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OFFICE OF THE AUDITOR-GENERAL

Enhancing Accountability

REPORT

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COMMITTEE	_____
CLERK AT THE TABLE	J. Mbaya

OF

THE AUDITOR-GENERAL

ON

TAITA TAVETA COUNTY DATU SAWAZISHA FUND

FOR THE YEAR ENDED 30 JUNE, 2021

11



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TAITA TAVETA COUNTY DATU SAWAZISHA FUND

ANNUAL REPORT AND FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR ENDED

30TH JUNE 2021

**Prepared in accordance with the Accrual Basis of Accounting Method under the
International Public Sector Accounting Standards (IPSAS)**

Taita Taveta County Datu Sawazisha Fund
Reports and Financial Statements
For the year ended June 30, 2021

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**Taita Taveta County Datu Sawazisha Fund
Reports and Financial Statements
For the year ended June 30, 2021.**

1. KEY ENTITY INFORMATION AND MANAGEMENT

a) Background information

DATU Fund is established by and derives its authority and accountability from **TAITA TAVETA COUNTY DATU SAWAZISHA FUND BILL, 2014** on 23RD, May 2014. The Fund is wholly owned by the County Government of Taita Taveta and is domiciled in Kenya.

The fund's objective is to

The Fund's principal activity is:

1. The object of the Fund is to—
 - (a) improve and stimulate the economy and standard of living in the County;
 - (b) provide credit facilities for women, the youth and persons with disability to enable them engage in profitable activities that enhance their economic growth; and
 - (c) promote and develop enterprises within the county.

b) Principal Activities

The principal activity/mission/ mandate of the Fund is to ...

2. The object of the Fund is to—
 - (d) improve and stimulate the economy and standard of living in the County;
 - (e) provide credit facilities for women, the youth and persons with disability to enable them engage in profitable activities that enhance their economic growth; and
 - (f) promote and develop enterprises within the county.

c) Board of Trustees/Fund Administration Committee

**Taita Taveta County Datu Sawazisha Fund
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Ref	Position	Name
	Chairman of the Board	Mr. Andrew Kubo Mlawasi ACCA
1	Chief Officer –Youth,Sport & Gender	Ag CCO LEONARD OTIENO
2	Chief Officer finance	CCO JOYCE MWACHIA
3	Other trustees/Committee Members	DONALD NDAU
4	Fund Manager/ Administrator	PETER MWAZIGHE

d) Key Management

Ref	Position	Name
1	Fund Administrator	PETER MWAZIGHE
2	Fund Accountant	KELVIN MZAE

e) Fiduciary Oversight Arrangements

Ref	Position	Name
1	Directorate Internal Audit	CPA MOHAMMED ALI

f) Registered Offices

P.O. Box 1066-10304
Red Elephant Bistro Building
Along Msa-Nairobi Highway
Voi, Kenya

g) Fund Contacts

Telephone: (254) 797014328
E-mail: datusawazishafund@yahoo.com
Website: www.go.ke

h) Fund Bankers

1. Cooperative Bank of Kenya

Taita Taveta County Datu Sawazisha Fund
Reports and Financial Statements
For the year ended June 30, 2021.

Voi Branch
Elganga Plaza
P.O. Box 770-80300
Voi, Kenya

2. Kenya Commercial Bank
Wundanyi Branch
P.O Box 1067-80304
Wundanyi, Kenya

i) Independent Auditors

Auditor General
Office of The Auditor General
Anniversary Towers, University Way
P.O. Box 30084
GPO 00100
Nairobi, Kenya

j) Principal Legal Adviser

The Attorney General
State Law Office
Harambee Avenue
P.O. Box 40112
City Square 00200
Nairobi, Kenya

**Taita Taveta County Datu Sawazisha Fund
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2. THE FUND ADMINISTRATION COMMITTEE

Ref	Position	Name
1	CEC Member, Member Finance and Planning	Mr. Andrew Kubo Mlawasi, ACCA
2	Chief Officer, Finance and Planning	Ms. Joyce Kambe Mwachia, CPA (K)
3	Director – Accounting	Mr. Fredrick Nganga, CPA (K)
4	Fund Administrator	Mr. Peter Mwazighe
5	Fund Accountant	Mr. Kelvin Mzae

**Taita Taveta County Datu Sawazisha Fund
Reports and Financial Statements
For the year ended June 30, 2021.**

**3. STATEMENT OF PERFORMANCE AGAINST COUNTY ENTITY'S
PREDETERMINED OBJECTIVES**

Guidance

Introduction

Section 164 (2) (f) of the Public Finance Management Act, 2012 requires that, at the end of each financial year, the Accounting Officer when preparing financial statements of each County Government entity Government entities in accordance with the standards and formats prescribed by the Public Sector Accounting Standards Board includes a statement of the county government entity's performance against predetermined objectives.



