve Trust Fund) (Revocation) Regulations, 2020 Legal Notice No. 61 of 2020; and
- b. A signed Explanatory Memorandum;

CNA

The purpose of this letter, therefore, is to submit the above mentioned documents to the National Assembly for your further necessary action.

18/6/20

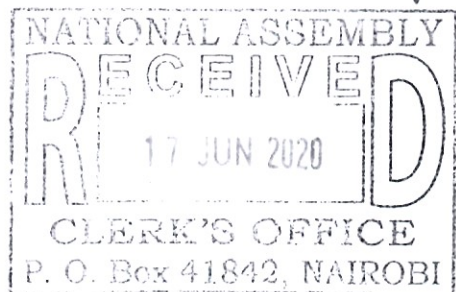
Your prompt attention and action on this matter will be highly appreciated.

Yours *Sincerely,*

HON. (AMB.) UKUR YATANI, EGH  
CABINET SECRETARY/NATIONAL TREASURY & PLANNING

② read, table on it  
③ Mr please deal  
①

Copy to: Hon. Peter Munya, EGH  
Cabinet Secretary  
Ministry of Agriculture, Livestock, Fisheries and Co-operatives  
Kilimo House  
NAIROBI



**Hon. Paul Kihara Kariuki, CBS, SS**  
Attorney General  
State Law Office & Department of Justice  
Sheria House  
**NAIROBI**

**Julius Muia, PhD, CBS**  
Principal Secretary  
National Treasury  
**NAIROBI**

**Prof. Hamadi Boga**  
Principal Secretary  
State Department for Crop Development & Agric. Research  
Ministry of Agriculture, Livestock, Fisheries & Co-operatives  
**NAIROBI**

**Mr. Kennedy Ogeto, EBS**  
Solicitor General  
Office of the Attorney General  
Sheria House  
**NAIROBI**

**EXPLANATORY MEMORANDUM FOR THE PUBLIC FINANCE  
MANAGEMENT (STRATEGIC FOOD RESERVE TRUST FUND)  
(REVOCATION) REGULATIONS, 2020**

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**I. The Purpose of the Public Finance Management (Strategic Food Reserve Trust Fund) (Revocation) Regulations, 2020.**

1. The purpose of these Regulations is to revoke the Public Finance Management (Strategic Food Reserve Trust Fund) Regulations, 2015 to eliminate duplication between the National Cereals and Produce Board and the Strategic Food Reserve Trust Fund to facilitate the role of managing the strategic food reserve to be managed by the National Cereals and Produce Board under Cap 338.

**II. The Legislative Context:**

2. The National Assembly delegated the duty to make Regulations to the Cabinet Secretary responsible for finance with the approval of the National Assembly. This is provided for under Section 24 (4) of the Public Finance Management Act, 2012. Towards this end, the revocation is made to entrench reforms in the strategic food reserve value chain under National Cereals and Produce Board Act, Cap 338 as approved by the National Assembly.

**III. Policy Background**

3. The National Food Reserve will utilize the Warehouse Receipt System and Voucher Incentive Programme for market stabilization in which commodities storage is entrusted in hands of professional warehouse operators.

**IV. Public Consultations**

4. The Ministry of Trade and Industry published the Commodities Exchange Regulations in both its website, the Daily Nation and the Standard Newspapers, which are newspapers of wide circulation in Kenya, before the National Assembly considered and approved Regulations.

**V. Guidance**

5. The National Treasury and the Ministries of Agriculture, Livestock, Fisheries and Co-operatives will sensitize stakeholders including Parliament, and the general public.

**VI. Performance Monitoring and Evaluation of the Fund**

6. The National Treasury and the Ministries of Agriculture, Livestock, Fisheries and Co-operatives shall monitor the application of the National Cereals and Produce Board Warehouse Receipt System and Voucher Incentive Programme. This will be done through quarterly reports submitted by the Administrator of the Fund. In addition, National Cereals and Produce Board shall be responsible for implementing the Fund and will also carry out regular monitoring and evaluation of the specific programmes.

**VII. National Treasury Contact Person.**

7. The contact person at the National Treasury is the Cabinet Secretary, Hon. (Amb) Ukur Yatani, EGH or the Principal Secretary, Julius Muia, PhD, CBS.



**UKUR YATANI, EGH**  
**CABINET SECRETARY TO THE NATIONAL TREASURY AND PLANNING**

Date.....*12<sup>th</sup> June, 2020*.....

