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12/10/23*

PARLIAMENT
OF KENYA
LIBRARY

REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT – SECOND SESSION – 2023
DIRECTORATE OF DEPARTMENTAL COMMITTEES
DEPARTMENTAL COMMITTEE ON SPORTS AND CULTURE

REPORT ON BUDGET IMPLEMENTATION MONITORING
FOR
THE FINANCIAL YEAR 2022/23

THE NATIONAL ASSEMBLY PAPERS LAD	
DATE: 12 OCT 2023	DAY: Tues 12/10/2023
TABLED BY:	Hon Daniel Wanyama, MP - Chair, Sports & Culture Committee
CLERK-AT THE-TABLE:	A. Shubuko

CLERK'S CHAMBERS

OCTOBER 2023

DIRECTORATE OF DEPARTMENTAL COMMITTEES

PARLIAMENT BUILDINGS

NAIROBI



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LIST OF ABBREVIATIONS

AIA	-	Appropriation in Aid
BAI	-	Book Aid International
EIFL	-	Electronic Information for Libraries
FY	-	Financial Year
GoK	-	Government of Kenya
KICD	-	Kenya Institute of Curriculum Development
KNATCOM	-	Kenya National Commission for UNESCO
KNLS	-	Kenya National Library Service
KPI	-	Key Performance Indicators
KTB	-	Kenya Tourism Board
KWS	-	Kenya Wildlife Service
MDA	-	Ministries, Departments and Agencies
P2PU	-	Peer 2 Peer University
PE	-	Personnel Emoluments
PFM	-	Public Finance Management
PPMC	-	Permanent Presidential Music Commission
SAGA	-	Semi-Autonomous Government Agency
SASDF	-	Sports Arts and Social Development Fund
SK	-	Sports Kenya
UK	-	United Kingdom
UNESCO	-	United Nations Educational, Scientific and Cultural Organization
US	-	United States

CHAIRPERSON'S FORWARD

Article 95 of the Constitution, section 4 (b) and (c) mandates the National Assembly to appropriate funds for expenditure by the national government and other national State organs and to exercise oversight over national revenue and its expenditure. In addition, section 5 (b) mandates the National Assembly to exercise oversight of State organs. Further, Standing Order 245A (2) mandates the Departmental Committee pursuant to Standing Order 216(5) (ba) to; Examine and report on the expenditures and non-financial performance of the budget of the national government; and Examine the conformity of the implementation process with the principles and values of public finance as set out in Article 201 of the Constitution.

Pursuant to Article 125 of the Constitution, the State Organs under the Committee's purview, provided a full year report on budget performance for the financial year 2022/23. The Committee was overseeing two votes; State Department for Sports and the Arts and the State Department for Culture and Heritage. To enhance oversight, the Departmental Committee visited sample projects that are being implemented by the Ministries Departments and Agencies (MDAs). The Committee discussed with the State Department for Sports and the Arts and the State Department for Culture and Heritage their budget performance and conducted site visits at the Maktaba Kuu Building, Posta Jamhuri Grounds and Facilities at the Bomas of Kenya.

Monitoring and Evaluation is important as it identifies challenges and successes during budget implementation. It also assists in detecting problems early during projects and programme implantations and coming up with mitigation measures to ensure timely completion and value for money. Oversight also ensures resources are used effectively by the State Organs as stipulated in the Principles of Public Finance pursuant to Article 201 of the Constitution. Most importantly, budget implementation oversight will assist the National Assembly in decision making and enact legislation that will replicate successes, promote transparency and accountability during the budget implementation process.

The Committee is thankful to the Office of the Speaker and the Clerk of the National Assembly for logistical and technical support accorded to it during its Sittings. I appreciate all the Members of the Committee for their patience, sacrifice and commitment that enabled to complete the task and compile this report. I also thank the Committee secretariat for their technical and logistical support. Finally, I thank all the Agencies for their time and submissions.

On behalf of the Sports and Culture Departmental Committee Members and pursuant to the provisions of Standing Order 199, it is my pleasant duty and privilege to table the Report on Budget Implementation Monitoring for Financial Year 2022/23.

Hon. Daniel Wanyama Sitati, M.P
Chairperson, Departmental Committee on Sports and Culture

CHAPTER ONE

1 PREFACE

1.0 Mandate of the Committee

1. The Departmental Committee on Sports and Culture is one of the twenty (20) Departmental Committees of the National Assembly established under *Standing Order 216* whose mandates pursuant to the *Standing Order 216 (5)* are as follows:
 - i. *To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;*
 - ii. *To study the programme and policy objectives of Ministries and departments and the effectiveness of their implementation;*
 - iii. *On a quarterly basis, monitor and report on the implementation of the national budget in respect of its mandate;*
 - iv. *To study and review all the legislation referred to it;*
 - v. *To study, access and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;*
 - vi. *To investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;*
 - vii. *To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order No. 204 (Committee on appointments);*
 - viii. *To examine treaties, agreements and conventions;*
 - ix. *To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;*
 - x. *To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and*
 - xi. *To examine any questions raised by Members on a matter within its mandate.*
2. The Second Schedule to the National Assembly Standing Orders assign the Departmental Committee on Sports and Culture the mandate to consider matters in relation to *Sports; Culture; Language; Creative Economy including promotion of music; Arts; Film promotion and Development; National Heritage and Betting & Lotteries.*
3. In executing its mandate, the Committee is mandated to oversee and report on the expenditures and non-financial performance of the budget of the national government for the following State Organs under its purview:
 - a. Vote 1132: The State Department for Sports
 - b. Vote 1134: The State Department for Culture and Heritage
 - c. Vote 1135: The State Department for Youth Affairs and the Arts
 - The Arts - film services, performing arts, promotion of Kenyan music and dance
 - Library Services

1.1 Committee Membership

5. The Departmental Committee on Sports and Culture was constituted by the House on 27th October 2022 and comprises of the following members:

Chairperson

Hon. Daniel Wanyama Sitati, MP
Webuye West Constituency
UDA Party

Vice-Chairperson

Hon. James Githua Wamacukuru, MP
Kabete Constituency
UDA Party

Members

Hon. Naomi Jillo Waqo, MP
Marsabit County
UDA Party

Hon. Mary Emaase Otucho, MP
Teso South Constituency
UDA Party

Hon. Stephen Mutinda Mule, MP
Matungulu Constituency
WDM-K Party

Hon. Chege Njuguna, MP
Kandara Constituency
UDA Party

Hon. Catherine Nakhabi Omanyoo MP
Busia County
ODM Party

Hon. Paul Ekwom Nabuin, MP
Turkana North Constituency
ODM Party

Hon. BSP. (EM) Dr. Jackson Kipkemoi Kosgei, MP
Nominated
UDA Party

Hon. Samuel Gonzi Rai, MP
Kapenguria Constituency
UDA Party

Hon. Charles Ngusya Nguna, MP
Mwingi West Constituency
WDM –K Party

Hon. Janet Jepkemboi Sitienei, MP
Turbo Constituency
UDA Party

Hon. Richard Kipkemoi Yegon, MP
Bomet East Constituency
UDA Party

Hon. Caroli Omondi
Suba South Constituency
ODM Party

Hon. Robert Nguu Basil, MP
Yatta Constituency
WDM-K Party

1.2 Committee Secretariat

6. The Committee is facilitated by the following secretariat:

Mr. John Mugoma
Clerk Assistant I/Head of Secretariat

Ms Mary Kinyunye
Clerk Assistant III

Mr. Vitus Owino
Research Officer II

Ms. Christine Odhiambo
Senior Legal Counsel

Mr. Wilson Mwangi
Fiscal Analyst III

Moses Omoit
Audio Officer III

Mr. Luka Mutua
Serjeant-At-Arms I

Mr. Calvin Njoroge
Media Relations Officer III

Mr. Stephen Otieno
Assistant Serjeant-At-Arms

1.3 Overview on Budget Implementation Monitoring

7. Article 95 of the Constitution, section 4 (b) mandates the National Assembly to appropriate funds for expenditure by the national government and other national State organs. In addition, section 4 (c) and section 5 (b) mandates the National Assembly to exercise oversight over national revenue and its expenditure and also exercise oversight of State organs. Further, Standing Order 245A (2) mandates the Departmental Committee pursuant to Standing Order 216(5) (ba) to; Examine and report on the expenditures and non-financial performance of the budget of the national government; and Examine the conformity of the implementation process with the principles and values of public finance as set out in Article 201 of the Constitution.

CHAPTER TWO

2 SUBMISSIONS BY THE STATE DEPARTMENTS

2.0 The State Department for Sport and the Arts

8. The State Department has an approved budget of Kshs. 1,872,142,513 and Kshs. 12,020,875,000 for recurrent and development vote. As at 30th June 2023, the State Department had a recurrent expenditure of Kshs. 1,655,885,514 and Kshs. 9,615,845,839 for development vote.

Item	Approved	Expenditure	Balance as at 30/06/2023	% Absorption
Recurrent Expenditure				
Compensation to employees	229,800,000	212,181,994	17,618,006	92
Grants and Other Transfers to Other Government Units	1,533,735,365	1,318,303,736	215,431,629	86
Operations and maintenance	111,878,951	104,491,930.70	7,387,020	93
Other recurrent - social benefit	22,423,197	20,907,852	1,212,786	93
Total	1,897,837,513	1,655,885,514	241,649,441	87

9. The State Department for Sports and the Arts was implementing various Capital Projects funded by GoK and Sports Arts and Social Development Fund. All the projects were ongoing with no new projects but one stalled project (Kamariny Stadia).

10. As at 30th June 2023, the status of projects is as follows;

S/No	Project Name	Project Details	Amount (Kshs)	Status
1.	Jamhuri Sports Ground	Phase I: Construction of three football pitches, one rugby pitch, 1.7 KM running track, 3.4 KM murram running track, children's playing area, ablution blocks, police houses and a police post, changing rooms, 2 picnic site, a club house, food courts and car park, chain link fence, low level water	609,610,710	Completed and launched
		Phase IB: Installation of water tank, sewer line, deeper drain and gate B access road, 5 earth berm, power distributions and supply. Changing rooms block 02 and ablution block 03	175,000,000	Phase 2 completed and was awaiting handover and launch.
		Phase II: The perimeter security wall, main parking, converting the old club house, boundary wall chain	406,361,186	

		Link fence for police post and residential houses, Office block pump room, sentry box, Ablution block 3, Police post septic Additional masonry		
2.	Jomo Kenyatta International Stadium	Phase I: Construction of: VIP Pavilion in concrete Electrical walls with steel stands and reinforced concrete superstructure Ablution block Phase II. Builders works and associated Electrical/mechanical works, Masonry	415,880,565	Phase I and II completed. And was awaiting commissioning
		Phase II: Boundary wall construction with 7 gates, grand entrance. Start date 5th October 2020, Completion date 30th May, 2021	178,820,090	
3.	Wanguru Stadium	Phase I: Construction of: VIP pavilion and public terraces. Football pitch and athletic track Changing rooms Two Ablution block Half stands and Southern and Northern Stands Perimeter fence	310,500,000	Phase I and II completed and was awaiting commissioning
		Phase II: Demolition of Pit Latrine, VIP extension, additional girder beam, walls, timber surfaces (doors and window boards), steel surfaces (steel doors and windows), steel doors (external doors)	309,420,000	
4.	Kirigiti Stadium	Phase I: Construction of: Stadium VIP Pavilion in Concrete Steel pavilion Stands Ablution block and spectator terraces Changing rooms and associated fittings Football Pitch	596,514,670	Phase I and II completed and was awaiting commissioning
		Phase II: Construction of Gate House, completion of boundary wall & gates, sentry boxes(7no), clear and view fence, external ablution block, external changing wall, retaining wall, power house, landscaping works, mast floodlight for volleyball & netball, passenger lift, high mast flooding. Start date 23rd October 2020. Completion date 30th November, 2022	345,766,644	
5.	Kinoru stadium	20,000-seater stadium, A FIFA standard football field, Borehole and associated water storage,	869,121,217	The project was completed and was

		facilities, generator, Electrical and Mechanical Works, Sub base for 8 lane track, Car Parking Area, VIP Lounge and Athletes Changing Rooms, CCTV Installation. Start date 18th August 2017. Completion date 30th May, 2022		awaiting commissioning
6.	Kirubia Stadium	2,000-seater pavilion, FIFA standard football field, Borehole and associated water storage facilities, Electrical and Mechanical Works. 6 lane tracks with field events facilities. Start date 16th Sept 2016. Completion date 15th Feb 2022	274,208,855	The project was completed and was awaiting commissioning
7.	Kipchoge Keino Phase I stadium	15,000-seater Stadium, FIFA standard football field, Boundary wall with gates, Borehole and associated water storage facilities, Car park area. Start date 16th Sept 2016. Completion date 31st December 2024	369,697,973	The project was ongoing and it was 88% complete
8.	Karatu stadium	1,500-seater pavilion, FIFA standard football field, borehole and associated water storage facilities, Electrical and Mechanical Works, 6 lane track with field events facilities. Start date 16th Sept 2016. Completion date 31st December 2024	259,604,780	The project was ongoing and it was 47% complete
9.	Ruring'u stadium	2,000-seater pavilion, A FIFA standard football field, Borehole and associated water storage facilities, Electrical and Mechanical Works, 8 lane track with field events facilities, VIP Lift. Start date 16th Sept 2016. Completion date 31st December 2024	358,265,530	The project was ongoing and it was 75% complete
10.	Marsabit Stadium	15,000-seater Stadium, FIFA standard football field, Boundary wall with gates, Borehole and associated water storage facilities, Car Park area, Electrical and Mechanical Works, 8 lane track with field events facilities. Start date 16th Sept 2016. Completion date 31st December 2024	367,003,894	The project was ongoing and was at 90%. It was awaiting additional funding for phase II
11.	Wote Stadia	1,500-seater pavilion, 8 lane track with field events facilities, FIFA	299,309,554	The project was ongoing

		standard football field, Boundary wall with gates, Borehole and associated water storage facilities. Start date 16th Sept 2016. Completion date 31st December 2024		and it was 65% complete
12.	Kamariny Stadia	15,000-seater stadium, FIFA standard football field, Borehole and associated water storage facilities, Electrical and Mechanical Works, 8 lane track with field events facilities	287,837,775	The project stalled at 30%. To be re-advertised and given to a new contractor.
13.	Moi Stadium, Embu	8,700-seater stadium, FIFA standard football field, water storage facilities, Electrical and Mechanical Works, 6 lane athletics track to marram finish. Start Date: 7th February 2023. Completion date 31st May 2023	476,525,986	The project was completed and commissioned
14.	Kenya Academy of Sports	Phase I: Construction of 7-storey Hostel Building and Associated Civil Works (Gate House, Access Road, Cabro Paving, Partial Landscaping, 5 Playgrounds - 1 Rugby pitch, 2 Football pitches and 2 Basketball courts). Start Date: March 2013. Completion Date: Dec. 2020	1,332,318,521	Phase I was completed
		Phase IB: Completion of hostel building from 2nd to 7th floor entailing internal finishes, installation of the lifts, installation of the kitchenette, furnishings and beddings, tiling, internal paintings, among others	342,000,000	The project was ongoing and it was 85% complete
15.	SASDF Plaza	Completion of SASDF Plaza	1,271,273,273	The project was ongoing and it was 92.5% complete

11. The State Department has one Court Case in regards to a pending bill of Kshs. 1.14 billion for CHAN contracts by Gregori and Auditel Engineering Limited. As shown below (Kshs. Millions);

Name of Contractor	Description of Works Done	Contract Value	Amount Paid	Outstanding Payments	pending works
Gregori International Ltd	Upgrade of CHAN Main Pitches and Training Grounds	999.98	220.25	487.37	282.37
Auditel International Ltd	CHAN Main Pitches Access Control, CCTV, Ticketing, Security and Sound System	1,636.98	328.00	653.00	983.98
Total		2,636.96	548.24	1,140.37	1,266.34

12. The State Department achieved the following non-financial outputs as at 31st March 2023

Delivery Unit	Key Performance Indicators (KPI)	Target	Actual	Variance	Remarks
Anti-Doping Agency of Kenya	Intelligence-based tests carried out	900	1,425	525	Target overachieved due to additional funding from SASDF
	Persons sensitized on anti-doping issues	9,200	15,516	6,316	Target overachieved due to increased attendance in outreach programmes for athletics
Sports Registrar	Sports organizations registered	200	208	8	Target Overachieved
	New professional sports bodies registered	3	3	-	Target Achieved
	Elections observed	10	9	(1)	Target Not Achieved
	New sports organizations have been inspected	5	5	-	Target Achieved
	Professional sports persons have been licensed	15	34	19	Target Overachieved
Department of Sports	Teams presented in international sports competitions	20	30	10	Target overachieved due to additional funding from SASDF
	Sports competitions hosted	8	11	3	Target Overachieved

Delivery Unit	Key Performance Indicators (KPI)	Target	Actual	Variance	Remarks
	Sports programmes for vulnerable groups undertaken	6	6	-	Target Achieved
Kenya Academy of Sports	Athletes enrolled for training in sports academies	200	187	(13)	Target Not Achieved
	Sports and technical personnel trained	50	55	5	Target Overachieved
Sports, Arts and Social Development Fund (SASDF)	Sports programs funded for institutions and organizations	80	75	(5)	Target Not Achieved
	Sports and recreational facilities funded	28	10	(18)	Payments done as per raised certificates from public works for ongoing projects
	Programmes funded to facilitate talent development, training and capacity building for technical personnel	3	3	-	Target Achieved
	Programmes funded to facilitate acquisition of specialized equipment	4	4	-	Target Achieved
Kenya Cultural Centre	Theatrical productions held	270	165	(105)	Target Not Achieved
	Artworks exhibited	70	98	28	Target Overachieved
	Artists nurtured in different genres	150	408	258	Target Overachieved

13. The State Department for Sports and the Arts had a budgeted AIA of Kshs 319,629,820 as at 30th June 2023. A total of Kshs. 251,515,823 was collected and expended. The table below shows a summary of the AIA collection in Kshs.

No	Entity	Target	Actual Collection	Variance	Actual Expenditure
1.	State Department HQ	400,000	-	(400,000)	-
2.	Sports Kenya	131,000,000	81,690,000	(49,310,000)	81,690,000
3.	Anti-Doping Agency of Kenya	10,000,000	9,800,000	(200,000)	9,800,000
4.	Kenya Film Classification Board	54,040,000	54,535,923	495,923	54,535,923
5.	Kenya National Library Services	81,689,820	68,530,988	(13,158,832)	68,530,988
6.	Kenya Cultural Centre	42,000,000	37,266,604	(4,733,396)	37,266,604
7.	The Arts Department	500,000	-	(500,000)	-
Total		319,629,820	251,823,515	(67,806,305)	251,823,515

14. The following are key issues that affects the attainment of department performance of programmes;

- a) **Inadequate funding** affected implementation of programmes and projects in the subsector resulting in failure to fully implement planned programs and flagship projects, pending and outstanding bills and inadequate human and infrastructural capacity.
- b) **Understaffing** – the State Department experiences understaffing and aging workforce that has impeded succession planning and sustainability of effective service delivery.
- c) **Review of Sports Act and other Sports Legislation** – There is need to review the Sports Act so as to realign the sports legal framework with the 2010 Constitution and the current administration Bottom-Up Economic Transformation Agenda.