The key development objectives of the Taita Taveta DATU SAWAZISHA FUND plan are to:

3. The object of the Fund is to—
 - (g) improve and stimulate the economy and standard of living in the County;
 - (h) provide credit facilities for women, the youth and persons with disability to enable them engage in profitable activities that enhance their economic growth; and
 - (i) Promote and develop enterprises within the county.

Progress on attainment of Strategic development objectives

Program	Objective	Outcome	Indicator	Performance
DATU SAWAZISHA FUND	a) improve and stimulate the economy and standard of living in the County;	Improved living standards of the County residence		In FY 20/21, since the board was non existence There was no activity which was done

4. MANAGEMENT TEAM

Name	Details of qualifications and experience
1) Mr. Andrew Kubo Mlawasi 	<ul style="list-style-type: none"> - CECM Finance & Planning -MSc Finance -ACCA -Vast Experience In Finance
2) Ms. Joyce Kambe Mwachia 	<ul style="list-style-type: none"> -CCO Finance & Planning -Holds a MSc Business Admn -CPAK -BCOM (BA) - has Vast experience in Finance & accounting
3) Mr. Peter Mwazighe	<ul style="list-style-type: none"> -Fund Administrator. -CPAK -Vast Experience in Finance & Accounting

**Taita Taveta County Datu Sawazisha Fund
Reports and Financial Statements
For the year ended June 30, 2021.**

5. FORWARD NOTE BY THE CEC –FINANCE AND PLANNING

It is my pleasure to present the Taita Taveta DATU SAWAZISHA Fund to financial statements for the year ended 30th June 2021. The financial statements have been prepared in accordance with the provisions of the Public Financial Management Act, 2012. The financial statements present the financial performance of the fund over the past year.

- **Review of the Fund's performance**

INCOME

In the year ended 30th June 2021 the fund had projected to receive Kshs 11,375,292 being the short-term loan repayments, however due to board non-existence there was no recovery from the loans.

EXPENDITURE

The total expenditure for the period was Kshs 6,105, this being the bank charges from the Kenya Commercial Bank Account.



Signed: _____

Andrew Kubo Mlawasi

CECM - Finance and Economic Planning

County Government of Taita Taveta

**Taita Taveta County Datu Sawazisha Fund
Reports and Financial Statements
For the year ended June 30, 2021.**

6. REPORT OF THE FUND MANAGER/ ADMINISTRATOR

It is my pleasure to present the Taita Taveta County DATU SAWAZISHA Fund Financial Statements for the year ended 30th June 2021. The financial statements present the financial performance of the fund over the past year.

The Taita Taveta County Emergency Fund was established by the 'Taita Taveta County DATU SAWAZISHA Fund Act, 2014, through a special issue "Kenya Gazette Supplement No. 5 (Taita Taveta County Acts No. 3) dated 23RD, May 2014.

FINANCIAL PERFORMANCE

a) Revenue

In the year ended 30th, June 2021 the fund had projected to collect Kshs, 11,375,292 this being short term loans, however due to board nonexistence there was no recovery from the loans.

b) Expenditures

The total expenditure for the period was Kshs 6,105, this being the bank charges from the Kenya Commercial Bank Account

c) Cash flows

In the FY 2020/21, the cash and cash equivalents decreased from Kshs 610,206 as at 30th June 2020 to Kshs 604,101 as at 30th June 2021

d) Conclusion

FY 2020/2021 nothing much was done regarding DATU SAWAZISHA fund, we look forward to come with mechanisms which will help us recover the loans issued.

Signed: _____

Peter Mwazighe

Fund Administrator

7. CORPORATE GOVERNANCE STATEMENT

THE FUND

The Taita Taveta County DATU SAWAZISHA Fund was Gazetted on 23RD, May, 2014 in the TAITA TAVETA COUNTY DATU SAWAZISHA FUND BILL, 2014

The fund committee, performs all functions vested in the fund legislation and other Regulations.