**SPECIAL ISSUE**

*Kenya Gazette Supplement No. 48*

737

20th April, 2020

*(Legislative Supplement No. 32)*

LEGAL NOTICE NO. 59

THE PUBLIC FINANCE MANAGEMENT ACT

*(No. 18 of 2012)*

WAIVER

IN EXERCISE of the powers conferred by section 77 of the Public Finance Management Act, 2012, the Cabinet Secretary for the National Treasury and Planning waives court fees in respect of commercial disputes where the value of the suit does not exceed one million shillings, for a period of two years.

Dated the 1st April, 2020.

UKUR YATANI,

*Cabinet Secretary for the National Treasury and Planning.*

LEGAL NOTICE No. 60

THE PUBLIC FINANCE MANAGEMENT ACT

*(No. 18 of 2012)*

IN EXERCISE of the powers conferred by section 24 (4) of the Public Finance Management Act, 2012, the Cabinet Secretary for the National Treasury and Planning makes the following Regulations—

THE PUBLIC FINANCE MANAGEMENT (STATE OFFICERS  
AND PUBLIC OFFICERS MOTOR CAR LOAN SCHEME  
FUND)(AMENDMENT) REGULATIONS, 2020

1. These Regulations may be cited as the Public Finance Management (State Officers and Public Officers Motor Car Loan Scheme Fund)(Amendment) Regulations, 2020.

2. Regulation 7 of the Public Finance Management (State Officers and Public Officers Motor Car Loan Scheme Fund) Regulations, 2015 <sup>Amendment of reg. 7 of L.N. No. 195 of 2015.</sup> is amended by adding the following new paragraph immediately after paragraph (3) —

(4) Notwithstanding the provisions of paragraph (1), the Cabinet Secretary may, with the approval of Parliament, make payments out of the Fund for purposes other than for the objects and purpose of the Fund, on temporary basis, where such deviation is necessitated by a major natural disaster or other significant unforeseen event, and thereafter furnish a published report to Parliament.

Dated the 9th April, 2020.

UKUR YATANI,

*Cabinet Secretary for National Treasury and Planning.*

LEGAL NOTICE No. 61

## THE PUBLIC FINANCE MANAGEMENT ACT

*(No. 18 of 2012)*

IN EXERCISE of the powers conferred by section 24 (4) of the Public Finance Management Act, 2012, the Cabinet Secretary for the National Treasury and Planning makes the following Regulations—

## THE PUBLIC FINANCE MANAGEMENT (STRATEGIC FOOD RESERVE TRUST FUND) (REVOCATION) REGULATIONS, 2020

1. These Regulations may be cited as the Public Finance Management (Strategic Food Reserve Trust Fund)(Revocation) Regulations, 2020.

2. The Public Finance Management (Strategic Food Reserve Trust Fund) Regulations, 2015 are revoked.

Revocation of L.N.  
No. 15 of 2015 and  
L.N. No. 145.

Dated the 14th April, 2020.

UKUR YATANI,  
*Cabinet Secretary for National Treasury and Planning.*

# KENYATTA ODIWUOR & COMPANY ADVOCATES

Commodore Office Suites, Suite 5A  
Kindaruma Road  
P.O. Box 42106-00100  
NAIROBI  
CELL: 0794 655 318  
E-mail: [kenyattaodiwuoradvocates@gmail.com](mailto:kenyattaodiwuoradvocates@gmail.com)

OUR REF: EAA

YOUR REF:

DATE: 12<sup>th</sup> June 2020

Clerk of the National Assembly,  
Clerk's Chambers,  
National Assembly,  
Parliament Buildings,  
P.O. Box 41842-00100,  
Nairobi

*DWP*  
*Wobige.*  
*CA*  
*18/6/20*

Dear Sir,

*Advance Copy by E mail (clerk@parliament.go.ke)*

RE: PIC REPORT ON THE CONSIDERATION OF SPECIAL AUDIT REPORT ON PROCUREMENT OF PRE-EXPORT VERIFICATION OF CONFORMITY (PVOC) TO STANDARD SERVICES- USED MOTOR VEHICLES, MOBILE EQUIPMENT AND USED SPARE PARTS TENDER NO. KEBS/T017/2017-2020

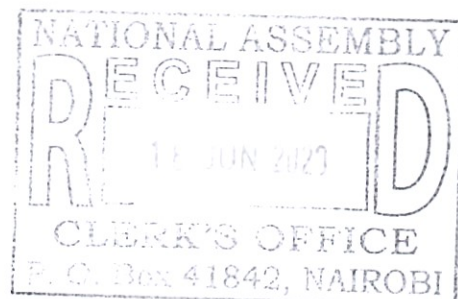
Our client, EAA Company Limited, attended a hearing on the above matter in March 2020.