2.1 The State Department for Culture and Heritage

15. The State Department for Culture and Heritage had an Approved Gross budget for FY 2022/23 of Kshs. **3,024,862,164,000** that comprised of a recurrent budget of **Kshs. 2,957,362,164** and a development budget of **Kshs. 67,500,000**. The target AIA collection was **Kshs. 473,846,000**.

16. Cumulative expenditure in FY 2022/23 was **Kshs. 1,855,755,283.50** recurrent expenditure while development expenditure was **Kshs. 27,500,000**. This reflects an absorption rate of **74.73%** and **40.7%** for recurrent and development expenditures respectively.

17. The budget performance at the headquarters is summarized below (Kshs. Amount);

Expenditure items	Gross Estimates (Kshs)	Revised Gross Supp II	Cumulative Expenditure	Variance	Absorption Rate (%)	Remarks
PE	244,260,000	241,160,000	240,908,355	(251,645)	99.90	Budget absorption was affected by budget realignment directive issued by National Treasury, Closure of the IFMIS module which slowed down procurement processes, and delayed exchequer releases.
Utility, supplies and service	5,542,800	4,932,133	3,432,068	(1,500,065)	69.59	
Communication, supplies and services	10,570,273	5,244,919	4,002,951	(1,241,968)	76.32	
Domestic travel	46,764,935	43,408,560	23,550,175	(19,858,385)	54.25	
Foreign travel	12,988,740	2,774,372	2,262,133	(512,239)	81.54	
Printing, advertising and information supplies	15,258,518	11,282,636	7,782,420	(3,500,216)	68.98	
Rentals of produced assets	55,228,223	55,228,223	55,228,223	-	100.00	
Training expenses	14,703,415	22,088,979	13,334,910	(8,754,069)	60.37	
Hospitality supplies and services	37,589,059	44,176,398	33,233,398	(10,943,000)	75.23	
Specialized materials and supplies	28,014,069	35,266,941	23,200,706	(12,066,235)	65.79	
Office and general supplies and services	11,888,143	5,574,568	2,001,232	(3,573,336)	35.90	
Fuel, oil and lubricants	8,032,174	4,932,102	3,594,050	(1,338,052)	72.87	
Other Operating Expenses	15,650,184	12,825,519	7,922,094	(4,903,425)	61.77	
Routine Maintenance-Vehicles	5,493,516	1,530,021	7,922,094	6,392,073	517.78	
Routine Maintenance-Other assets	8,097,096	7,111,524	5,187,810	(1,923,714)	72.95	

Expenditure items	Gross Estimates (Kshs)	Revised Gross Supp II	Cumulative Expenditure	Variance	Absorption Rate (%)	Remarks
Grants and other Transfers to other Government Units	2,603,101,220	2,448,241,355	1,976,441,355	(471,800,000)	80.73	
Social Security Benefits	21,676,315	13,776,315	12,847,070	(929,245)	93.25	
Acquisition of fixed assets	9,555,687	11,005,600	7,791,080	(3,214,520)	70.79	
Purchase of special plant	-	2,000,000	1,899,980	(100,020)	95.00	
Purchase of office furniture and general equipment	-	9,005,600	5,891,100	(3,114,500)	65.42	
Total	3,154,414,367	2,981,565,765	2,438,433,204	(543,132,561)	81.78	

18. The following is the performance of AIA for SAGAs up to 30th June 2023

No	Agency	AIA	Actual Collection	Variance	Remarks
1	National Museum of Kenya	300,000,000	273,317,422	(26,682,578)	Targets were not achieved
2	Bomas of Kenya	103,000,000	416,415,890	313,415,890	Overperformance was attributed to revenues from IEBC election activities
4	Kenya National Archives and Documentation Centre	2,000,000	1,267,140	(732,860)	Targets were not achieved

19. The State Department achieved the following non-financial outputs as at 30th June 2023

i. National Museums of Kenya

- Restoration of one heritage site, mausoleum and monument. The Lamu Museum was complete and work was ongoing in Maktau and Gede museums.
- Seventy-Three (73) scientific research papers were published.
- Seventy-Seven (77) interactives public programmes were held.
- Nineteen (19) temporary exhibitions were put up for cultural exchange.
- Fifty One Thousand, Six Hundred and Sixteen (51,616) Heritage collections were standardized and digitized for user needs.

ii. Natural Product Industry

- One neglected and underutilized foods and medicinal resources was promoted for commercialization.
- Training of One Hundred and Forty Four (144) technical officers in indigenous knowledge management for Central, Western and North Eastern Counties was to be done in the fourth quarter.
- Two (2) agreements were signed between Indigenous Knowledge (IK) holders including County Governments to access Indigenous Knowledge (IK) – Agreements signed with Murang'a and Narok Counties.

- d) 488 youths have been empowered and trained to champion Indigenous Knowledge (IK) as a tool for national development – overachievement of 308 persons.

iii. National Archives

- a) 12,117 archival materials were acquired.
- b) 1,850 Government publications were acquired.
- c) 25,904 records were restored.
- d) 280 researchers were registered.
- e) 10,651 research visits were conducted.

iv. Kiswahili Council

- a) Training of persons to champion Kiswahili as a national and official language did not take off due to inadequate funding.
- b) Ninety One (91) stakeholders were sensitized on the use of Kiswahili as a national and official language.

- v. **Ushanga Initiative** - 650 women were empowered in beadwork.

- vi. **National Heroes Council** - 230 heroes and heroines were identified and documented.

20. Some of the Challenges/ other relevant Information are inadequate funding has affected implementation of programmes and projects in the subsector and budget cuts in Supplementary I and II negatively affected budget implementation

21. The summary of stalled projects included the following:

- a) Rehabilitation and upgrading of Kapenguria 6 facility mausoleum at Kshs 50 million was 22% complete (Kshs. 10 million had already been spent).
- b) Rehabilitation of Meru Museum and Njuri Cheke Phase 2 at Kshs 61.15 million was 18.2% Complete (Kshs. 11 million had already been spent).
- c) Natural Product Industry at Kshs. 688 million was 1.5% complete (Kshs. 10 million had already been spent).
- d) Heritage Collection Centre at Kshs 2 billion at 0.83% complete (Kshs. 8.5 million was spent on feasibility studies).
- e) Establishment of an integrated records management system (IRMS) at Kshs 550 million was 12.7% complete (Kshs. 70 million had already been spent).
- f) Installation of Mobile Shelves - Mombasa records Centre at Kshs 50 million was 20% complete (Kshs. 10 million had already been spent).

CHAPTER THREE

3 SITE VISITS

3.1 Kenya National Library Service

Ultra-Modern National Library of Kenya (Maktaba Kuu)

3.1.1 Broad Overview of the project

22. The Ultra-Modern National Library of Kenya (Maktaba Kuu) is a project intending to promote a positive and sustainable reading culture in the country. The building comprises of;

- a. A library
- b. Auditorium halls for meetings and events
- c. Administration offices
- d. Commercial wing for income generation

23. The project was constructed at a cost of Kshs. 2.9 billion. It commenced in 2012 and was officially opened in 13th November 2020. Further, according to implementing agency, the project was at 99% complete.

3.1.2 Submissions by Kenya National Library Service

Bishop Theuri Maina, the Chairperson Kenya National Library Services and the CEO Dr. Charles Nzivo made their submissions before the Committee on 27th June 2023 as follows:

24. That Kenya National Library Service (KNLS) Board is a State Corporation under the Ministry of Youth Affairs, Sports, and The Arts. The Board was established under the Act of Parliament Cap 225 of the Laws of Kenya, in April 1965. That a network of 64 branch libraries has been established in 33 Counties countrywide. The KNLS headquarters is located at the Maktaba Kuu building.

25. Their vision is to be the Information Hub for Knowledge Development. While mission is to preserve the national documentary heritage and enable universal access to information and knowledge. Their Core Values are abbreviated as TICK that is Technology Driven, Innovation, Customer Focus and Knowledge Based.

26. The Board is mandated by Cap 225 to: promote, establish, equip, manage, maintain and develop libraries in Kenya. The Act gives the Board responsibility to manage both the National Library of Kenya and the Public Library System.

27. Public libraries are devolved function as per the Constitution of Kenya 2010. In this regard, preparations have been going on to ensure compliance with the constitution. KNLS priorities are defined in the following Strategic objectives, and are listed as follows:

- a) To maintain a national bibliographic control, preserve and conserve a comprehensive national documentary heritage.
- b) To promote reading, research, advisory and reference services.
- c) To leverage on emerging technologies for service delivery.
- d) To develop and maintain infrastructure for library services

e) To strengthen institutional capacity.

28. KNLS sources of funds are:

- a) GoK - For general operating expenses, infrastructure development and maintenance, and program-based purchases (e.g. books). Sustainability depends upon Government's financial stability.
- b) Appropriation In Aid.
- c) External support - Financial and in-kind support through Grants.

29. KNLS has the following key partners:-

- a. In the Country -
 - i. Sports, Arts and Social Development Fund.
 - ii. Communication Authority of Kenya (CA).
 - iii. World Vision.
 - iv. Constituencies and County Governments.
- b. International
 - i. Book Aid International UK (BAI).
 - ii. Electronic Information for Libraries (EIFL).
 - iii. Peer to Peer University (P2PU).
 - iv. US Embassy.
 - v. World reader, Amazon, Microsoft.
 - vi. Good Things Foundation-UK.

30. The following were listed as the key achievements with the partners:-

- i. Establishment of 56 KNLS e-resource centers.
- ii. Acquisition of 3,500 Mobile digital devices.
- iii. Digital Literacy training and e-learning for library users.
- iv. Acquisition of relevant books and digital resources.
- v. Capacity building for over 200 members of Staff.
- vi. Community and school outreach and Youth empowerment.
- vii. Enhanced Reading promotion advocacy programs.
- viii. Maintenance, Refurbishment and Establishment of Libraries.

31. KNLS Board has a Virtual Public Library. A Virtual Library was defined as a collection of resources that are stored and organized in Digital format with easy and affordable access anywhere, any time. The Virtual Library Project commenced in 2020 and was fully funded by the Sports, Arts and Social Development Fund's Board to a tune of Kshs. 250 million.

32. The project comprised of three components i.e. The Virtual Library Solution; Data Centre; and Digitization Lab. All the 3 key project components were operational. The Launch of the Virtual Library the "vitabu" happened on 14th July 2023.

33. That the Virtual Library was part of Vision 2023 flagship project that facilitated the construction of a new library building (Maktaba Kuu) at a cost of Kshs. 2.891 billion. It comprised of the library, auditorium halls for meetings and events, administration offices and a commercial wing for income generation.

34. That the following marked the project timelines and milestones:
- i. Tender action date was on 2nd June 2011;
 - ii. Date of award to Main Contractor was 2nd March 2012;
 - iii. Mobilization date was on 27th March 2012;
 - iv. Commencement date was on 10th April 2012;
 - v. Original duration of contract was 208 weeks (48 months);
 - vi. Approved Extension of time (EOT) was 229 weeks;
 - vii. Extended contract period was 345 weeks;
 - viii. Original date of completion was to be 4th April 2016 but extended completion date was 4th August 2020. However, practical completion date was 19th August 2020;
 - ix. Defects liability period was 19th August 2020 to 18th March 2021;
 - x. Original contract sum was Kshs 2,055,200,200.00;
 - xi. Final account amount was Kshs 2,408,776,296.19; and
 - xii. Percentage variation was 17.20% as per final accounts Valuation No. 34 dated 14th June 2021 (Reference: PC01/knls-Hqs/Val/vol.3/34).
35. The project is complete and is occupied by various State Departments including the Parent Ministry CS and PS for State Department for Culture and Heritage.

Challenges of implementation of the project

36. That the project faced the following Post Project closure challenges:
- i. Delays in release of monies from exchequer to pay retention amount.
 - ii. During the Financial Year 2019/2020, the Board received an allocation of Kshs.433.4M which was less Kshs.13.6M which was to be released in the next FY'2020.2021 upon presentation of the Final certificate of completion.
 - iii. The Board presented the same and no allocation was made leading to pending bills and notices of litigation from the Contractors and Sub-contractors of the project.
 - iv. The Pending bills for the project as at 30th June 2023 Kshs. **46,279,403.58** summarized as:
 - a. Retention monies (Main Contractor & Subcontractor - **Kshs. 37,120,424**)
 - b. Consultants - **Kshs. 9,158,980**
 - c. Total - **Kshs. 46,279,404**
 - v. Notices of Litigation by the Contractors and Subcontractors.
 - vi. Financial pressure on repair and maintenance of Maktaba Kuu Building amounts to **Kshs. 20 million** since the Board was not able to allocate any recourse for the 12 maintenance contracts to the building.
 - vii. Non-settlement/delay of rental obligations by Tenants of Maktaba Kuu.
 - viii. Equipping the Library, auditoriums and Sanaa conference center: The building has spaces for Library services, cultural events and events. However, spaces are lacking furniture and audio-visual equipment.

3.2 Sports Kenya and Sports, Arts and Social Development Fund (SASDF)

Posta Jamhuri Ground

3.2.1 Broad Overview of the project

37. The Committee received a briefing from the Parliamentary Budget Office on the following key areas relating to the Jamhuri Sports Grounds: -

- a) Sports Kenya (SK) is mandated to establish, manage, develop and maintain sports facilities as well as convention centres, indoor sporting and recreational facilities in Kenya.
- b) Posta Jamhuri Ground is located in Nairobi County and has an estimated cost of Kshs. 609.61 million. The project started on August 2020 and by 31st March 2023 the project is 96% complete with an actual expenditure of Kshs. 571.45 million. Additionally, the project was fully funded by the Sports Art and Social Development Fund (SASDF).
- c) Posta Jamhuri Ground is sports project intended to provide and nurture sporting activities in the Nairobi County and its nearby areas. The project intends to create a hub for sports, health, fitness a recreational centre in Nairobi. In addition, it will enhance competitive advantage to bid and host regional and international events as well as a hub to tap talent in performing arts and creatives. The project will have capacity to generate enough revenue for sustainability.
- d) The project scope includes:
 - i. Three (3) Swimming Pools (Athletic size, warm up and baby pool);
 - ii. Water reticulating system (borehole and water storage tanks);
 - iii. Four (4) Public toilets;
 - iv. Four (4) pitches seating terraces on the east and west;
 - v. 2000 capacity agora with performing arts theatre, film recording studios and sports museum; and
 - vi. Administrative offices and equipping.

3.3 Bomas of Kenya (BoK)

Capital Projects at Bomas of Kenya

3.3.1 Broad Overview of the projects

38. The Agency was implementing four (4) capital projects:-
- a) Rehabilitation of Basic Facilities at Bomas of Kenya;
 - b) Rehabilitation of Utamaduni Restaurant;
 - c) Construction of a State of Art Main Gate; and
 - d) Digitization of Cultural Tourism Products - Bomas

Rehabilitation of Basic Facilities at Bomas of Kenya

39. The Rehabilitation of Basic Facilities at Bomas of Kenya started on 1st July 2021 and is expected to be completed on 30th June 2024 at an estimated cost of **Kshs. 350 million** of which **Kshs. 150 million** for Phase I, **Kshs. 66.4 million** for Phase II and a proposed **Kshs. 150.1 million** for Phase III.

40. Phase I of the construction was completed and the project scope included the following:

- a) Rehabilitation of auditorium roof;
- b) Rehabilitation of the existing ablution facility in the auditorium;
- c) Rehabilitation of the existing VIP lounge in the auditorium;
- d) Rehabilitation of the auditorium dais;
- e) Rehabilitation of the auditorium entrance and floor;

- f) Rehabilitation of the auditorium general lighting; and
 - g) Rehabilitation of the walk paths around the auditorium.
41. Phase II of the construction was ongoing and the project scope includes:
- a) Rehabilitation of the existing dancers changing room;
 - b) Enhancement of rain water collection and storage;
 - c) Redesigning and theatre lighting in the auditorium;
 - d) Rehabilitation of the existing mini halls;
 - e) Enhancement of PWDs facilities;
 - f) Rehabilitation of all walk paths and drive ways; and
 - g) Rehabilitation of the existing VIP lounges.
42. The Agency was planning to implement Phase III at an estimated cost of **Kshs. 150.1 million** and the project scope included the following:
- a) Redesigning of Multi-purpose hall to an Art gallery space to accommodate sample bar Kenya project. Scope is as follows;
 - b) Fixing eight sound proofed exhibition booths with glass partitions for sample bar tables and traditional musical instruments;
 - c) An extra suspended floor to house artefacts and documented oral traditional ways of life;
 - d) Create a space for temporally exhibition for the upcoming artist in the cultural industry; and
 - e) Create a gift shop for souvenirs.
43. The project was 43% complete with an actual cumulative expenditure as at December 2022 of Kshs. 150 million. The project was allocated Kshs. 69.7 million in FY 2023/24.

Rehabilitation of Utamaduni Restaurant

44. Bomas of Kenya was scheduled to rehabilitate the Utamaduni Restaurant and the project was expected to start on 1st July 2023 and be completed by June 2024. The estimated project cost was **Kshs. 150 million**.
45. The restaurant mandate is to specialise in traditional cuisines and continuously develop original recipes based on authentic food preparation and conservation methods from across Kenya, portraying our country's cultural diversity.
46. The Project was allocated **Kshs. 150 million** in the FY 2022/23 Supplementary II estimates fully funded by Appropriation in Aid (AIA) collected by the Agency.
47. The scope of the project included the following:
- a) Rehabilitation of the Kitchen areas that require renovation and upgrade of equipment;
 - b) Construction of Open-air kitchen area;
 - c) Renovation and upgrade of customer/sitting areas;
 - d) Introduction of digital technology, audio-visual equipping all customer spaces;
 - e) Renovation and upgrade of Nyama Choma section at the Utamaduni restaurant;
 - f) Review of products offer such current food menu to emphasize on traditional cuisines of Kenya and Investment in research on food preparation and conservation methods in various regions of Kenya; and
 - g) Purchase of new serving equipments.

Construction of a State of Art Main Gate

48. Bomas of Kenya was planning to construct a State-of-The-Art Main Gate. The project was expected to start on 1st July 2023 and be completed by May 2024. The estimated project cost was estimated to be Kshs. 50 million.
49. The scope of the project included the following;
- a) A modern gate houses;
 - b) Access control system;
 - c) Two lanes for incoming traffic, two lanes for outgoing traffic and one gated pedestrian walkway;
 - d) Under vehicle scanning machine;
 - e) Number plate recognition high-speed cameras;
 - f) Automatic spikes and control barriers; and
 - g) Security bollards.

Digitization of Cultural Tourism Products - Bomas

50. The Project was allocated Kshs. 50 million in the FY 2022/23 Supplementary II estimates fully funded by Appropriation in Aid (AIA) collected by the Agency.