Kindly furnish us with a copy of the PIC Report on the above tender that was adopted by the National Assembly on the 2<sup>nd</sup> June 2020. ?

Yours Faithfully,

*Ken*  
**KENYATTA ODIWUOR & CO.**  
**ADVOCATES**  
*Encl.*

cc...Evans Oanda ([evansoanda@gmail.com](mailto:evansoanda@gmail.com)), Mohamed Boru ([mnboru@gmail.com](mailto:mnboru@gmail.com))



## CPA News

DLS  
BGM

For immediate release, 17 June 2020

### Commonwealth Parliamentary Association joins global webinar highlighting the vital role of the Commonwealth networks

The Commonwealth Parliamentary Association (CPA) Acting Secretary-General, Mr Jarvis Matiya has delivered the keynote address at a global online webinar titled '*Vanguards in the 21<sup>st</sup> century: Optimising Commonwealth Networks*'.

The CPA Acting Secretary-General highlighted the key role that Commonwealth organisations play in the international community and the role of the CPA as the parliamentary wing of the Commonwealth in connecting over 180 Parliaments and Legislatures. He said: *"Through the ongoing work of the Commonwealth, citizens can reap the benefits that come from positive dialogue and engagement on issues of democracy, good governance, human rights and socio-economic development. Through collaboration, consultation and speaking with one common voice, the Commonwealth is truly a global force for good, bringing a richness of its diversity and geographical reach to solve issues and identify new opportunities."*



To view the online webinar – please visit the following link on **YouTube**:

<https://youtu.be/QtZTOVlwtoU>

Please [click here](#) to read the CPA Acting Secretary-General's keynote address.

The online webinar was held as part of a series hosted by Global Policy Insights (GPI) and The Ramphal Institute and the session featured a panel discussion on the Commonwealth's pivotal networks as they partner with each other and their national counterparts to deliver upon the Commonwealth's priorities.

Guest panellists included: Mr Uday Nagaraju, Executive President, Global Policy Insights, Project Director, The Commonwealth Project; Mr David Gomez, Director, The Ramphal Institute; Ms Anne T. Gallagher, Director-General, Commonwealth Foundation; Dr Greg Munro, Secretary-General, Commonwealth Local Government Forum (CLGF); and Dr Nicholas Watts, Chair, Independent Forum of Commonwealth Organisations (IFCO).

To find out more about the webinar series hosted by Global Policy Insights (GPI) and The Ramphal Institute please visit <http://globalpolicyinsights.org/> or <http://www.ramphalinstitute.org/>.

-Ends-

#### Notes to Editors:

The **Commonwealth Parliamentary Association (CPA)**, now in its 109<sup>th</sup> year, exists to develop, promote and support Parliamentarians and parliamentary staff to identify benchmarks of good governance and to implement the enduring values of the Commonwealth. The CPA is an international community of around 180 Commonwealth Parliaments and Legislatures working together to deepen the Commonwealth's commitment to the highest standards of democratic governance. Visit [www.cpahq.org](http://www.cpahq.org) for further information. Join the conversation online: Twitter - @CPA\_Secretariat Facebook.com/CPAHQ.



**EXPLANATORY MEMORANDUM FOR THE PUBLIC FINANCE MANAGEMENT (STRATEGIC FOOD RESERVE TRUST FUND) (REVOCATION) REGULATIONS, 2020**

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**II. The Legislative Context:**

2. The National Assembly delegated the duty to make Regulations to the Cabinet Secretary responsible for finance with the approval of the National Assembly. This is provided for under Section 24 (4) of the Public Finance Management Act, 2012. Towards this end, the revocation is made to entrench reforms in the strategic food reserve value chain under National Cereals and Produce Board Act, Cap 338 as approved by the National Assembly.

**III. Policy Background**

3. The National Food Reserve will utilize the Warehouse Receipt System and Voucher Incentive Programme for market stabilization in which commodities storage is entrusted in hands of professional warehouse operators.

**IV. Public Consultations**

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**V. Guidance**

5. The National Treasury and the Ministries of Agriculture, Livestock, Fisheries and Co-operatives will sensitize stakeholders including Parliament, and the general public.

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**UKUR YATANI, EGH**  
**CABINET SECRETARY TO THE NATIONAL TREASURY AND PLANNING**

Date... 12<sup>th</sup> June, 2020.

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Date.....*12<sup>th</sup> June, 2020*.....