3.3.2 Submissions by Bomas of Kenya

51. Bomas of Kenya made the following achievements;
- a) Consistency in delivering authentic cultural products and Continuous expansion of the cultural tourism product offer;
 - b) National Baraza - Hosting major national events (National Anti-Corruption Conference, General Elections 2022; Magical Kenya Travel Expo 2022);
 - c) Rehabilitation of the Main Auditorium (Phase I) and other facilities that was at 87% complete;
 - d) Incorporation of digital technology in the packaging of cultural tourism products through increased virtual engagement in digital media productions (#DanceNasi; #ChapaStory);
 - e) Developed a corporate Signature tune, including a mini-documentary and pictorial booklet;
 - f) Developed a new cultural and conference centre (950 pax capacity), institution facelift e.g. Modern Media Centre, CCTV upgrades etc;
 - g) First international grant funding the SampleBar Kenya Project - Ignite Culture: ACP EU Culture Programme grant designed for creative and cultural industries in Eastern Africa and administered by HEVA;
 - h) Secured funding for rehabilitation of the Utamaduni Restaurant and Digitization of Cultural Products;
 - i) Collaboration with other organizations in the creative, culture and tourism sectors (i.e. KICD, KTB; PPMC; KWS; Kenya Utalii College; Kenya Conservatoire of Music; KNATCOM; and others) in creation of educational programmes and promotion of Cultural Tourism Products;
 - j) Rehabilitation of twelve (12) traditional Homesteads;
 - k) Continuous re-choreography (maintenance) of our traditional dances, maintenance of existing and development of additional costumes and artefacts;
 - l) First international grant funding the SampleBar Kenya Project - Ignite Culture: ACP EU Culture Programme grant designed for creative and cultural industries in Eastern Africa and administered by HEVA;
 - m) Secured funding for rehabilitation of the Utamaduni Restaurant and Digitization of Cultural

Products;

- n) Collaboration with other organizations in the creative, culture and tourism sectors (i.e. KICD, KTB; PPMC; KWS; Kenya Utalii College; Kenya Conservatoire of Music; KNATCOM; and others) in creation of educational programmes and promotion of Cultural Tourism Products;
- o) Rehabilitation of twelve (12) traditional Homesteads;
- p) Continuous re-choreography (maintenance) of our traditional dances, maintenance of existing and development of additional costumes and artefacts;

CHAPTER FOUR

4 OBSERVATIONS AND RECOMMENDATIONS

4.1 The State Department for Sports and the Arts

Observations;

52. The Committee observed that;

1. On recurrent expenditure, the State Department had an approved allocation of **Kshs. 1.87 billion**. The Actual expenditure as at 30th June 2023 was **Kshs. 1.66 billion** representing a percentage absorption of **87%**.
2. The State Department is understaffed and has an aging workforce which has impeded succession planning and sustainability of effective service delivery.
3. The State Department did not submit expenditures of individual SAGAs clearly indicating total expenditure categorized by economic classification i.e., Compensation to employees, use of goods and services, non-financial assets.

Recommendations;

53. The Committee after scrutinizing the submissions from the State Department for Sports & the Arts, came up with the following recommendations;

- 1) **THAT**, that the State Department to submit within three (3) months after tabling this report, a budget implementation status report of each individual Semi-Autonomous Government Agencies (SAGAs) of financial year 2022/23 categorized by economic classification. The report should clearly indicate the development expenditures, personnel emoluments, operations and maintenance, other recurrent and total revenue collected and actual expenditures for AIA for each SAGA.
- 2) **THAT**, the State Department to submit within three (3) months after tabling this report, the understaffing gaps against the staff establishment in the State Department of each individual Semi-Autonomous Government Agencies (SAGAs) and the headquarters. The submission should have an action plan on how the State Department will mitigate understaffing, an aging workforce and transfer of knowledge and skills.
- 3) **THAT**, the State Department should submit to the Committee an amendment of the Sports Act 2013 by the end of the second quarter of Financial Year 2023/24 that will address the linkages of all the Semi-Autonomous Government Agencies (SAGAs) to Act, giving clear mandate to the Sports Registrar on registering and inspecting sports persons and organizations.

- 4) **THAT**, the State Department to submit within three (3) months after tabling of this report the following; Collection performance of Appropriation in Aid and actual expenditures for the last four years; Legal gaps on the collection of AIA; and Strategies to improve Collection of AIA.
- 5) **THAT**, the Office of the Auditor General conducts a forensic audit, pursuant to the provisions of section 37 of the Public Audit Act, No. 34 of 2015, on all the stadia being implemented by Sports Kenya (SK) and Sports, Arts and Social Development Fund (SASDF), to establish fraud, corruption or other financial improprieties in regards to delays in completion of stadia and exorbitant funding of the projects.

4.2 The State Department for Culture and Heritage

Observations;

54. After meeting with the State Department for Culture and Heritage, the Committee observed that;

- 1) The State Department for Culture and Heritage had an Approved Gross budget for FY 2022/23 of **Kshs. 3.02 billion** which comprised of a recurrent budget of **Kshs. 2.96 billion** and a development budget of **Kshs. 67.5 million**. The target AIA collection was **Kshs. 473.85 million**.
- 2) The State Department did not submit expenditures of individual SAGAs clearly indicating total expenditure categorized as economic classification i.e., Compensation to employees, use of good and services, non-financial assets etc.

Recommendations;

55. The Committee after scrutinizing the submissions from State Department for Culture and Heritage, came up with the following recommendations;

1. That the State Department to submit within three (3) months after tabling this report, a budget implementation status report of each individual Semi-Autonomous Government Agencies (SAGAs) of financial year 2022/23 by economic classification. The report should clearly indicate the development expenditures, personnel emoluments, operations and maintenance, other recurrent and total revenue collected and actual expenditures for AIA for each SAGA.
2. The State Department to submit within three (3) months after tabling of this report the following; Collection performance of Appropriation in Aid and actual expenditures for the last four years; Legal gaps on the collection of AIA; and Strategies to improve Collection of AIA.

4.3 Observations and Recommendations on Site Visits

4.3.1 Kenya National Library Service – Maktaba Kuu Building

Committee Observations

The Committee observed that;

- 1) Although the Ultra-Modern National Library of Kenya (Maktaba Kuu) building was completed, there is a pending bill of **Kshs. 46.26 million** owed to various contractors. In addition, the appropriation in aid collected and funding from the exchequer was not sufficient for operations and maintenance of the building.
- 2) Kenya National Library Services is owed **Kshs. 43.49 million** in rental arrears by the State Department for Sports and a shortfall in operations and maintenance of the facility amounting to Kshs. 20 million.

Committee Recommendations

The Committee recommends that;

- 1) Kenya National Library Services should submit to the Committee, within three (3) months after tabling this report, a framework of raising more appropriation in aid (AIA) that will enable the Agency to run its operations and maintenance sufficiently without reliance of the exchequer.
- 2) The State Department for Sports should ensure within three (3) months after tabling this report have come up with a payment plan to honour their contractual obligation in rental payment for the spaces occupied amounting to Kshs. 43.49 million, that will ensure the rental arrears are cleared.

4.3.2 Posta Jamhuri Grounds

Committee Observations

The Committee observed that;

1. The project was constructed at a cost of Kshs. 1.3 billion and commenced on 13th August 2020 and was being implemented in three phases as follows; Phase 1A costing **Kshs 609 million** in August 2020, Phase 1B costing **Kshs 175 million** in June 2021 and Phase 2 costing **406 million** in Aug, 2021. Further, according to implementing agency, the project is currently at 99% complete. However, the project is yet to be handed over to the Ministry of Youth, Sports and the Arts.
2. The Contractor was incurring costs on maintenance of the facility, as the Ministry was reluctant to take over the property. However, the running tracks are not completed to international standards and there are no washrooms around the picnic areas. Further, the land where Posta Jamhuri Grounds is constructed was under litigation.

Committee Recommendations

The Committee recommends that;

- 1) The State Department should avail to the Committee a comprehensive report on the Posta Jamhuri Sports Ground, within three (3) months after tabling this report, giving details of sources of funding, scope of the project, challenges of implementation, actual expenditures and completion status of the project.
- 2) The State Department should avail to the Committee, within one (1) month after tabling this report, the Court Judgment on the ongoing litigation in regards to the ownership of the land at Jamhuri Sports Ground and information on the proposed management structure of the project and projected revenue.

4.3.3 Bomas of Kenya – Rehabilitation of Basic Facilities at Bomas

Committee Observations

The Committee observed that;

- 1) That Kshs. 150 million for the Rehabilitation of Utamaduni Restaurant and **Kshs. 50 million** for Digitization of Cultural Tourism Products – Bomas was from the Tourism Promotion Fund.
- 2) That Rehabilitation of the Main Auditorium (Phase I) and other facilities is was 87% complete.

Committee Recommendations

The Committee recommends that;

- 1) Bomas of Kenya should seek adequate funding from the Tourism Promotion Fund to ensure capital projects are completed by the end of FY 2023/24.
- 2)

SIGNED: _____

DATE: _____

**HON. DANIEL WANYAMA SITATI, M.P.
CHAIRPERSON**

DEPARTMENTAL COMMITTEE ON SPORTS AND CULTURE

THE NATIONAL ASSEMBLY PAPER LAD	
DATE: 12 OCT 2023	DAY: THURS 12/10/2023
TABLED BY:	Hon Daniel Wanyama, m.p Chair, Sports and Culture
CLERK AT THE TABLE:	26 A. Shuboko

Annexure

Site Visits

1. Ultra-Modern National Library of Kenya – KNLS

Members of the Departmental Committee on Sports and Culture conducting a site visit at the Kenya National Library Service



2. Posta Jamhuri Sports Ground

Members of the Departmental Committee on Sports and Culture conducting a site visit at the Posta Jamhuri Sports Ground.



3. Rehabilitation of Basic Facilities – Bomas of Kenya

Members of the Departmental Committee on Sports and Culture conducting a site visit at the Bomas of Kenya.





ANNEXURES 1:

MINUTES

MINUTES OF THE 54TH SITTING OF THE DEPARTMENTAL COMMITTEE ON SPORTS AND CULTURE HELD ON MONDAY, 11TH SEPTEMBER, 2023 AT 2:50 PM IN THE PELICAN CONFERENCE ROOM, FLAMINGO HOTEL, MOMBASA

PRESENT

1. **The Hon. Daniel Wanyama Sitati, M.P** -Chairperson
2. **The Hon. Githua Wamacukuru, M.P.** -Vice Chairperson
3. The Hon. Naomi Jillo Waqo, M.P. CBS
4. The Hon. Samuel Rai Gonzi, M.P.
5. The Hon. Mary Otucho Emaase, M.P.
6. The Hon. Janet Sitienei Jepkemboi, M.P.
7. The Hon. Stephen Mule Mutinda, M.P
8. The Hon. Caroli Omondi, M.P.
9. The Hon. Charles Ngusya Nguna, M.P.
10. The Hon. Catherine Omanyo Nakhabi, M.P.
11. The Hon. Paul Nabuin Ekwom, M.P.
12. The Hon. Robert Ngui Basil, M.P
13. The Hon. BSP.(EM) Dr. Jackson Kipkemoi Kosgei, M.P

APOLOGY

1. The Hon. Richard Yegon Kipkemoi, M.P.
2. The Hon. Chege Njuguna, M.P

Committee Secretariat

1. Mr. John Mugoma - Clerk Assistant I
2. Ms. Christine Odhiambo - Senior Legal Counsel
3. Mr. Vitus Oketch - Research Officer II
4. Mr. Wilson Mwangi - Fiscal Analyst II
5. Mr. Calvin Karung'o - Media Relations III
6. Mr. Moses Esamai Omoit - Audio Officer III
7. Mr. Stephen Otieno - Serjeant-At-Arm

AGENDA

1. Prayers;
2. Preliminaries;
 - i. Introductions;
 - ii. Adoption of the Agenda;
 - iii. Communication from the Chairperson;
3. **Consideration and adoption of the following Committee Reports:-**
 - i. **The Report on the Budget Implementation for FY 2022/23; and**
 - ii. **The Report on the Memoranda by Hon. Jane Njeri Maina, M.P. regarding the withdrawal of Case No. HCCC 326 of 2015 that led to the loss of more than Ksh. 67 million members royalties.**
4. Any Other Business; and
5. Adjournment.

MIN.NO.DC/SC/2023/269: PRAYER AND PRELIMINARIES

The meeting commenced at 2.50 p.m. with the Prayer.

The Chairperson informed Committee Members that the main agenda of the afternoon meeting was to consider and adopt two Committee Reports on:-

- i. Budget implementation monitoring for financial year 2022/23; and
- ii. The Memoranda by Hon. Jane Njeri Maina, M.P. regarding the withdrawal of Case No. HCCC 326 of 2015 that led to the loss of more than Ksh. 67 million members royalties.

MIN.NO.DC/SC/2023/270: ADOPTION OF THE AGENDA

The Agenda was adopted without amendments, having been proposed and seconded by the Hon. Samuel Rai Gonzi, M.P. and the Hon. Paul Nabuin Ekwom, M.P. respectively.

MIN.NO.DC/SC/2023/271: CONFIRMATION OF THE MINUTES OF THE PREVIOUS SITTINGS

Confirmation of the Minutes of the previous sitting was deferred to the next sitting.

MIN.NO.DC/SC/2023/272: THE REPORT ON BUDGET IMPLEMENTATION MONITORING FOR THE FINANCIAL YEAR 2022/23

The Committee considered and unanimously adopted the Report, having been proposed by the Hon. Stephen Mule Mutinda, M.P and Seconded by the Hon. Samuel Rai Gonzi, M.P.

The Committee made the following **Observations** and a **Recommendation**:-

I. The State Department for Sports and the Arts

Observations;

The Committee observed that;

1. On recurrent expenditure, the State Department had an approved allocation of **Kshs. 1.87 billion**. The Actual expenditure as at 30th June 2023 was **Kshs. 1.66 billion** representing a percentage absorption of **87%**.
2. The State Department is understaffed and has an aging workforce which has impeded succession planning and sustainability of effective service delivery.
3. The State Department did not submit expenditures of individual SAGAs clearly indicating total expenditure categorized by economic classification i.e., Compensation to employees, use of goods and services, and non-financial assets.

Recommendations;

The Committee after scrutinizing the submissions from the State Department for Sports & the Arts, came up with the following recommendations;

- 1) **THAT**, that the State Department to submit within three (3) months after tabling this report, a budget implementation status report of each individual Semi-Autonomous Government Agencies (SAGAs) of financial year 2022/23 categorized by economic classification. The

report should clearly indicate the development expenditures, personnel emoluments, operations and maintenance, other recurrent and total revenue collected and actual expenditures for AIA for each SAGA.

- 2) **THAT**, the State Department to submit within three (3) months after tabling this report, the understaffing gaps against the staff establishment in the State Department of each individual Semi-Autonomous Government Agencies (SAGAs) and the headquarters. The submission should have an action plan on how the State Department will mitigate understaffing, an aging workforce and transfer of knowledge and skills.
- 3) **THAT**, the State Department should submit to the Committee an amendment of the Sports Act 2013 by the end of the second quarter of Financial Year 2023/24 that will address the linkages of all the Semi-Autonomous Government Agencies (SAGAs) to Act, giving clear mandate to the Sports Registrar on registering and inspecting sports persons and organizations.
- 4) **THAT**, the State Department to submit within three (3) months after tabling of this report the following; Collection performance of Appropriation in Aid and actual expenditures for the last four years; Legal gaps on the collection of AIA; and Strategies to improve Collection of AIA.
- 5) **THAT**, the Office of the Auditor General conducts a forensic audit, pursuant to the provisions of section 37 of the Public Audit Act, No. 34 of 2015, on all the stadia being implemented by Sports Kenya (SK) and Sports, Arts and Social Development Fund (SASDF), to establish fraud, corruption or other financial improprieties in regards to delays in completion of stadia and exorbitant funding of the projects.

II. The State Department for Culture and Heritage

Observations;

After meeting with the State Department for Culture and Heritage, the Committee observed that;

- 1) The State Department for Culture and Heritage had an Approved Gross budget for FY 2022/23 of **Kshs. 3.02 billion** which comprised of a recurrent budget of **Kshs. 2.96 billion** and a development budget of **Kshs. 67.5 million**. The target AIA collection was **Kshs. 473.85 million**.
- 2) The State Department did not submit expenditures of individual SAGAs clearly indicating total expenditure categorized as economic classification i.e., Compensation to employees, use of good and services, non-financial assets etc.

Recommendations;

The Committee after scrutinizing the submissions from State Department for Culture and Heritage, came up with the following recommendations;

1. That the State Department to submit within three (3) months after tabling this report, a budget implementation status report of each individual Semi-Autonomous Government Agencies (SAGAs) of financial year 2022/23 by economic classification. The report should clearly

indicate the development expenditures, personnel emoluments, operations and maintenance, other recurrent and total revenue collected and actual expenditures for AIA for each SAGA.

2. The State Department to submit within three (3) months after tabling of this report the following; Collection performance of Appropriation in Aid and actual expenditures for the last four years; Legal gaps on the collection of AIA; and Strategies to improve Collection of AIA.

Observations and Recommendations on Site Visits

I. Kenya National Library Service – Maktaba Kuu Building Committee Observations

The Committee observed that;

- 1) Although the Ultra-Modern National Library of Kenya (Maktaba Kuu) building was completed, there is a pending bill of **Kshs. 46.26 million** owed to various contractors. In addition, the appropriation in aid collected and funding from the exchequer was not sufficient for operations and maintenance of the building.
- 2) Kenya National Library Services is owed **Kshs. 43.49 million** in rental arrears by the State Department for Sports and a shortfall in operations and maintenance of the facility amounting to Kshs. 20 million.

Committee Recommendations

The Committee recommends that;

- 1) Kenya National Library Services should submit to the Committee, within three (3) months after tabling this report, a framework of raising more appropriation in aid (AIA) that will enable the Agency to run its operations and maintenance sufficiently without reliance of the exchequer.
- 2) The State Department for Sports should ensure within three (3) months after tabling this report have come up with a payment plan to honour their contractual obligation in rental payment for the spaces occupied amounting to Kshs. 43.49 million, that will ensure the rental arrears are cleared.

II. Posta Jamhuri Grounds

Committee Observations

The Committee observed that;

1. The project was constructed at a cost of Kshs. 1.3 billion and commenced on 13th August 2020 and was being implemented in three phases as follows; Phase 1A costing **Kshs 609 million** in August 2020, Phase 1B costing **Kshs 175 million** in June 2021 and Phase 2 costing **406 million** in Aug, 2021. Further, according to implementing agency, the project is currently at 99% complete. However, the project is yet to be handed over to the Ministry of Youth, Sports and the Arts.
2. The Contractor was incurring costs on maintenance of the facility, as the Ministry was reluctant to take over the property. However, the running tracks are not completed to

international standards and there are no washrooms around the picnic areas. Further, the land where Posta Jamhuri Grounds is constructed was under litigation.

Committee Recommendations

The Committee recommends that;

- 1) The State Department should avail to the Committee a comprehensive report on the Posta Jamhuri Sports Ground, within three (3) months after tabling this report, giving details of sources of funding, scope of the project, challenges of implementation, actual expenditures and completion status of the project.
- 2) The State Department should avail to the Committee, within one (1) month after tabling this report, the Court Judgment on the ongoing litigation in regards to the ownership of the land at Jamhuri Sports Ground and information on the proposed management structure of the project and projected revenue.

III. Bomas of Kenya – Rehabilitation of Basic Facilities at Bomas

Committee Observations

The Committee observed that;

- 1) That Kshs. 150 million for the Rehabilitation of Utamaduni Restaurant and **Kshs. 50 million** for Digitization of Cultural Tourism Products – Bomas was from the Tourism Promotion Fund.
- 2) That Rehabilitation of the Main Auditorium (Phase I) and other facilities is was 87% complete.

Committee Recommendations

The Committee recommends that;

Bomas of Kenya should seek adequate funding from the Tourism Promotion Fund to ensure capital projects are completed by the end of FY 2023/24.

MIN.NO. DC/SC/2023/273: THE REPORT ON THE MEMORANDA BY HON. JANE NJERI MAINA, M.P. REGARDING THE WITHDRAWAL OF CASE NO. HCCC 326 OF 2015 THAT LED TO THE LOSS OF MORE THAN KSH. 67 MILLION MEMBERS ROYALTIES.

The Committee considered the the draft report and resolved that:-

1. The process used to withdraw the case was questionable and that the agreement between the the CMOs and Media Houses remains valid.
2. The Hon. Jane Njeri, M.P should provide to the Committee a copy of the ruling by the Court that “the Case No. HCCC 326 OF 2015 (PRISK & KAMP vs RMS) be de-consolidated and marked as settled.”

3. The recommendations should be line with the laws and what the Collective Management Organizations and Kenya Copyright Board complied to.
4. The observations and recommendations be redrafted and presented for consideration during the next meeting for consideration and adoption.

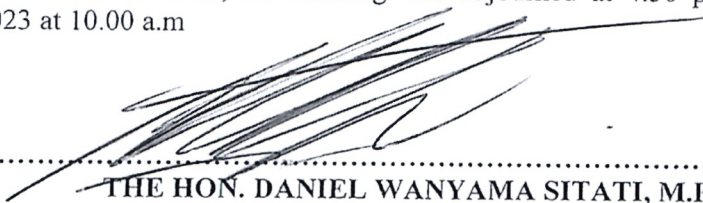
MIN.NO. DC/SC/2023/274: ANY OTHER BUSINESS

No Any Other Business Arose

MIN.NO. DC/SC/2023/275: ADJOURNMENT/DATE OF THE NEXT SITTING

There being no other business, the meeting was adjourned at 4.50 p.m. until Tuesday 12th September 2023 at 10.00 a.m

SIGNED:


THE HON. DANIEL WANYAMA SITATI, M.P.
(CHAIRPERSON)

DATE: 5/10/2023

ANNEXURES 2:

SUBMISSIONS FROM MDA's



**MINISTRY OF TOURISM, WILDLIFE AND HERITAGE
STATE DEPARTMENT FOR CULTURE AND HERITAGE
OFFICE OF THE PRINCIPAL SECRETARY**

Documentation
8
25/07

E-mail: pscultureheritage@tourism.go.ke
Tel: +254-020-2217508/2180556

KNLS Building
P.O. Box 30221-00100
Upper hill
NAIROBI

REF: SDCH.5/2 Vol. IV/44

11th July, 2023

Clerk of the National Assembly
Main Parliament Building
P O Box 41841-00100
NAIROBI

John Mugona
pls facilitate
LA W/L
25/7/23

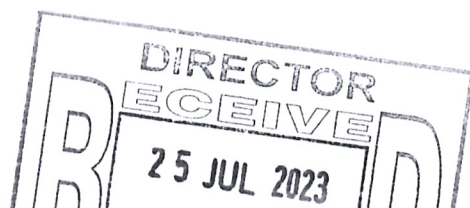
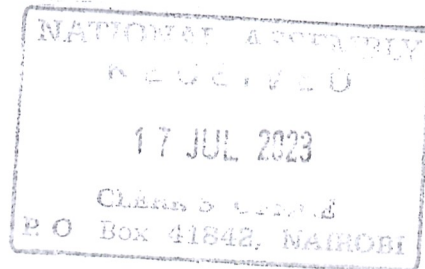
M2
Dear *[Signature]*,

**DEPARTMENTAL COMMITTEE ON SPORTS AND CULTURE:
SUBMISSION OF STATUS REPORT ON BUDGET IMPLEMENTATION
FOR THE FOURTH QUARTER OF THE FINANCIAL YEAR 2022/2023**

Further to your letter Ref: NA/DDC/SC/2023/(043) dated 4th July, 2023 on the above subject; attached please find the Status Report from this State Department.

Yours *Sincerely,*

Ummi Mohamed Bashir (Ms)
PRINCIPAL SECRETARY





REPUBLIC OF KENYA

**MINISTRY OF TOURISM, WILDLIFE AND HERITAGE
STATE DEPARTMENT FOR CULTURE AND HERITAGE**

**FY 2022/2023 BUDGET PERFORMANCE REPORT TO
DEPARTMENTAL COMMITTEE ON SPORTS AND CULTURE**

30TH JUNE, 2023

Presentation Outline

- Introduction
- Overview of FY 2023/24 Budget and Implementation Status
- Project Implementation Status and Location
- Status of Non - financial Performance
- Status of court awards/ contingent liabilities
- Other relevant information
- BETA
- Stalled Projects

INTRODUCTION

➤ The State Department for Culture and Heritage was created through Executive Order No. 1 of January 2023 on the re-organization of the Government of the Republic of Kenya. The State Department is under the Ministry of Tourism, Wildlife and Heritage

➤ **Vision**

A global leader in the provision of cultural and heritage services

➤ **Mission**

To develop and promote culture and creative arts, manage and preserve heritage, public records and archives and enhance access to library services through policy formulation and implementation to build national pride and improve livelihoods of Kenyans for sustainable development

Strategic Objectives

- To provide an enabling policy, legal and institutional framework
- To harness, develop and promote the creative arts industry
- To promote, preserve and maintain positive and diverse cultures for national identity
- To enhance preservation and conservation of the national documentary heritage
- To modernize records management and promote access to information, records and archives
- To build adequate capacity to enhance provision of quality and efficient services and enhance the image of the Ministry

Mandate

- National Heritage Policy and Management;
- Management of Culture policy;
- Policy on Kenya's Heroes and Heroines;
- Language Management Policy;
- National Archives/Public Records Management;
- Management of National Museums and Monuments, and Historical sites management.

Institutions

1. Bomas of Kenya
2. National Museums of Kenya
3. Kenya National Archives and Documentation Centre
4. National Heroes Council
5. Ushanga Kenya Initiatives
6. Kiswahili Council*

* Council not operationalized

Institutions....

NB

The Executive Order moved

- ▶ Bomas of Kenya from the State Department for Tourism to State Department for Culture and Heritage
- ▶ Institute of Primate Research from State Department for Culture and Heritage to State Department for Public Health
- ▶ Kenya Cultural Centre from State Department for Culture and Heritage to State Department for Sports
- ▶ Permanent Presidential Commission from for Music from State Department for Culture and Heritage to State Department for Sports
- ▶ Kenya National Library Services from State Department for Culture and Heritage to State Department for Sports

Budget Overview and Implementation Status

- ▶ In FY 2022/23, the gross budget allocation for the State Department was **Kshs. 3,024,862,164.00*** which comprised of a recurrent budget of **Kshs. 2,957,362,164.00** and a development budget of **Kshs. 67,500,000**. The target for AIA collection was **Kshs. 473,846,000.00***.
- ▶ The cumulative expenditure in FY 2022/23 was as follows: recurrent expenditure was **Kshs. 1,855,755,283.50** and development expenditure was **Kshs. 27,500,000**. This reflects an absorption rate of **74.73%** and **40.7%** for recurrent and development expenditures respectively.
- ▶ A summarized itemized recurrent expenditure, AIA performance and development expenditure, including project status report for FY 2022/23 are presented in table 1, 2, 3 and 4.

* Some of these budgets moved with KNLS, KCC, PPMC and IPSP as highlighted in slide 7.

Table 1a. Recurrent Budget Performance- Headquarter

Expenditure Items	Gross Estimates (Kshs)	Revised Gross Supplementary 1 (Kshs.)	Cumulative Expenditure (Kshs.)	Absorption Rate(%)	Remarks
PE	244,260,000	241,160,000	240,908,355.	99	Budget absorption was
Utility, supplies and service	5,542,800	4,932,133	3,432,068	69.5	affected by budget realignment directive
Communication, supplies and services	10,570,273	5,244,919	4,002,951	76.3	issued by National Treasury,
Domestic travel	46,764,935	43,408,560	23,550,175	54	Closure of the IFMIS module which slowed
Foreign travel	12,988,740.	2,774,372	2,262,133	81.5	down procurement
Printing, advertising and information supplies	15,258,518	11,282,636	7,782,420	68.9	processes, and delayed exchange releases.
Rentals of produced assets	55,228,223	55,228,223	55,228,223	100	
Training expenses	14,703,415	22,088,979	13,334,910	59	
Hospitality supplies and services	37,589,059	44,176,398	33,233,398	75	

Recurrent Budget Performance- Headquarter

	28,014,069	35,266,941	23,200,706	65.7
Specialized materials and supplies	11,888,143	5,574,568	2,001,232	40
Office and general supplies and services				
Fuel, oil and lubricants	8,032,174	4,932,102	3,594,050	72.9
Other Operating Expenses	15,650,184	12,825,519	7,922,094	61.7
Routine Maintenance-Vehicles	5,493,516	1,530,021	7,922,094	61.8
Routine Maintenance-Other assets	8,097,096	7,111,524	5,187,810	72.9
Grants and other Transfers to other Government Units	2,603,101,220	2,448,241,355	1,976,441,355	80.7
Social Security Benefits	21,676,315	13,776,315	12,847,070	93
Acquisition of other fixed assets	9,555,687	11,005,600	7,791,080	70.8
Purchase of special plant		2,000,000	1,899,980	94.9
Purchase of office furniture & general equipment		9,005,600	5,891,100	65.4

2,448,241,355.00 1,976,441,355.00

Table 1b. Recurrent Budget Performance for SAGAs

SNo.	Agency	Grant	Total expenditure	Remarks
1.	National Museums of Kenya	1,308,210,000	1,308,210,000	
2.	Bomas of Kenya	59,810,000	59,810,000	Budgets fully absorbed
3.	Heroes Council	72,081,220	72,081,220	
4.	Kenya National Services	501,640,135	501,640,135	SAGA transferred to Sports
5.	Kenya Cultural Center	34,700,000	34,700,000	SAGA transferred to Sports
6.	Permanent Music Commission	Presidential	-	SAGA transferred to Sports

Table 2. AIA Performance

S/No.	SAGA	Target	Actual collection	Performance shortfall/rate	Remarks
1.	National Museums of Kenya	300,000,000	273,317,422	(26,682,578) 91.1%	The underperformance in revenue collection attributed to the general economic slump experienced in the country.
2.	Kenya National Archives and Documentation Center	2,000,000	1,267,140	(470,140) 63.4%	Bomas of Kenya over performance attributed to revenues from IEBC elections activities at the facility
3.	Bomas of Kenya**	103,000,000	416,415,890	404.2%	

*SAGAs moved to other ministries

** Budget for SAGA transferred to the State Department in 4th Quarter

Table 3: Development Budget Performance

Project	Approved Estimates	Expenditure	Absorption Rate(%)	Remarks
Refurbishment of Archives Offices	8,976,400	8,976,400	100	Budget for Wundanyi and Marachi Cultural Centres inadvertently reversed
Marachi Culture Center	5,000,000	0	0	
Infrastructure upgrade at Institute of Primate Research	18,523,600	18,523,600	100	
Wundanyi Youth Resource (Culture & Talent) Center	35,000,000	0	0	
Total	67,500,000	27,500,000	40.7	

Table 4. Project Implementation Status

Project Name/ Location	Project start Date	Expected duration of the project	Source of Funds (GoK/ Donor)	Estimated Value of Project (Kshs.)	Funding in FY 2022/23	Cumulative Expenditure to 30 th June 2023	% Completed on	Remarks/Challenges faced in implementing Projects
Installation of the Library Information Management System (LIMS) (Nairobi County).	Jul-17	5 years	GOK	150,000,000.00	-	-	73.07%	This project was not funded in FY2022/23
Refurbishment of the Kenya National Archives building (Nairobi County)	Jul-18	4 years	GOK	43,600,000.00	8,976,400.00	30,450,000	68%	Project ongoing
Marachi Cultural Center (Busia County)	Jun-22	2 years	GOK	53,500,000.00	0	10,000,000.00	20%	Project ongoing
Wundanyi Youth Resource (Culture & Talent) Center (Taita Taveta County))	Dec-22	3 years	GOK	141,000,000.00	0	0	0%	This is a new project whose budget was inadvertently reversed
Infrastructure Upgrade at Institute of Primate Research (Nairobi County).	Mar-11	13years	GOK/ Donor	251,100,000.00/ 70,000,000	18,523,600.00	148,600,000.00	46%	Project ongoing though transferred to Ministry of Health

Non-financial performance/ pending litigation/ awards and contingent liabilities.

- The status of non-financial performance including key performance indicators is provided in **Annex 1**.
- The State Department does not have any pending litigation/ awards nor contingent liabilities.

Challenges/ Other relevant information

- The State Department suffers inadequate budget provisions perennially. This is exacerbated by budget cuts and delay in releasing exchequer.
- Under Supplementary Estimates No. 1 of FY 2022/23, the budget for the State Department was cut by **Kshs. 244.2M** the result of which was that most line items of HQ recurrent budget posted negative balances amounting to **Kshs. 17.4Million**. Under Supplementary Estimates No. 2 of FY 2022/23, the Department again lost **Kshs. 40M** for two development projects
- Subsequently, the State Department requested for an additional budget of **Kshs.96.6M in Supplementary Budget 2** to facilitate the critical activities in the remaining period to June 2023. However, the State Department only received **Kshs. 17.4 Million** to clear the negative balances.

Areas for Budgetary Intervention

16	S/No	Particulars	Addition Budget Requirements- Kshs.	Remarks
	1.	World Kiswahili Language day celebrations	5,000,000	These budget requests were declined. The State Department requests for adequate funds to undertake the following:
	2.	Pending bills (historical and current)	48,170,956	Settle Pending Bills
	2.	Fuel to facilitate transport logistics for May & June 2023	2,000,000	Operationalize the Kiswahili Council in order to be at par with its peers e.g. Rwanda and Uganda.
	3.	M&E in line with National Treasury directive to undertake project status reviews and prepare comprehensive reports	8,000,000	This will earn the country revenue from interpretation services at international and regional fora.
	4.	General office supplies (Stationary and other office items)	3,000,000	Monitoring and evaluation of projects This is an important activity which ensures that the Government gets value for budgets appropriated to SAGAs.
	5.	Digital marketing of Ushanga products through decentralized digital hubs and transition into a statutory organization	200,000,000	Ushanga This project is in line with BETA as it promotes women empowerment and improved welfare standards for the pastoralists communities
	6.	Installation of a records management information system in line with State Departments mandate of ensuring digital reforms in the public service	200,000,000	Installation of RMI System The State Department has a lead role in implementing reforms in Records Management across the public service

Alignment of the budget to Bottom Up Economic Transformation Agenda

The State Department is a key player in the implementation of the Government BETA Agenda in the following key thematic areas:

➔ **Digital Superhighway and Creative Economy**

As part of government effort to digitize all critical Government processes, The State Department plans to digitize **2.5million** records to satisfy the constitutional requirement of access to information. Additionally, Ushanga Initiative plans to develop two ICT platforms to be used in marketing their products. The State Department also plans to create a database of cultural practitioners, commercialization and marketing of artifacts.

➔ **Women Agenda**

As espoused in the Budget Policy Statement for 2023/ 24, a vast majority of women remain in low income jobs. The state department intends to enhance capacity building for Ushanga women through workshops to improve the quality of indigenous and traditional products

The Initiative plans to increase the area of coverage from the current 7 counties to 47 Counties once it becomes a fully fledged state corporation.

Further the State Department will build the capacity of technical officers and farmers on indigenous knowledge management.

Alignment of the budget to Bottom Up Economic Transformation Agenda...

► Leather and Leather Products

The State Department, as an enabler, plans to partner with Ewaso Ngiro South Tannery to procure fine leather which will be used to enhance the value of ushanga. This will not only give women a platform to expand their niche market but also create a value chain cycle that will positively impact on livestock farmers through ready market for hides and skins.

► Garments and Textiles

The State Department is reviewing the previous designs of the Kenya national dress with a view of recommending new designs using locally sourced materials

Agricultural transformation and inclusive growth

In efforts to promote the growth and consumption of traditional foodstuff, the State Department, through NMK plans to undertake sensitization campaigns and exhibition of the foodstuffs both at local and international events. Farmers will be provided with seeds, storage facilities and marketing services under the **Natural Product Industry**.

STALLED PROJECTS

Project Name & Location	Project Commence Date/	Expected Duration of the project	Source of Funds	Estimated Value of the Project (Kshs.)	Amount Paid on the stalled project	Percentage of Completion before stalling of the Project(s)	Remarks
Rehabilitation and upgrade of Kapenguria 6 Facility	Aug-17	24 months	GOK	50,000,000	10,000,000	20.00%	Lack of Funding
Rehabilitation of Meru Museum and Njuri Ncheke Phase 2	Jul-11	24 months	GOK	61,150,000	11,150,000	18.20%	Lack of Funding
Natural Products Industry Initiative	Jul-17	5 years	GOK	688,000,000	10,000,000	1.15%	Lack of Funding
Heritage Collection Centre	Aug-17	48 months	GOK	2,000,000,000	8,500,000	0.40%	Lack of Funding
Establishment of an Integrated Records Management System (IRMS)	Jul-09	60 months	GOK	550,000,000	70,000,000	12.70%	Lack of Funding This project is a critical mandate that should be taken up in FY 2023/24
Installation of Mobile shelves- Mombasa	Jul-18	2 years	GOK	50,000,000	10,000,000	20.00%	Lack of Funding

➤ *Thank you*



STATE DEPARTMENT FOR CULTURE AND HERITAGE

Non-Financial Performance Report as of 30th June 2023

Programme/Sub Programme	Delivery Unit	Key Outputs	Key Performance Indicators	Annual Target	Actual as at 31st March 2023	Variance	Remarks
Programme 1: 0902000 CULTURE/HERITAGE							
Outcome: Enhanced heritage and culture knowledge, appreciation and conservation							
S.P .1.1: Conservation of Heritage	Museums Headquarters and Regional Museums	Heritage facilities managed and conserved	No. of new heritage sites and monuments submitted for Gazettement	2	0	-2	Work is ongoing and will be reported in Q4
			No. of heritage sites, mausoleum and monuments restored	3	1	-2	Restoration of Lamu Museum is complete while work is ongoing for Maktau and Gede.
			No. of underutilized heritage sites and monuments mapped out and documented for economic benefit	2	0	-2	This target was dropped due to budget cuts.
		Heritage knowledge documented and disseminated	No. of scientific research papers published	90	73	-17	Target to be done fully in Q4.
			No. of interactive public programmes held and temporary exhibitions put up for cultural exchange	85	77	-8	Target to be done fully in Q4.

	No. of temporary exhibitions put up for cultural exchange	5	19	14	Target overachieved due to the approach employed to have more exhibitions in the regional museums.
	No. of Heritage collections standardized and digitized for user needs	40,000	51,616	11,616	Target overachieved for researchers were clearing the backlog of collections for previous year and quarters
Heritage research innovations generated and utilized	No. of neglected and underutilized foods and medicinal resources promoted for commercialization	1	1	0	Target achieved
	No. of SMEs supported into value addition skills for business	15	0	-15	Target was dropped due to budget cuts
New biomedical knowledge for priority diseases	No. of candidate drugs and vaccines tested as potential health interventions	6	20	14	Target exceeded due
Institute of primate Research	No. of people trained on infectious diseases and reproductive health	25	0	-25	Target is planned for Q4.

No. of Infectious Diseases samples tested using serology and molecular testing	5,000	13,068	8,068	Target was overachieved due to testing of the backlog of samples which was facilitated by acquisition of agents and due to testing of other diseases such as TB and monkey pox.					
No. of Research Proposals for funding on priority human disease & reproductive health submitted	25	27	2	Target achieved due to scientist venturing into new areas of research.					

Snakebite rescue services	No. of rescue missions undertaken	30	110	80	Target exceeded due more rescue missions in newly explored counties.
	No. of victims successfully rescued from snakebites	120	270	150	Target exceeded due more snakebite victims in newly explored counties.
Conservation of non-human primates for research	No. of community outreach education forums conducted	2	1	-1	The target will be finalized in Q4
	No. of colony bred non-human primates	20	10	-10	The target will be finalized in Q4
Natural Products Industry Initiative	No. of technical officers trained in indigenous knowledge management	144	0	-144	The training for the central, western and North Eastern counties is planned for in Q4.
	Indigenous Knowledge Based interventions for natural products				

No. of agreements between Indigenous Knowledge (IK) holders including county governments and users signed to access IK	8	2	-6	Two agreements were signed with Murang'a and Narok Counties. Work is on course to sign the remaining six.
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			<p>No. of youths empowered training to champion IK as a tool for national development</p>	180	488	308	<p>In anticipation of awareness creation of Kiswahili version of Protection of Traditional Knowledge and Cultural expressions Act 2016 amended in 2018 and lobbying for incorporation of the IK Documentation and Digitization project in the County Integrated Development Plan, it was imperative to mobilize sufficient manpower to undertake this activities in the counties</p>
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	Institute of primate Research	Phase I of Resource center	Natural Products for Commercial ization registered	No. of potential natural health products for boosting immunity against COVID-19 researched on for commercialization	2	0	-2	Work on analyzing chemical composition of herbal formulations, identifying active components for testing in the vervet model was initiated and is ongoing. Results will be reported in Q4.
				No. of farmer trained and provided with certified seeds	6,000	12600	6600	Target overachieved. The change of approach used in the training allowed the team to reach more farmers.
				No. of new products subjected to venue addition	2	0	-2	Activity scheduled for subsequent quarters
				% completion	100		-100	No work done since no development funds given

S.P 1.2 Public Records Archives Management	Department of Kenya National Archives and Documentation Service	Archival holdings	No. of archival Materials acquired .	11,400	12,117	717	Target achieved	
			No. of Government publications acquired	1,200	1,850	650	Target achieved	
		Preservation and Conservation of public	No. of records digitized	200,000	617,528	417,528	Target achieved	
			No. of records restored	5,400	25,904	20,504	Target achieved	
		Access to public records	No. of researchers registered	700	280	-420	Target not achieved	
			No. of research visits	2,000	10,651	8,651	Target achieved	
			No. of Archival materials requested	9,200	7,594	-1,606	Target achieved	
		Refurbishm- ent of the National Archives center	% completion of the National Archives Center	100	-	-100	No work done since no development funds given	
		Department of Public Records and Information Management	Public records management t	No. of records digitized in the Records Management Unit (RMU)	450,000	125,000	-325000	Work to continue in the 4th quarter
				No. of networked public records and information management units	30	6	-24	Target not achieved.
No. of RMUs where records appraisal has been carried out	9			6	-3	Target achieved.		

S.P. 1.3 Development and promotion of Culture	Department of Culture	Cultural practitioner s and users capacity built	No. of cultural practitioners trained	2,300	90	-2210	KMCF Workshop-75 Registration- 15 The Registration exercise pending due to matters in regard to artist empowerment moving the ministry of youth and sports
		Intangible cultural heritage services	No. of people sensitized on the Use of traditional foods.	400	-	-400	Programme not undertaken
			No. of traditional herbal medicine practitioners promoted	200	-	-200	Programme not undertaken
			No. of cultural practitioners sensitized on the provisions of the Traditional Knowledge and Traditional Cultural Expressions Act 2016	400	-	-400	Target will be achieved in the 4th quarter
			No. of oral traditions documented	1	1	0	KMCF held from 1st to 8th December 2022

	No. of intangible cultural heritage elements safeguarded	2	2	0	Safeguarding of MAASAI rites of passage undertaken and isukuti dance of western kenya
National Values and Principles	Organize and coordinate the Annual National Kenya Music and Cultural festival	1	1	0	KMCF held from 1st to 8th December 2022
Kiswahili Council	No. of Participants attending the Annual National Kenya Music and Cultural festival	16,200	8,500	(7,700)	Participation affected by financial constraints.
	No. of cultural festivals coordinated	20	4	(16)	Activity scheduled for
	No. of inter-community cultural exchange programmes coordinated	3	-	-3	Programme not implemented
	No. of International Cultural exchange programmes coordinated	3	3	0	Target Achieved
	No. of Cultural exchange protocols initiated for negotiated	3	2	-1	Target Achieved
Kiswahili as a National Language championed in the region	No. of people trained to champion Kiswahili as a national and official language	350	0	0	Programme not undertaken due to inadequate funding

			No. of stakeholders sensitized on use of Kiswahili as national and official language	300	91	-209	Sensitization done during the celebrations to mark world international day for Kiswahili language
The National Heroes Council	National Heroes Council	No. of heroes and heroines identified		230	230	0	Target Achieved
			No. of heroes honored	230	230	0	Target Achieved
			No. of community sensitization sessions held	15	0	-15	Community session to start in Q4
			No. of heroes publication and documentaries produced	2	0	-2	heroes publications and documentaries will be produced in Q4
Ushanga Kenya Initiative	Beadwork enterprise for women in seven Pastoralist communities	No. of women empowered in bead work		1,100	650	-450	Target not achieved
			No of product catalogues developed	2	-	-2	Work in progress
			No. of women facilitated to showcase their products at local and international trade fairs and exhibitions	4	-	-4	Target not achieved
			No. of Information Education, Communication (IEC) content developed	200	150	-50	Target achieved
Programme 2: THE ARTS							
Programme Outcome: A vibrant Arts Industry							
Sub programme 2.1	Kenya Cultural Space	for	No. of theatrical productions held	270	109	-161	

Performing Arts

Centre	creative cultural expression and industry players	No. of artworks exhibited	70	98	28	Target achieved and surpassed due to a major exhibition hosted by the Centre
		No. of artists trained under performances after lunch (PAL) Programme	300	41	-259	Target not achieved due to financial constraints limiting the Centre from conducting trainings
	Services for artists	No. of creative economy outreach programs for youths held	1	0	-1	Activity scheduled for the subsequent quarter
		No. of artists nurtured in different genres	150	247	97	Target Achieved
		No. of national visual arts, fashion & design and handicrafts exhibitions held	5	1	-4	Target not achieved
		No. of visual artists facilitated to participate in visual arts	330	10	-320	Target not achieved
		No. of performing and visual artists trained	1,400	200	-1200	Activity scheduled for subsequent quarters
		No. of artists sensitized on the UNESCO 2003/2005 Convention	220	0	-220	Activity scheduled for subsequent quarters
		No. of people participating in fashion and design exhibitions	100	7	-93	Activity scheduled for subsequent quarters
		Department of Arts	Artistic skills, talents and exhibitions			
	Fashion and craft exhibitions					

			No. of people participating in National handcraft exhibitions	100	10	-90	Activity scheduled for subsequent quarters
Sub Programme 2.2 Promotion of Kenya Music and Dance	Presidential Permanent Music Commission	Nurture music and dance talents	No. of youths trained on music and dance	300	247	-53	Target to be achieved in subsequent quarters
			No. of musicians certified by Associated Board of the Royal School of Music (ABRSM)	16	0	-16	Target not achieved
			No. of music bands provided with rehearsal space and music equipment to enhance their careers	18	20	2	Target achieved
			No. of musicians recording at the PPMC studio	200	183	-17	Target to be achieved in subsequent quarters
			No. of groups presented for performance during state functions and National days	250	362	112	Target achieved
			No. of artistes facilitated to participants' in music exhibition	350	16	-334	Target achieved
			No. of Musicians participating in music workshops	300	403	103	Target to be achieved in subsequent quarters
			No. of local musicians facilitated to perform on international stage	35	36	1	Target achieved
			No. of audio visual recordings prepared and disseminated	220	454	234	Target achieved
			No. of analogue tapes digitized for easy access	250	250	0	Target achieved
Documentation and preservation of music and dance of Kenya			No. of research papers on music published	10	0	-10	Target not achieved

PROGRAMME 3: LIBRARY SERVICES									
Programme Outcome: Knowledgeable Society									
SP 3.1 Library Services	Kenya National Library Service	National documentary heritage services	No. of Kenya National Bibliography and Kenya Periodicals Directory produced	1	N/A	N/A	TARGETS WILL BE ACHIEVED IN QUARTER 4		
			No. of publishers & authors sensitized on International Standard Book Number (ISBN) & International Standard Music Number	60	45	-15	Target will be met in Quarter 4		
			No. of publishers issued with ISBN	1,160	952	(208)	Target will be met by end of FY		
			No. of legal deposit copies collected	2364	2237	-127	Target will be met by end of FY		
		Reading culture promoted	No. of people participating in the reading promotion events	400	320	-80	Target will be met by end of FY		
			No. of library visits/attendance (In Millions)	9.8	3.8	-6	The remote access of our services has reduced physical visits in the library.		

Department of Library Services	Government library services	Virtual Library	No. of registered library members	84,000	63252	(20,748)	Schools have been on Holidays. Many students flocked the library premises
			No. of library books & other information materials acquired	14,000	0	-14000	There is no budget for information material in the FY 2022/2023.
			Percentage completion of Virtual Library	5	3.75	-1.25	Target will be met by end of FY
			No. of Libraries automated with KOHA (Library Management System)	8	7	-1	Target will be met by end of FY
Department of Library Services	Government library services	Virtual Library	No. of Government libraries networked	8	0	-8	Budgetary cuts/installed implementation
			No. of book titles acquired for users	200	0	-200	Process in progress. Requisition to be done once funds are availed in the 4th quarter.
			No. of electronic information resource databases subscribed to	10	0	-10	Requisition to be done once funds are availed in the 4th quarter.

		Library services for persons with print disabilities	No. of Research Reports/Papers in the field of library services produced	0	0	0	0	Activity shelved due to budget rationalization.
PROGRAMME 4: GENERAL ADMINISTRATIVE, PLANNING AND SUPPORT SERVICES		Library services for persons with print disabilities	No. of users with print disabilities accessing library services	7	2	-5	Number of users served is dependent on service demand.	
Programme Outcome: Efficient and Effective Service Delivery								
Sub programme 4.1 General Administration, Planning and Support services	Headquarters Administrative services (Arts and Culture)	Administrative and support services	No. of Policies developed	4	3	-1	To be implemented in subsequent quarters	
			No. of Policies reviewed	3	3	0	To be implemented in subsequent quarters	

		No. of Bills finalized	6	2	-4	To be implemented in subsequent quarters
Financial Management	Financial services	No. of budget reports developed	1	1	0	To be implemented in subsequent quarters
Central Planning and Projects Management	Planning and services	No. of strategic reports developed/reviewed	1	0	-1	To be implemented in subsequent quarters
		No. of M&E reports	4	1	-3	Target not achieved





MINISTRY OF YOUTH AFFAIRS, THE ARTS AND SPORTS

STATE DEPARTMENT FOR SPORTS AND THE ARTS

**REPORT TO THE DEPARTMENTAL COMMITTEE ON
SPORTS AND CULTURE ON THE STATUS REPORT ON
BUDGET IMPLEMENTATION FOR THE FOURTH
QUARTER OF THE FINANCIAL YEAR 2022/2023**

13TH JULY, 2023

1.0 INTRODUCTION

The State Department comprises of three (3) Directorates namely: The Department of Sports, Office of the Sports Registrar, General Administration, Planning and Support Services. The following three Departments of the Arts 4th Quarter Budget has also been included in the State Department of Sports budget ie; Permanent Presidential Music commission, Department of Arts and library department. However, the revised executive order no.1 Of 2023 has placed the Arts under the state department for Youth Affairs and the Arts.

The State Department has Four (4) Semi-Autonomous Government Agencies (SAGAs) namely;

- The Anti- Doping Agency of Kenya (ADAK)
- Kenya Academy of Sports (KAS)
- Sports, Arts and Social Development Fund (SASDF)
- Sports Kenya (SK)

Included also in the 2023 Budget Policy Statement under the State Department for Sports are the following Semi-Autonomous Government Agencies (SAGAs)

- Kenya Film Classification Board
- Kenya Film Commission
- Kenya Copyright Board
- Kenya National Library Services Board
- Kenya Cultural Centre/Kenya National Theatre

1.1. State Department Vision and Mission

In fulfilling its mandate, the State Department for Sports and the Arts is guided by the following Vision, Mission and Strategic Objectives:

1.2. Vision

To be a global leader in promotion and provision of Sports, Arts and Library services.

1.3. Mission

To develop and promote Sports, Creative Arts and Library Services through provision of world class facilities, nurturing of talents, promotion of clean competitive sport and enhance access to library services to build National pride for improvement of livelihood of Kenyans for sustainable development.

1.4. Strategic Goals/Objectives

Hon. Chair, the strategic objectives of the State Department for Sports and the Arts are;

- a) To promote and develop sports at all levels
- b) To harness, develop and promote the creative arts industry
- c) Enhance preservation and conservation of the National Documentary Heritage
- d) To Coordinate and build adequate capacity to enhance provision of quality efficient services and enhance the image of the State Department

2.0 MANDATE OF THE STATE DEPARTMENT FOR SPORTS AND THE ARTS

The Executive Order No. 1 of 2023 mandates the State Department for Sports and the Arts to; develop, manage and implement the sports policy; enforce and implement the World Anti- Doping Code and Convention against doping; promote and coordinate sports training and education; regulate sports; expansion of sports industry for sustainable livelihoods; develop and manage sports facilities; establish and manage sports academies to nurture talent; develop policy for promotion of fine Arts, library services, research and conservation of music, Permanent Presidential Music Commission, Creative and Performing Arts to spearhead the expansion of the industry.

2.1. Semi-Autonomous Government Agencies

There are nine (9) Semi-Autonomous Government Agencies whose overall contribution in executing the sub-sector mandate is highlighted below:

i. Sports Kenya (SK)

Sports Kenya was established by the Sports Act, 2013 as a body corporate. The mandate of SK is to promote, coordinate and implement national and international sports programmes; establish, manage, develop and maintain sports facilities as well as convention centres, indoor sporting and recreational facilities in Kenya; and participate in promotion of sports tourism among others.

ii. Kenya Academy of Sports (KAS)

The Academy was also established by the Sports Act, 2013 as a body corporate. The mandate of the Kenya Academy of Sports is to pursue elite sports performance through talent identification and development, training of sports technical and administration personnel as well as conducting research in sports.

iii. Anti – Doping Agency of Kenya (ADAK)

The Anti-Doping Agency of Kenya was created by the Anti – Doping Act, No. 5 of April 2016 as a fulfilment of the Copenhagen Convention on the fight against doping in Sport held in 2005. The key mandate for the Agency is to carry out the fight against doping in sport through anti-doping values-based education, sensitization and awareness campaigns; protecting the “clean athlete” through effective doping tests; and upholding the integrity of sport through intelligence gathering, investigations and results management of anti-doping rules violations.

iv. Sports, Arts and Social Development Fund – SASDF

The Fund was established under the Public Finance Management (Sports, Arts and Social Development Fund) Regulations, 2018. The Fund is mandated to provide funding to support the development and promotion of sports and arts and the promotion of social development including universal health care.

v. Kenya National Library Service

Kenya National Library Services (KNLS) Board is a State Corporation established by the Kenya National Library Act of Parliament Cap 225 of the Laws of Kenya in 1965. The Act mandates the Board to: promote establish, equip, manage, maintain and develop libraries in Kenya. The Board has so far established a network of 64 branches countrywide

vi. Kenya Film Classification Board

The Board is mandated by the Films and Stage Plays Act, Cap 222, Laws of Kenya, to regulate the creation, broadcasting, possession, distribution and exhibition of film content in the country. The aim of this is to protect children from exposure to harmful content as well as promote the culture, national values and aspirations of

Kenya as enshrined in the Constitution of Kenya, 2010. The Board is also mandated by the Kenya Information and Communications Act (KICA) to ensure that content which depicts scenes is of language intended for an adult audience is not aired during the Watershed Period. The Board executes its regulatory mandate by undertaking the following functions; examining film and broadcast content as well as a non-programme matter for purposes of classification; imposing age restriction on viewership; Registering and licensing film agents, local and international filmmakers, film distributors and exhibitors; giving consumer advice, having due regard to the protection of women and children against sexual exploitation or degradation; Prescribing Regulations and Guidelines on film and broadcast content regulation in the country; and ensuring that content which depicts and/or contains scenes intended for an adult audience is not aired during the Watershed Period.

vii. Kenya Film Commission

The Kenya Film Commission was established vide Legal Notice No. 10 of 2005 as a State Agency. In line with the Parastatal Reform Process, a new legal notice No. 147 of 2015 capturing a new and expanded Commission was signed in July, 2015 to develop, promote and market the film industry locally and internationally and identify and facilitate the growth of the film industry; generate, manage and disseminate film industry research, information and market data, and act as a repository and archive of Kenya's film records; Coordinate and certify persons, Associations and organizations participating in the production of film, photography, video, stills, animation, new media and related media; provide liaison services for Government departments on matters relating to the promotion, marketing and development of the industry; develop fiscal and other incentives to promote investment in the film industry and create linkages with public and private as well

as national and international organizations to improve and facilitate investment in the film industry.

viii. Kenya Cultural Centre/ Kenya National Theatre

The Kenya Cultural Centre (KCC) was established through the Kenya Cultural Centre Act, CAP. 218 of March 1951. It is the oldest cultural institution in Kenya with the mandate of promotion and development of expressive cultural forms namely: performance of music, drama and dancing; exhibition of works of arts and crafts; holding of meetings for discussions on matters of literary, historical, scientific or education interest or importance.

The Centre showcases the rich diversity of cultural expressions of Kenyan communities and nurtures cultural creative talents in all the genres. The Centre provides rehearsal, performance and exhibition spaces for artistic works; facilitates participation by cultural workers, particularly artistes in national discourses and dialogue; and avail auxiliary services for use by cultural workers and the general public. It also serves as a cultural exchange platform for the best of Kenyan arts with regional, continental and worldwide practitioners of the arts.

ix. Kenya Copyright Board (KECOBO)

The Kenya Copyright Board (KECOBO) is established by section 3 of the Copyright Act, 2001 and is mandated with the administration and enforcement of copyright and related rights. The Board is responsible for initiating and coordinating legislation on copyright and related rights; conducting training programmes on copyright and related rights; enlightening and informing the public on matters related to copyright; licensing and supervising the activities of Collective Management Organizations (CMOs); and maintaining an effective databank on authors and their works

1.0 BUDGET IMPLEMENTATION STATUS

The State Department has an approved budget of Ksh. 1,897,837,513 and Ksh, 12,020,875,000 for recurrent and development vote respectively. As at 30th June 2023, the State Department had a recurrent expenditure of Ksh. 1,655,885,514 and Ksh. 9,615,845,839 for development vote.

a) **Table 1: Summary of Recurrent Expenditure by Economic Classification.**

	(A) Recurrent Summary			
Item	Approved	Expenditure	Balance as at 30.06.2023	% Absorption
Compensation to Employees	229,800,000.	212,181,994	17,618,006	92
Grants and Other Transfers to Other Government Units	1,533,735,365	1,318,303,736	215,431,629	86
operation and Maintenance	111,878,951	104,491,930.70	7,387,020	93
Other Recurrent - Social Benefit	22,423,197.00	20,907,852	1,212,786	93
Total	1,897,837,513	1,655,885,514	241,649,441	87

A detailed report on expenditure per budget item is as shown in **Annex 1**

b) Table 2 : Summary of expenditure by Programme and sub-programme

Name of the Programme & Sub-Programme	Revised Printed/Gross Estimates (Kshs.)	Gross Expenditure (Kshs.)	Balance as at 30th June 2023	% Absorption
1. Sports				
(a) Sports Training and competitions	674,650,681.00	646,295,173	28,355,508	95.8
(a) Development and Management of Sports Activities	12,534,893,750	10,019,739,587	2,515,154,163	79.9
(c) General Administration, Planning and Support Services	233,975,584	215,326,988	18,648,596	92.0
Sub-Total	13,443,520,015	10,881,361,748	2,562,158,267	80.9
2.The Arts				
(a) Film Services	196,198,158.00	171,483,138	24,715,020.00	87.4
(b) Performing Arts	44,936,734	20,343,999	24,592,735.00	45.3

(c) Promotion of Kenya Music and Dance	4,701,600	4,255,300	446,300.00	90.5
Sub-Total	245,836,492	196,082,437	49,754,055.00	79.8
3. Library Services				
(a) Library Services	229,356,006	197,056,244	32,299,762	85.9
Sub-Total	229,356,006.00	197,056,244	32,299,762	85.9
Grand Total	13,918,712,513	11,274,500,429	2,644,212,084	81.0

c) Table 3: Summary of Development Expenditure by Economic classification

	(A) Recurrent Summary			
Item	Approved	Expenditure	Balance as at 30.06.2023	% Absorption
Capital Grants to Other Government Units	12,020,875,000	9,615,845,839	2,405,029,161	80
Total	12,020,875,000	9,615,845,839	2,405,029,161	80

2.0 PROJECT IMPLEMENTATION STATUS AND SPECIFIC LOCATION OF EACH PROJECT

Hon. Chair, In FY 2022/23, The State Department for sports & the Arts has been implementing various Capital Projects funded by Gok and Sports Arts and Social Development Funds. All the projects are ongoing with no new project but one stalled project (Kamariny stadia). The details of the total estimated cost of the projects, allocation, status, expenditure up to the end of Quarter 4 and outstanding cost for each capital project is as shown in **annex 2**

3.0 STATUS OF NON-FINANCIAL PERFORMANCE INDICATORS

The State Department for sports and the Arts has three program namely; Sports, The Arts and library services.

The Programmes are implemented through the following sub-programs namely;

- I. Sports Training and Competitions;
- II. Development and Management of Sports Facilities;
- III. General Administration, Planning and Support Services.
- IV. Performing Arts
- V. Promotion of Kenya Music and Dance
- VI. Film services
- VII. Library services

The key programmes output for the FY 2022/23 covers the following outputs

- Anti-doping services
- International and national sports programmes and events
- Sports talent development services
- Kenya academy of sports infrastructure

- Regulated sports organization and professional sports bodies services
- Sports infrastructure development services
- Sports Arts and social development funding services
- Copyright Protection services
- Film services
- Local and international films production
- Film and broadcast content regulations
- Artists Empowerment
- Local Artists Engagement and Talent Nurturing
- Cultural and Creative Industry Development services
- Provision for Creative Expressions
- Documentation and preservation of music and dance of Kenya
- Government library services
- National documentary heritage services

The details of the programme key outputs, performance indicators and the targets for the Medium term is shown in annex-3

4.0 STATUS OF COURT AWARD/CONTIGENT LIABILITIES

Currently the State Department has one court case in regards to a pending bill for CHAN filed by Gregori And Auditel Engineering Ltd. The details of the bill is shown in table 4 below.

d) Table 4

NAME OF CONTRACTOR	DESCRIPTION OF WORKS DONE	CONTRACT VALUE (Kshs.)	AMOUNT PAID (Kshs.)	OUTSTANDING PAYMENT (Kshs.)	PENDING WORKS (Kshs.)
Gregori International Ltd	Upgrade of CHAN Main Pitches and Training Grounds	989,984,878	220,247,100	487,371,688	282,366,090
Auditel Engineering Ltd	CHAN Main Pitches Access Control, CCtv, Ticketing, Security and Sound System.	1,636,977,007	327,997,006	653,000,000	983,977,007
TOTAL		2,626,961,885	548,244,106	1,140,371,688	1,266,343,097

**5.0 TOTAL REVENUE COLLECTED AS AIA and THE EXPENDITURE
FOR EACH SAGA AS AT 30th June 2023**

The State Department for Sports had a budgeted AIA of **Kshs. 319,629,820** as at 30th June 2023. **Kshs. 251,515,823** has been collected and expended. A detailed report on the AIA collection and the entity is shown in the table 5 below.

e) Table 5

	ENTITY	BUDGET	ACTUAL COLLECTI ONS	VARIAN CE	ACTUAL expenditure
		KSHS			
1	STATE DEPARTMENT HEADQUARTERS	400,000	-	400,000	
2	SPORTS KENYA	131,000,000	81,690,000	49,310,000	81,690,000
3	ADAK	10,000,000	9,800,000	200,000	9,800,000
4	KENYA FILM CLASSIFICATION BOARD	54,040,000	54,535,923	(495,923)	54,535,923
5	KENYA NATIONAL LIBRARY SERVICES	81,689,820	68,530,988	13,158,832	68,530,988
6	KENYA CULTURAL CENTRE	42,000,000	37,266,604	4,733,396	37,266,604
7	THE ARTS DEPARTMENT	500,000	-	500,000	
	TOTAL	319,629,820	251,823,515	67,806,305	251,823,515

6.0 ANY OTHER INFORMATION REGARDING FY 2022/23 BUDGET IMPLEMENTATION.

The following are the key pertinent issues that affect the attainment of State Department performance of programmes;

- i) Inadequate funding** has affected implementation of programmes and projects in the subsector resulting in:
 - Failure to fully implement planned programs and flagship projects.
 - Pending and outstanding bills
 - Inadequate human and infrastructural capacity

- ii) Under staffing** the State Department experiences understaffing and aging workforce which has impeded succession planning and sustainability of effective service delivery.

- iii) Review of sports Act and other sports legislation** – There is need to review the Sports Act so as to realign the sports legal framework with the 2010 constitution and the current administration Bottoms up Economic Transformation Agenda.

"ANNEX 1"
STATE DEPARTMENTS FOR SPORTS AND THE ARTS
RECURRENT EXPENDITURE BREAKDOWN ANALYSIS

First Twelve Months, FY 2022/23 (as of 30th June 2023)

Expenditure by Economic Classification	Gross Estimate for FY 2022/23 (Kshs)	Revised Gross Estimate for FY 2022/23 (Kshs) (After Supplementary I)	Revised Net Estimates for FY 2022/23 (Kshs) (Revised Gross less A-I-A)	Cumulative Expenditure (Kshs.)	BALANCE (Kshs.)
1) Compensation to Employees	172,350,000.00	229,800,000.00		212,181,994.35	17,618,005.65
2) Use of Goods and Services					
Utilities, Supplies and Services	717,495.50	742,619.00		582,100.00	160,519.00
Communication, Supplies and Services	484,862.00	1,187,521.00		811,096.45	376,424.55
Domestic Travel and Subsistence, and Other Transportation Costs	10,792,935.50	14,604,464.00		13,940,574.40	663,889.60
Foreign Travel and Subsistence, and other transportation costs	297,578.50	1,187,982.00		1,683,288.00	495,306.00
Printing, Advertising and Information Supplies and Services	778,853.25	827,939.00		354,745.00	473,194.00
Rentals of Produced Assets	37,929,253.00	50,566,952.00		50,336,607.70	230,344.30
Training Expenses	658,141.75	215,417.00		377,200.00	161,783.00
Hospitality Supplies and Services	5,348,455.00	7,469,440.00		6,968,851.00	500,589.00
Insurance Costs	-	-		-	-
Specialised Materials and Supplies	5,754,598.75	7,237,622.00		5,391,424.95	1,846,197.05
Office and General Supplies and Services	2,242,324.75	4,548,320.00		4,097,581.00	450,739.00
Fuel Oil and Lubricants	6,161,418.25	7,990,479.00		7,709,850.05	280,628.95
Other Operating Expenses	2,648,760.00	4,373,097.00		3,841,024.00	532,073.00
Routine Maintenance - Vehicles	4,819,573.25	6,283,509.00		5,604,248.60	679,260.40
Routine Maintenance - Other Assets	3,583,394.75	4,643,590.00		2,793,339.55	1,850,250.45
3) SUBSIDIES					-
Subsidies to Private Enterprises					-
4) GRANTS					-
Grants and Other Transfers to Other Government Units	1,246,825,365.00	1,533,735,365.00		1,318,303,736.40	215,431,628.60
5) SOCIAL BENEFITS					-
Social Security Benefits	11,840,479.25	22,120,639.00		20,907,852.65	1,212,786.35
List Other Expenses					
Aquisition of Fixed Capital Assets	182,808.00	302,558.00			302,558.00
Gross Expenditure	1,512,100,013.00	1,897,837,513.00	-	1,655,885,514.10	241,951,998.90
Less: Appropriations-in-Aid	180,479,820.00	215,829,820.00	-	-	215,829,820.00
Net Expenditure	1,331,620,193.00	1,682,007,693.00	-	1,655,885,514.10	26,122,178.90
Budget Performance Summary					
Source of Fund	Estimates		Actual Receipt	Variance	Remarks
a) Exchequer Issues	1,051,162,500.00		1,653,535,617.10		
b) Other Receipts (List source) :-			-		
(i)			-		
(ii)					
c) Appropriations-In-Aid :-					
Grants			-		
Loans			-		
Total Funds available (a+b+c)	1,051,162,500.00		1,653,535,617.10	(602,373,117.10)	

Prepared by:

Signed:

Approved by:

Signed:

Date:

ANNEX 2: STATUS OF DEVELOPMENT PROJECTS AND GEOGRAPHICAL LOCATIONS



MINISTRY OF YOUTH AFFAIRS, THE ARTS & SPORTS

STATE DEPARTMENT FOR SPORTS

S/N	MINISTRY	PROJECT NAME	IMPLEMENTING AGENCY	COUNTY/ CONSTITUENCY	PROJECT DETAILS (Projects, description, aim, beneficiaries, impact, start date, completion date)	PROJECT COST (Amount and Funding details)	STATUS (Proposed launch/ Commissioning date)
1.	Ministry of Youth Affairs, the Arts and Sports	Jamhuri Sports Ground	State Department for Sports	Nairobi County Dagoreti Constituency	Phase I Construction of three football pitches, one rugby pitch, 1.7 KM running track, 3.4 KM murrum running track, children's playing area, ablution blocks, police houses and a police post,	Kshs 609,610,710	Complete. Phase 1 was launched by former President.

S/N O	MINISTRY	PROJECT NAME	IMPLEMENTING AGENCY	COUNTY/ CONSTITUENCY	PROJECT DETAILS (Projects, description, aim, beneficiaries, impact, start date, completion date)	PROJECT COST (Amount and Funding details)	STATUS (Proposed launch/ Commissioning date)
					changing rooms, 2 picnic site, a club house, food courts and car park, chain link fence, low level water		
					<p>Phase IB Installation of water tank, sewer line, deeper drain and gate B access road, 5 earth berm, power distributions and supply. Changing rooms block 02 and ablution block 03</p> <p>Phase II The perimeter security wall, main parking, converting the old club house, boundary wall chain link fence for police post and residential houses, Office block pump room, sentry box, Ablution block 3, Police post septic Additional masonry</p>	<p>Kshs 175,000,000</p> <p>Kshs 406,361,186</p>	<p>Phase 2 complete awaiting handover and launch.</p>
	Ministry of Youth Affairs, Arts and	Jomo Kenyatta International Stadium	State Department for Sports	Kisumu County Kisumu East Constituency	<p>Phase I Construction of: VIP Pavilion in concrete Electrical walls with steel stands and reinforced</p>	Kshs 415,880,565	Phase I and II complete. Awaiting commissioning

S/N O	MINISTRY	PROJECT NAME	IMPLEMENTING AGENCY	COUNTY/ CONSTITUENCY	PROJECT DETAILS (Projects, description, aim, beneficiaries, impact, start date, completion date)	PROJECT COST (Amount and Funding details)	STATUS (Proposed launch/ Commissioning date)
	Sports				<p>concrete superstructure Ablution block Phase II Builders works and associated Electrical/mechanical works, Masonry</p> <p>Phase II Boundary wall construction with 7 gates, grand entrance Start date 5th October 2020 Completion date 30th May, 2021</p>	Kshs 178,820,090	
i.	Ministry of Youth Affairs, the Arts and Sports	Wanguru Stadium	State Department for Sports	Kirinyaga County Mwea Constituency	<p>Phase I Construction of: VIP pavilion and public terraces. Football pitch and athletic track Changing rooms Two Ablution block Half stands and Southern and Northern Stands Perimeter fence</p> <p>Phase II Demolition of Pit Latrine, VIP extension, additional girder beam, walls, timber surfaces (doors and window boards), steel</p>	Kshs 310,500,000	Phase I and II complete. Awaiting commissioning
						Kshs 309,420,000	

/N O	MINISTRY	PROJECT NAME	IMPLEMENTING AGENCY	COUNTY/ CONSTITUENCY	PROJECT DETAILS (Projects, description, aim, beneficiaries, impact, start date, completion date)	PROJECT COST (Amount and Funding details)	STATUS (Proposed launch/ Commissioning date)
				surfaces (steel doors and windows) , steel doors (external doors)			
	Ministry of Youth Affairs, Arts and Sports	Kirigiti Stadium	State Department for Sports	Kiambu County Kiambu Constituency	<p>Phase I Construction of: Stadium VIP Pavilion in Concrete Steel pavilion Stands Ablution block and spectator terraces Changing rooms and associated fittings Football Pitch</p> <p>Phase II Construction of Gate House, completion of boundary wall & gates, sentry boxes(7no), clear and view fence, external ablution block, external changing wall, retaining wall, power house, landscaping works, mast floodlight for volleyball & netball, passenger lift, high mast flooding Start date 23rd October 2020 Completion date 30th November, 2022</p>	Kshs 596,514,670	Phase I and II complete. Awaiting commissioning
						Kshs 345,766,644	

S/N	MINISTRY	PROJECT NAME	IMPLEMENTING AGENCY	COUNTY/ CONSTITUENCY	PROJECT DETAILS (Projects, description, aim, beneficiaries, impact, start date, completion date)	PROJECT COST (Amount and Funding details)	STATUS (Proposed launch/ Commissioning date)
.	Ministry of Youth Affairs, the Arts and Sports	Kinoru stadium	Sports Kenya	Meru County Meru Central Constituency	20,000-seater stadium, A FIFA standard football field, Borehole and associated water storage, facilities, generator, Electrical and Mechanical Works, Sub base for 8 lane track, Car Parking Area, VIP Lounge and Athletes Changing Rooms, CCTV Installation Start date 18th August 2017 Completion date 30th May, 2022	Kshs 869,121,216.80	The project is complete. Awaiting commissioning
.	Ministry of Youth Affairs, the Arts and Sports	Kirubia Stadium	Sports Kenya	Tharaka Nithi County Chuka Constituency	2,000-seater pavilion, FIFA standard football field, Borehole and associated water storage facilities, Electrical and Mechanical Works 6 lane tracks with field events facilities Start date 16th Sept 2016 Completion date 15th Feb 2022	Kshs 274,208,855	The project is complete. Awaiting commissioning
.	Ministry of Youth Affairs, the Arts and	Kipchoge Keino Phase I stadium	Sports Kenya	Uasin Gishu County Moiben	15,000-seater Stadium, FIFA standard football field, Boundary wall with gates, Borehole and associated water storage	Kshs 369,697,973.00	Ongoing 88% complete

S/N	MINISTRY	PROJECT NAME	IMPLEMENTING AGENCY	COUNTY/ CONSTITUENCY	PROJECT DETAILS (Projects, description, aim, beneficiaries, impact, start date, completion date)	PROJECT COST (Amount and Funding details)	STATUS (Proposed launch/ Commissioning date)
	Sports			Constituency	facilities, Car park area Start date 16th Sept 2016 Completion date 31 st December 2024		
	Ministry of Youth Affairs, Arts and Sports	Karatu stadium	Sports Kenya	Kiambu County South Gatundu Constituency	1,500-seater pavilion, FIFA standard football field, borehole and associated water storage facilities, Electrical and Mechanical Works, 6 lane track with field events facilities Start date 16th Sept 2016 Completion date 31st December 2024	Kshs 259,604,780.00	Ongoing 47% complete
	Ministry of Youth Affairs, Arts and Sports	Ruring'u stadium	Sports Kenya	Nyeri County Nyeri constituency	2,000-seater pavilion, A FIFA standard football field, Borehole and associated water storage facilities, Electrical and Mechanical Works, 8 lane track with field events facilities, VIP Lift Start date 16th Sept 2016 Completion date 31st December 2024	Kshs 358,265,530.00	Ongoing 75% complete

S/N	MINISTRY	PROJECT NAME	IMPLEMENTING AGENCY	COUNTY/ CONSTITUENCY	PROJECT DETAILS (Projects, description, aim, beneficiaries, impact, start date, completion date)	PROJECT COST (Amount and Funding details)	STATUS (Proposed launch/ Commissioning date)
0.	Ministry of Youth Affairs, Arts and Sports	Marsabit Stadium	Sports Kenya	Marsabit County Saku Constituency	Completion date 31st December 2024 15,000-seater Stadium, FIFA standard football field, Borehole and wall with gates, Borehole and associated water storage facilities, Car Park area, Electrical and Mechanical Works, 8 lane track with field events facilities Start date 16th Sept 2016 Completion date 31st December 2024	Kshs 367,003,894.18	Ongoing 90% Current Scope Complete. Awaiting additional funding for phase II
1.	Ministry of Youth Affairs, Arts and Sports	Wote Stadia	Sports Kenya	Makueni County Makueni Constituency	1,500-seater pavilion, 8 lane track with field events facilities, FIFA standard football field, Boundary wall with gates, Borehole and associated water storage facilities Start date 16th Sept 2016 Completion date 31st December 2024	Kshs 299,309,554	Ongoing 65% complete
2.	Ministry of	Kamariny Stadia	Sports Kenya	Elgeyo Marakwet	15,000-seater stadium, FIFA	Kshs 287,837,775.00	Project stalled.

S/N	MINISTRY	PROJECT NAME	IMPLEMENTING AGENCY	COUNTY/ CONSTITUENCY	PROJECT DETAILS (Projects, description, aim, beneficiaries, impact, start date, completion date)	PROJECT COST (Amount and Funding details)	STATUS (Proposed launch/ Commissioning date)
	Youth Affairs, Arts and Sports			County	standard football field, Borehole and associated water storage facilities, Electrical and Mechanical Works, 8 lane track with field events facilities		Awaiting for new contractor 30% complete
3.	Ministry of Youth Affairs, Arts and Sports	Moi Stadium, Embu	Sports Kenya	Embu County	8,700-seater stadium, FIFA standard football field, water storage facilities, Electrical and Mechanical Works, 6 lane athletics track to marram finish Start Date: 7 th February 2023 Completion date 31 st May 2023	Ksh 476,525,986.30	Project complete and commissioned
4.	Ministry of Youth Affairs, Arts and Sports	Kenya Academy of Sports	Kenya Academy of Sports	Nairobi County Kasarani Constituency	Phase I Construction of 7-storey Hostel Building and Associated Civil Works (Gate House, Access Road, Cabro Paving, Partial Landscaping, 5 Playgrounds - 1 Rugby pitch, 2 Football pitches and 2 Basketball courts) Start Date: March 2013 Completion Date: Dec. 2020	Kshs 1,332,318,521	Phase complete I

/N D	MINISTRY	PROJECT NAME	IMPLEMENTING AGENCY	COUNTY/ CONSTITUENCY	PROJECT DETAILS (Projects, description, aim, beneficiaries, impact, start date, completion date)	PROJECT COST (Amount and Funding details)	STATUS (Proposed launch/ Commissioning date)
					<p>Phase IB Completion of hostel building from 2nd to 7th floor entailing internal finishes, installation of the lifts, installation of the kitchenette, furnishings and beddings, tiling, internal paintings, among others</p>	Kshs 342,000,000	Ongoing 85% complete
5.	Ministry of Youth Affairs, the Arts and Sports	SASDF Plaza	Sports, Arts and Social Development Fund	Nairobi County	Completion of SASDF Plaza	Kshs 1,271,273,273	Ongoing 92.5% complete

"E"

State Department for Sports and the Arts

Programme Performance Report (non-financials) for FY 2022/23 (as of 30th June 2023)

Programme

Outcome:

Programme Performance Report (Non-Financials) for the FY 2022/23 (as of 30th June 2023)

Programme	Sub-Programme	Delivery Unit	Key Outputs	Key Performance Indicators	Target	Actual	Variance	Remarks
SPORTS	Sports training and competitions	Anti-Doping Agency of Kenya	Anti-Doping services	No. of intelligence-based tests carried out	900	1425	525	Target over achieved due to increase funding from the sports fund to cater for the enhanced Anti-doping program covering athletics sports discipline
				No. of Persons sensitized on Anti-Doping issues	9,200	15,516	6,300	Target over achieved due to increase in attendance during in competition outreach programs for athletics for upcoming regional and international competitions (Budapest)
				% on results management on Anti-doping rule violations	100	100	-	Target achieved
				No. of teams presented in international sports competitions	20	30	10	Target overachieved due to availability of funds through support from SASDF
				No. of sports competitions hosted	8	11	3	Involvement of Government by federations in bidding for hosting of international event and Partnership with private sector and other stakeholders
		Department of Sports	International and National Sports programs and events					

				No. of artists nurtured in different genres	150	408	258	Target achieved and surpassed- Theatre producers and upcoming artists were trained during various festivals and workshops including the Kenya International Theatre Festival, Kenya National Drama and Film Festival, and Afro Festival in Serbia
Film Service Development & Kenya Film Commission	Outcome: A	Local and international Films produced in Kenya	No. of local and foreign films produced	No. of local and foreign films produced	390	274	116	Kalasha Awards
		Audiences developed and distribution	%increase in the uptake of local	2	3	1		
		Established film hubs across the country	No. of film hubs established	1	0	-1	none	
		Film Empowerment Programme	No. of film projects supported	22	20	-2	Ongoing awarded support through the Film Empowerment programme	
			No. of jobs created	2000	2000		Awaiting report on jobs created through the Film	
		Film Industry Research and Survey	No. of Research Reports	2	1	-1	Ongoing researches on FISA and Film incentives Study	
		Film Industry Certification System and Industry database	% of practitioners registered and	100%	10%	-90%	ongoing	
		Archiving and Repository Centre	Percentage completion of the arch	25.00%	10.00%	15%	ongoing	
		Location Mapping/Ultra-	Percentage of completion	61.36	54	7.36%	100	

REPUBLIC OF KENYA



**THE NATIONAL ASSEMBLY
13TH PARLIAMENT**

BRIEF ON BUDGET IMPLEMENTATION MONITORING

PRESENTED TO

TO THE DEPARTMENTAL COMMITTEE ON SPORTS AND CULTURE

SUMMARY OF ULTRA-MODERN NATIONAL LIBRARY OF KENYA

PARLIAMENTARY BUDGET OFFICE
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OVERVIEW OF THE BRIEF

1. This brief is intended to inform and support the Members of the Departmental Committee on Sports and Culture as it undertakes its role of representation, legislation and oversight in accordance to **Article 124** of the constitution.
2. The brief highlights the status of the construction of the Ultra-Modern National Library of Kenya highlighting the allocation, challenges and status of implementation.

Ultra-Modern National Library of Kenya (Maktaba Kuu)

3. Kenya National Library Services (KNLS) is mandated promote establish, equip, manage, maintain and develop libraries in Kenya.
4. The Ultra-Modern National Library of Kenya (Maktaba Kuu) is a project intending to promote a positive and sustainable reading culture in the country.
5. The building comprises of;
 - a. A library
 - b. Auditorium halls for meetings and events
 - c. Administration offices
 - d. Commercial wing for income generation
6. The project was constructed at a cost of Kshs. 2.9 billion and commenced in 2012.
7. Further, according to implementing agency, the project is currently at 99% complete and was officially opened in 13th November 2020.

Challenges

8. Although the project is complete, there is a pending bill of Kshs. 46.26 million owed to various contractors as follows;

No.	Payee	Purpose	Amount (Kshs Millions)
1.	Kg Patel & Sons Ltd	Retention Monies	15.43
2.	Other Sub-Contractors	Retention Monies	6.13
3.	Contemporary Electrical Ltd	Lift Installation	15.55
4.	MECOY Consultants	Last Fee note no. 14	4.04
5.	AAKI Consultants	Last Fee note no. 14	5.11
			46.26

KENYA NATIONAL LIBRARY SERVICE (knls)

Kenya National Library Service (KNLS) Board is a State Corporation under the Ministry of Youth Affairs, Sports, and The Arts.

The Board was established under the Act of Parliament Cap 225 of the Laws of Kenya, in April 1965.

To date, a network of 64 branch libraries has been established in 33 Counties countrywide. The knls headquarters is located at the Maktaba Kuu building.



Knls Mandate

Vision: To be The Information Hub for Knowledge Development.

Mission: To preserve the national documentary heritage and enable universal access to information and knowledge

Core Values: T-Technology Driven

I- Innovation

C- Customer Focus

K- Knowledge Based

KNLS MANDATE

- The Board is mandated by Cap 225 to: promote, establish, equip, manage, maintain and develop libraries in Kenya.
- The Act gave the Board responsibility to manage both the National Library of Kenya and the Public Library System.
- However, the Constitution of Kenya 2010 positions the public libraries as a devolved function. In this regard, preparations have been going on to ensure compliance with the constitution.

Priorities for Library Services development

➤ knls priorities are defined in the following Strategic objectives

- To maintain a national bibliographic control, preserve and conserve a comprehensive national documentary heritage.
- To promote reading, research, advisory and reference services.
- To leverage on emerging technologies for service delivery.
- To develop and maintain infrastructure for library services
- To strengthen institutional capacity

PERFORMANCE MANAGEMENT

➤ The Board embraced various strategies to ensure that the organization's performance remained on an upward trajectory as demonstrated with performance for the last two year;

Year	Composite Score	Remarks	Improvement/ Under performance (%)	Ranking (All state Corporation)		Ranking (Service Category State Corporation)		MTEF Sector Working Group (Social Protection, Culture and Recreation Sector Working Group)	
				Knls position of	Out of	Knls position	Out of	Knls position	Out of
2020/21	2.7060	Very good	19.2	21	239	8	75	1	12
2021/22	2.5340	Very good	6.8	23	249	11	74	2	14

BOOK STOCK & LIBRARY USAGE

➤ Knls with support from Book Aid International-UK has managed to stock the libraries with relevant books and informational materials. The current book stock stands at 1,883,628 valued at Kshs. 1,295,544,764

➤ The Board's core mandate is to inculcate a reading culture among Kenyans. Each year, the Board supports reading promotion programmes across the network. Over the last 5 years, library usage increased as indicated:

Year	Adult	Junior	Total	Percentage Growth
2017/18	1,379,124	3,620,321	4,999,445	11.8
2018/19	1,200,761	3,861,530	5,062,291	1.3
2019/20	821,001	1,379,601	2,200,602	*-56.5
2020/21	1,243,592	3,996,997	5,240,589	138.1
2021/22	2,395,081	4,737,471	7,132,552	36.1

➤ * In year 2019/2020 the usage was very low due to COVID 19 Pandemic

FUNDING SOURCES

- **Government support**
 - For general operating expenses, infrastructure development and maintenance, and program-based purchases (e.g. books)
 - Sustainability depends upon Government's financial stability
- A-in-A
- **External support**
 - Financial and in-kind support through Grants.

KEY PARTNERS



Kenya national
library service

In Country

- Sports, Arts and Social Development Fund
- Communication Authority of Kenya (CA)
- World Vision
- Constituencies and County Governments

International

- Book Aid International UK (BAI)
- Electronic Information for Libraries (EIFL)
- Peer to Peer University (P2PU)
- US Embassy
- Worldreader, Amazon, Microsoft
- Good Things Foundation-UK

ACHIEVEMENTS WITH PARTNERS

- Establishment of 56 knls e-resource centers
- Acquisition of 3,500 Mobile digital devices
- Digital Literacy training and e-learning for library users
- Acquisition of relevant books and digital resources
- Capacity building for over 200 members of Staff
- Community and schools outreach and Youth empowerment
- Enhanced Reading promotion advocacy programs
- Maintenance, Refurbishment and Establishment of Libraries

ESTABLISHMENT OF VIRTUAL LIBRARY

- knls Board has established a Virtual Public Library. A **Virtual Library** is a collection of resources that are stored and organized in Digital format with easy and affordable access anywhere, any time.
- The Virtual Library Project commenced in 2020 and is fully funded by the Sports, Arts and Social Development Fund's Board to a tune of Ksh. 250 Million.
- The project comprises three components i.e. The Virtual Library Solution; Data Centre; and Digitization Lab.
- All the 3 key project components are operational. The Launch of the Virtual Library the “vtabu” is scheduled for 14th July 2023.

National Library of Kenya /knls Headquarters Building – Maktaba Kuu

- This was a Vision 2023 flagship project that facilitated the construction of a new library building (Maktaba Kuu) at a cost of Ksh. 2.891 Billion. It comprises the Library, auditorium halls for meetings and events, administration offices and a commercial wing for income generation.
- The project commenced in 2012 and was officially opened on 13th November 2020, by H.E. Hon. Uhuru Kenyatta, President of the Republic of Kenya and Commander in Chief of the Kenya Defence Forces. The building was funded by the Government of Kenya through the then Ministry of Sports, Culture and Heritage.

PROJECT TIMELINES AND MILESTONES



Kenya national
library service

- Tender action date - 2nd June 2011
- Date of award to Main Contractor - 2nd March 2012
- Mobilization date - 27th March 2012
- Commencement date - 10th April 2012
- Original duration of contract - 208 weeks (48 months)
- Approved Extension of time(EOT) - 229 weeks
- Extended contract period - 345 weeks
- Original date of completion - 4th April 2016
- Extended completion date - 4th August 2020

PROJECT TIMELINES AND MILESTONES.....

- Practical Completion - 19th August 2020
- Defects liability period - 19th August 2020 – 18th March 2021
- Original contract sum - Kshs 2,055,200,200.00
- Final account amount - Kshs 2,408,776,296.19
- Percentage variation - 17.20% -*as per final accounts Valuation No. 34 dated 14th June 2021 (Reference: PC01/knls-Hqs/Val/vol.3/34)*
- The project is magnificently completed and in occupation housing various state departments including our Parent Ministry CS and Ps for State Department for Culture and Heritage.

Post Project closure challenges

1. Delays in release of monies from exchequer to pay retention amount

- During the Financial Year 2019.2020, the Board received an allocation of **Kshs.433.4M** which was less **Kshs.13.6M** which was to be released in the next FY'2020.2021 upon presentation of the Final certificate of completion.
- The Board presented the same and no allocation has been made to date leading to pending bills and notices of litigation from the Contractors and Sub-contractors of the project.
- The Pending bills for the project as at 30th June 2022 and remain so to date amounts to **Kshs.46,279,403.58** summarized as:

Post project challenges cont.....

i.	Retention monies (Main Contractor & Subcontractor	- Kshs.37,120,424
ii.	Consultants	<u>- Kshs. 9,158,980</u>
	Total	<u>Kshs. 46,279,404</u>

Notices of Litigation by the Contractors and Subcontractors

Due to the long outstanding settlement of the retention monies and variation costs, the vendors have given notice of litigation demanding their payments. The effect on this has been incomplete making good defects of the lifts, parking management system, and areas identified with the building works.



Post project challenges cont.....

3. Financial Pressure on repair and maintenance of Maktaba Kuu Building

Due to the ceilings in the Budget allocation and the budget cuts suffered in the FY'2022.2023, the Board was not able to allocate any recourse for the 12 maintenance contracts to the building. This requires an estimated **Kshs.20M.**

4. Non-settlement/delay of rental obligations by Tenants of Maktaba Kuu

The Maktaba Kuu Complex has a Commercial Wing which was aimed at creating a Revenue stream to supplement on the GOK funding on maintenance and procurement of Books and information material.

This has been a challenge as the tenants (State Departments) have either not paid or delay in remitting the same.

5. Equipping the Library, auditoriums and Sanaa conference center: The building has spaces for Library services, cultural events and events.
However, spaces are lacking furniture and audio visual equipment.

Devolution

- The Public Library function is a devolved function as outlined under Part 2 of Schedule 4 (f) and further outlined in articles 185 (2), 186 (1), 187 (2) of the Constitution of Kenya 2010 (CoK 2010) This is further elaborated in the Legal Notice No. 142 of 19th August 2019 on the delineation of Library Functions to the County Governments.
- The Libraries to be left under the National Government and will now be referred to as the National Library of Kenya at the Maktaba Kuu Complex in Nairobi Upper Hill with branches in Buruburu and Nakuru

The Kenya National Library Service Bill, 2020



Kenya national
library service

- KNLS in conjunction with the Parent Ministry of Sports, Culture and Heritage embarked on the development of the KNLS Bill (2020) in 2014, in compliance with the Constitution of Kenya, 2010. The Bill went through various stages at the National Assembly and was forwarded to The Senate for consideration on **5th August 2021**.
- The Speaker of the Senate communicated on 7th September 2021, that Senate had noted that the Bill did not meet the threshold of Article 110(3) of the Constitution of Kenya, 2010 i.e. *“Before either House considers a Bill, the Speakers of the National Assembly and Senate shall jointly resolve any question as to whether it is a Bill concerning counties and, if it is, whether it is a special or an ordinary Bill”*.
- The Bill was therefore not formerly introduced to The Senate for the first reading.
- The Senate could have based this position on Article 109 (3) which stipulates that: *“A Bill not concerning county government is considered only in the National Assembly, and passed in accordance with Article 122 and the Standing Orders of the Assembly.”*

The Kenya National Library Service Bill, 2020

- Preparation for transfer of the public libraries to the counties is well advanced. The handing over of 61 libraries to the County Governments takes effect from 1st July 2023.
- Delay in the finalization of the KNLS Bill may throw the running of the National Library function into legal confusion. This is because the existing KNLS Board Act Cap 225 of the Laws of Kenya (1965), mandates the Board to carry out the dual role of both the public library system and the national library function.

Post Devolution Requirements & requests

- The two branches ie Buruburu and Nakuru will require initial capital intensive uplifts, routine and continuous repairs and maintenance of the facilities that have not been done over time due to budget constraints. This will elevate them to the National Library status.
- Financial Resources to procure relevant books and information materials to adequately stock the facilities approximately **Kshs.15M** annually. This to be treated as a book grant in addition to the Recurrent and Development Budget allocations.
- Operationalization of the Preservation Lab and offsite backup in Nakuru in line with the mandate of the National Library.

VAT and other taxes on shipment of books and other information materials

- Books and other information materials donated to Kenya National Library Service (KNLS) for use by the public are subjected to the normal VAT and other taxes.
- These charges are catered for KNLS which makes it very expensive considering these are donations. Besides, KNLS is a non-profit making organization and it is mainly frequented by Kenyans who have limited resources and thus are not able to buy their own books, or even afford internet connection to access e-books online.
- Exemption of the said charges would relieve KNLS of this financial burden and allow utilization of such funds to enhance service delivery to the public.

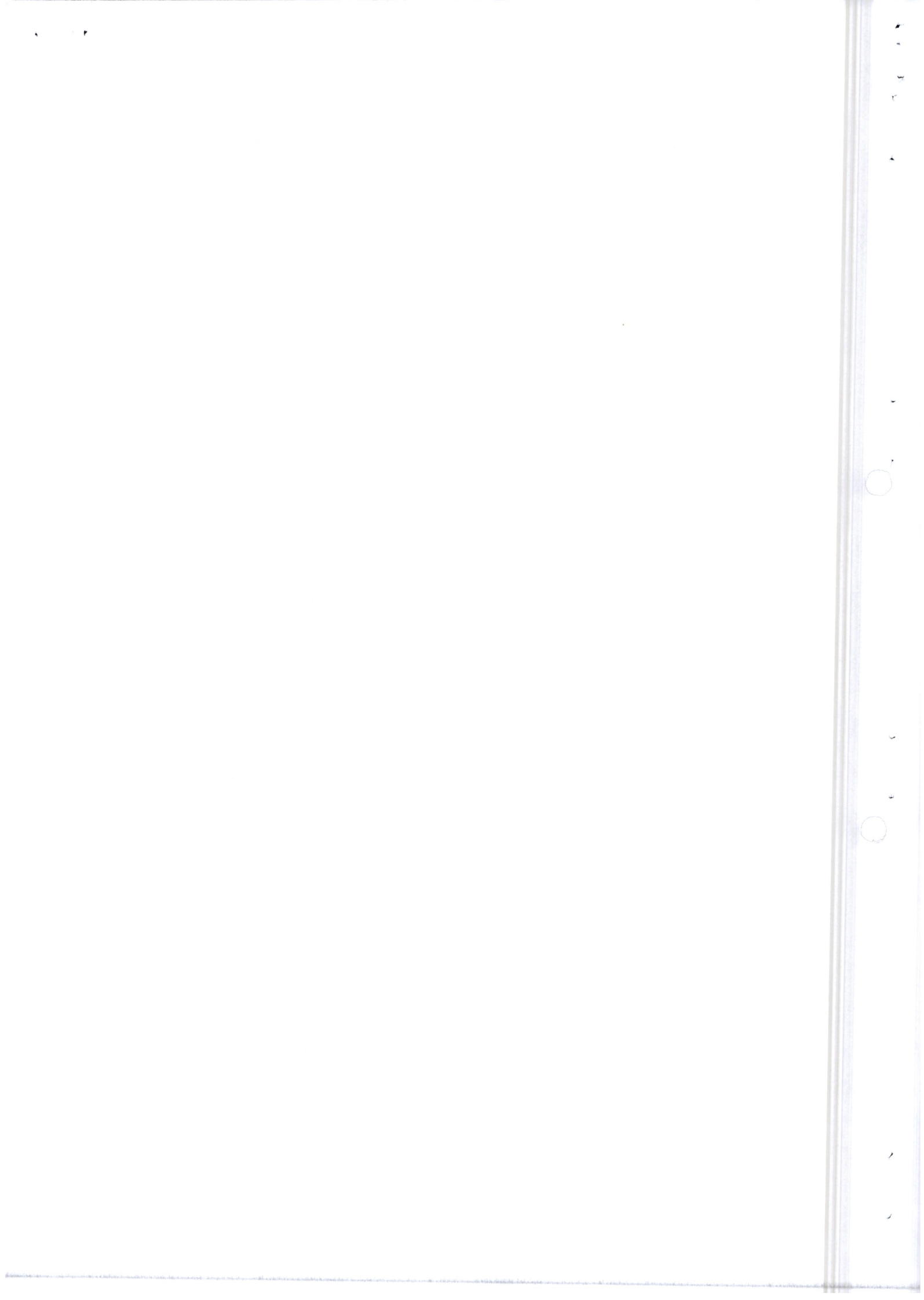
BOARD'S FOCUS FOR THE NEXT FIVE YEARS

➤ The Board has identified the following key strategic areas of focus for the next five years:

1. Establishment of Kenya School of information Science Professionals
2. Establishment of Preservation and Conservation Laboratory in Nakuru Library
3. Establish Satellite National Library centres
4. Establish a book fund to equip a National and Public Libraries

Request to the Parliamentary Committee

1. Prioritize the Kenya National Library Service Bill 2020 to facilitate transition of knls into the National Library of Kenya.
2. Budget allocation under development to clear the pending bills amounting to **Kshs.46,279,404** to mitigate against the likely litigation by the vendors.
3. Additional allocation under Repair and maintenance **Kshs.20M**
4. Intervene for the State Department for Sports to honor their contractual obligation in rental payment for the spaces occupies amounting to **Kshs.43,492,842** as at the 4th Quarter of FY'2022.2023.
5. Lobby for exemption of VAT and other charges on shipment of books and information materials.



REPUBLIC OF KENYA



**THE NATIONAL ASSEMBLY
13TH PARLIAMENT**

BRIEF ON BUDGET IMPLEMENTATION MONITORING

PRESENTED TO

TO THE DEPARTMENTAL COMMITTEE ON SPORTS AND CULTURE

SUMMARY OF POSTA JAMHURI GROUND

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OVERVIEW OF THE BRIEF

1. This brief is intended to inform and support the Members of the Departmental Committee on Sports and Culture as it undertakes its role of representation, legislation and oversight in accordance to **Article 124** of the constitution.
2. Standing Order 245A (2) mandates the Departmental Committee pursuant to Standing Order 216(5) (ba) to;
 - a. Examine and report on the expenditures and non-financial performance of the budget of the national government; and
 - b. Examine the conformity of the implementation process with the principles and values of public finance as set out in Article 201 of the Constitution.
3. The brief highlights the status of the construction of the Posta Jamhuri Ground highlighting the allocation, challenges and status of implementation.

POSTA JAMHURI GROUND

4. Sports Kenya (SK) is mandated to establish, manage, develop and maintain sports facilities as well as convention centres, indoor sporting and recreational facilities in Kenya.
5. Posta Jamhuri Ground is sports project intended to provide and nurture sporting activities in the Nairobi County and its nearby areas. The project intends to create a hub for sports, health, fitness a recreational centre in Nairobi. In addition, it will enhance competitive advantage to bid and host regional and international events as well as a hub to tap talent in performing arts and creatives. The project will have capacity to generate enough revenue for sustainability.
6. The project scope include:
 - a. Three (3) Swimming Pools (Athletic size, warm up and baby pool)
 - b. Water reticulating system (borehole and water storage tanks)
 - c. Four (4) Public toilets
 - d. Four (4) pitches seating terraces on the east and west
 - e. 2000 capacity agora with performing arts theatre, film recording studios and sports museum
 - f. Administrative offices and equipping
7. Posta Jamhuri Ground is located in Nairobi County and has an estimated cost of Kshs. 609.61 million. The project started on August 2020 and by 31st March 2023 the project is 96% complete with an actual expenditure of Kshs. 571.45 million. Additionally, the project was fully funded by the Sports Art and Social Development Fund (SASDF).

REPUBLIC OF KENYA



**THE NATIONAL ASSEMBLY
13TH PARLIAMENT**

BRIEF ON BUDGET IMPLEMENTATION MONITORING

PRESENTED TO

TO THE DEPARTMENTAL COMMITTEE ON SPORTS AND CULTURE

SUMMARY OF CAPITAL PROJECTS AT BOMAS OF KENYA

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 - b. Examine the conformity of the implementation process with the principles and values of public finance as set out in Article 201 of the Constitution.
3. The brief highlights the status of capital projects at Bomas of Kenya highlighting the allocation, challenges and status of implementation.

Bomas of Kenya (BoK)

4. Bomas of Kenya (BoK) is mandated to preserving, maintaining, educating and promoting the rich and diverse cultural values of Kenya's ethnic groups and to act as a tourist attraction Centre for the promotion of cultural tourism for Prosperity and posterity.
5. Bomas of Kenya Ltd. (BoK) was established by the Government in 1971 under the companies Act Cap 486 as a wholly owned subsidiary Company of Tourism Finance Corporation (formerly the Kenya Tourist Development Corporation).
6. The Agency is implementing four (4) capital projects
 - a. Rehabilitation of Basic Facilities at Bomas of Kenya
 - b. Rehabilitation of Utamaduni Restaurant
 - c. Construction of a State of Art Main Gate
 - d. Digitization of Cultural Tourism Products - Bomas

I. Rehabilitation Of Basic Facilities at Bomas of Kenya

7. The Rehabilitation of Basic Facilities at Bomas of Kenya started on 1st July 2021 and is expected to be completed on 30th June 2024 at an estimated cost of Kshs. 350 million of which Kshs. 150 million for Phase I, Kshs. 66.4 million for Phase II and a proposed Kshs. 150.1 million for Phase III.
8. Phase I of the construction has been completed and the project scope includes;
 - a. Rehabilitation of auditorium roof
 - b. Rehabilitation of the existing ablution facility in the auditorium
 - c. Rehabilitation of the existing VIP lounge in the auditorium
 - d. Rehabilitation of the auditorium dais
 - e. Rehabilitation of the auditorium entrance and floor
 - f. Rehabilitation of the auditorium general lighting
 - g. Rehabilitation of the walk paths around the auditorium

9. Phase II of the construction is ongoing and the project scope includes:
 - a. Rehabilitation of the existing dancers changing room
 - b. Enhancement of rain water collection and storage
 - c. Redesigning and theatre lighting in the auditorium
 - d. Rehabilitation of the existing mini halls
 - e. Enhancement of PWDs facilities
 - f. Rehabilitation of all walk paths and drive ways
 - g. Rehabilitation of the existing VIP lounges
10. The Agency is planning to implement Phase III at an estimated cost of Kshs. 150.1 million and the project scope will include;
 - a. Redesigning of Multi-purpose hall to an Art gallery space to accommodate sample bar Kenya project. Scope is as follows;
 - b. Fixing 8 No sound proofed exhibition booths with glass partitions for sample bar tables and traditional musical instruments
 - c. An extra suspended floor to house artifacts and documented oral traditional ways of life
 - d. Create a space for temporally exhibition for the upcoming artist in the cultural industry.
 - e. Create a gift shop for souvenirs.
11. The project is 43% complete with an actual cumulative expenditure as at December 2022 of Kshs. 150 million. The project has been allocated Kshs. 69.7 million in FY 2023/24.

2. Rehabilitation of Utamaduni Restaurant

12. Bomas of Kenya will be Rehabilitating the Utamaduni Restaurant, with the project expected to start on 1st July 2023 and be completed on June 2024. The estimated project cost is Kshs. 150 million.
13. The restaurant mandate is to specialise in traditional cuisines and continuously develop original recipes based on authentic food preparation and conservation methods from across Kenya, portraying our country's cultural diversity.
14. The Project was allocated Kshs. 150 million in the FY 2022/23 Supplementary II estimates fully funded by Appropriation in Aid (A-in-A) collected by the Agency.
15. The scope of the project will include;
 - a. Rehabilitation of the Kitchen areas that require renovation and upgrade of equipment
 - b. Construction of Open-air kitchen area
 - c. Renovation and upgrade of customer/sitting areas
 - d. Introduction of digital technology, audiovisual equipping all customer spaces
 - e. Renovation and upgrade of Nyama Choma section at the Utamaduni restaurant
 - f. Review of products offer such current food menu to emphasize on traditional cuisines of Kenya and Investment in research on food preparation and conservation methods in various regions of Kenya
 - g. Purchase of new serving equipment

3. Construction of a State of Art Main Gate

16. Bomas of Kenya is planning to construct a State-of-The-Art Main Gate, with the project expected to start on 1st July 2023 and be completed on May 2024. The estimated project cost is Kshs. 50 million.
17. The scope of the project will include;
 - a. A modern gate houses.
 - b. Access control system.
 - c. Two lanes for incoming traffic, two lanes for outgoing traffic and one gated pedestrian walkway.
 - d. Under vehicle scanning machine
 - e. Number plate recognition high-speed cameras
 - f. Automatic spikes and control barriers
 - g. Security bollards

4. Digitization of Cultural Tourism Products - Bomas

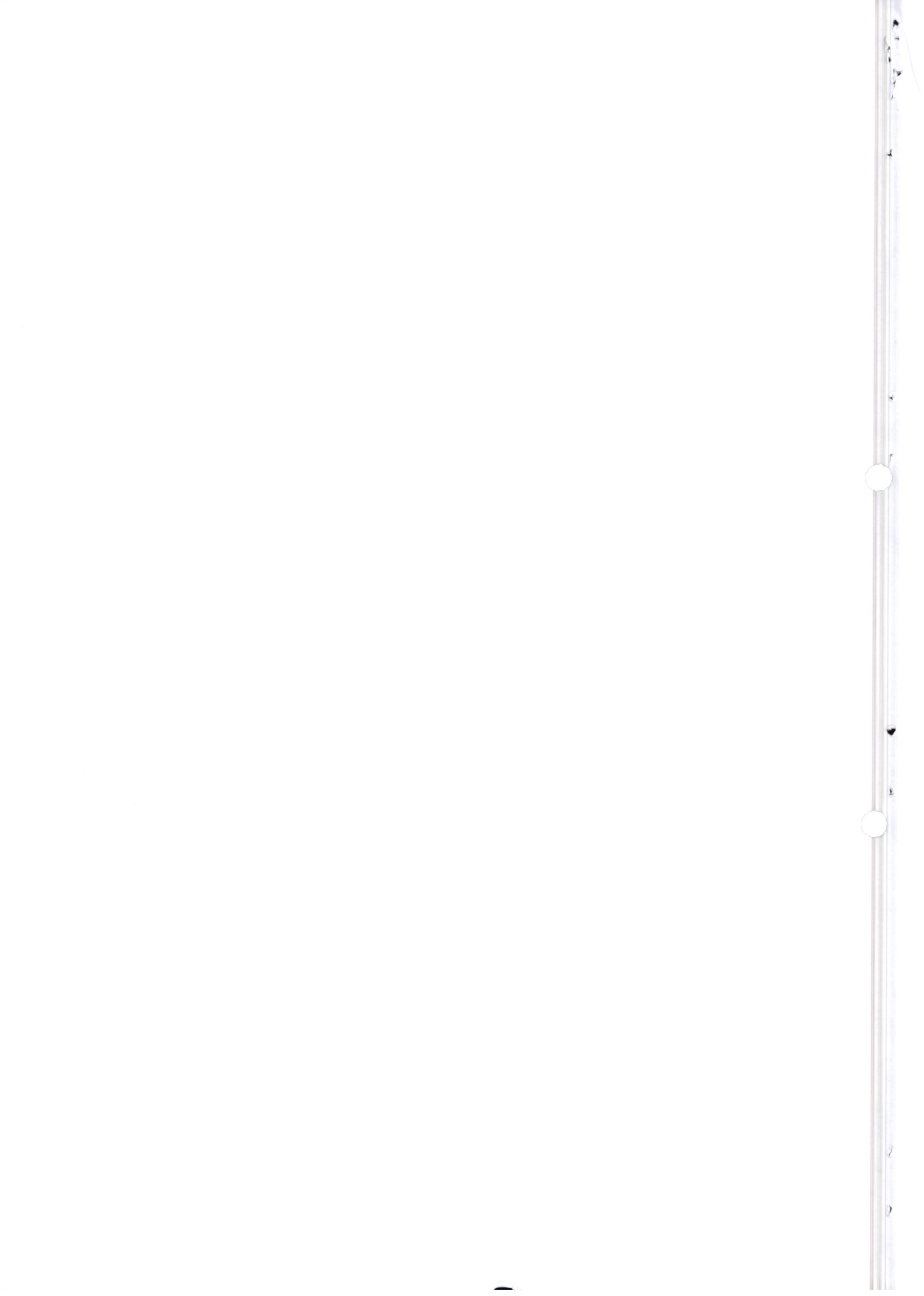
18. The Project was allocated Kshs. 50 million in the FY 2022/23 Supplementary II estimates fully funded by Appropriation in Aid (A-in-A) collected by the Agency.

Observations and Key Issues

19. The estimated project cost for Rehabilitation of Basic Facilities at Bomas of Kenya is Kshs. 350 million. However, the amount is less than what has been allocated for all the three phases amounting to Kshs 366.5 million. The Agency should give more information why there is a difference of Kshs. 16.5 million.
20. Budget cuts in the supplementary have affected the implementation of the projects which may lead to delayed completion of the project. In the FY 2022/23 Supplementary I, Rehabilitation of Basic Facilities at Bomas had a budget cut of Kshs. 68 million which was the total allocation in FY 2022/23.
21. The Agency needs to clarify the source of its A-in-A and why it was disclosed almost at the end of the 2022/23 financial year. In the FY 2022/23 Supplementary II, Bomas of Kenya recorded an additional Appropriation in Aid (A-in-A) of Kshs. 200 million that will be used to finance two (2) projects;
 - a. Digitization of Cultural Tourism Products – Bomas at Kshs 50 million
 - b. Rehabilitation of Utamaduni Restaurant at Kshs. 150 million
22. Bomas of Kenya should give a comprehensive status report of the Digitization of Cultural Tourism Products – Bomas, which was allocated 50 million in the FY 2022/23 Supplementary II.

ANNEXURES 3:

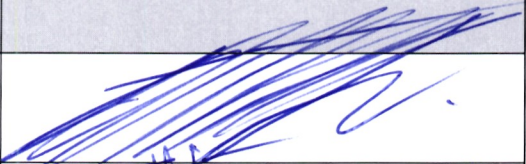


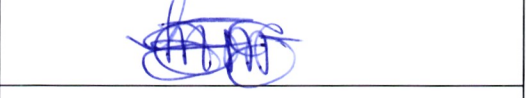
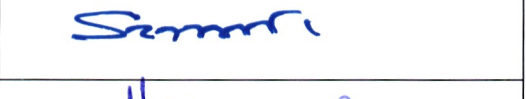
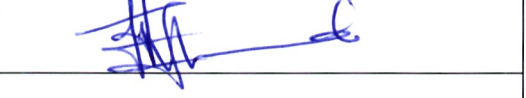
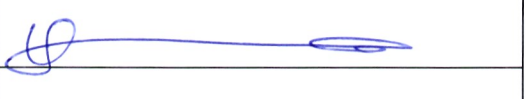
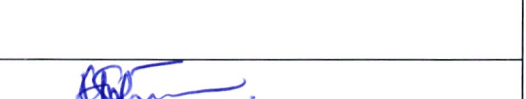
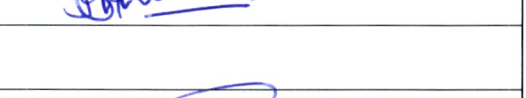



ADOPTION SCHEDULE





THE NATIONAL ASSEMBLY
13TH PARLIAMENT - SECOND SESSION - 2023
DIRECTORATE OF DEPARTMENTAL COMMITTEES
DEPARTMENTAL COMMITTEE ON SPORTS AND CULTURE
REPORT ADOPTION SCHEDULE

Date: 11th September, 2023 Venue: PELICAN CONFERENCE ROOM, FLAMINGO HOTEL

No.	HON. MEMBER	SIGNATURE
1.	The Hon. Daniel Wanyama Sitati, M.P. - Chairperson	
2.	The Hon. James Githua Wamacukuru, M.P. - Vice Chairperson	
3.	The Hon. Naomi Jillo Waqo, M.P.	
4.	The Hon. Mary Emaase Otucho, M.P.	
5.	The Hon. Samuel Gonzi Rai, M.P.	
6.	The Hon. Stephen Mutinda Mule, M.P.	
7.	The Hon. Chege Njuguna, M.P.	
8.	The Hon. Charles Ngusya Nguna, M.P.	
9.	The Hon. Janet Jepkemboi Sitienei, M.P.	
10.	The Hon. Richard Kipkemoi Yegon, M.P.	
11.	The Hon. Catherine Nakhabi Omanyoo, M.P.	
12.	The Hon. Caroli Omondi, M.P.	
13.	The Hon. Paul Ekwom Nabuin, M.P.	
14.	The Hon. Robert Nguui Basil, M.P.	
15.	The Hon. BSP. (EM) Dr. Jackson Kipkemoi Kosgei, M.P.	