The Fund is committed to ensuring compliance with regulatory and supervisory corporate governance requirements. Essential to the establishment of a corporate governance framework in the fund is a formal governance structure with the Fund committee at its apex. The structure is designed to ensure an informed decision-making process based on accurate reporting to the board.

THE FUND COMMITTEE MEMBERS

The Fund's legislation provides that the CEC Youth, Sports, Gender, Culture and Social Services designated person who shall be the Fund administrator as directed by the funds Act. The Fund Committee exercises leadership, enterprise, integrity and judgment in directing the Fund.

The Members are provided with full, appropriate and timely information that enables them to maintain full and effective control over the strategic, financial, operational and compliance issues. The day-to-day running of the operations of the fund is delegated to the fund Administrator but the Members are responsible for establishing and maintaining the fund's system of internal controls for the realization of its mandate of providing financial support for Mortgage and car loan

FUND COMMITTEE MEETINGS

The fund has not held any meeting during the FY 2020/2021.

AUDIT AND RISK COMMITTEE

The County internal Audit committee and internal Auditors are tasked with ensuring that corporate governance and integrity is enhanced in between the governance of the fund. The committee was established to advice the board on institutional risk management and compliance.

STATEMENT OF COMPLIANCE

The committee confirms that the fund has throughout the FY2020/2021 complied with all statutory and regulatory requirements and that the fund has been managed in accordance with the principles of good corporate governance.

The fund will conduct an external legal audit which will confirm that the institution had complied with all relevant laws, regulations and requirements.

INTERNAL CONTROL AND RISK MANAGEMENT

Internal Control

The committee is responsible for reviewing the effectiveness of the fund's system of internal control which is designed to provide reasonable, but not absolute, assurance regarding the safeguarding of assets against unauthorized use or disposition and the maintenance of proper accounting records and the reliability of financial information used within the business or for publication. These controls are designed to manage rather than eliminate the risk of failure to achieve business objectives due to circumstances which may reasonably be foreseen and can only provide reasonable and not absolute assurance against material misstatement or loss.

Standing Instructions

The fund has a Code of Ethics and Service that is applicable to all employees. These have a number of standing instructions to employees of the fund designed to enhance internal control.

Organization Structure

A clear organizational structure exists, detailing lines of authority and control responsibilities.

Strategic Plan

The business of the fund is determined by the strategic plan. The strategic plan sets out the objectives of the fund, and the annual targets to be met to attain those objectives. The strategic plan is evaluated annually to assess the achievement of those objectives.

Internal Control Framework

The fund continues to review its internal control framework to ensure it maintains a strong and effective internal control environment. Business processes and controls are reviewed on an ongoing basis. A risk-based audit plan, which provides assurance over key business processes and operational and financial risks facing the fund, is approved by the audit and risk committee.

**Taita Taveta County Datu Sawazisha Fund
Reports and Financial Statements
For the year ended June 30, 2021.**

The audit and risk committee considers significant control matters raised by management and both the internal and external auditors and reports its findings to the board. Where weaknesses are identified, the committee ensures that management takes appropriate action. No significant failings or weaknesses were identified during the FY 2020/21.

Management Team

The management team headed by the Fund Administrator implements the Fund Committee decisions and policies through action plans.

Auditor

The fund is audited by the Auditor-General.

8. MANAGEMENT DISCUSSION AND ANALYSIS

The committee has continued to grow since its inception and the management has put measures in place to safeguard against any risks.

The management has ensured that we comply with statutory requirements relating to the functions of the fund and also making sure that there is no any form of non-compliance.

BUSINESS PERFORMANCE

Revenue

In the year ended 30th, June 2021 the fund had projected to collect Kshs, 11,375,292 this being short term loans, however due to board nonexistence there was no recovery from the loans.

Cash flow

In the FY 2020/21, the cash and cash equivalents decreased from Kshs 610,206 as at 30th June 2020 to Kshs 604,101 as at 30th June 2021.

OPERATIONAL PERFORMANCE

Beneficiaries of the Fund include Youth, Women and Persons with Disability.

The ward committees are under pressure to award all applicants, but there is need to put in place mechanisms that will enable to appraise and rank all the applicants and allocate only the most deserving cases.

The benefits of this Fund can only be effective where the group dynamics are taught to take beneficiaries. Deserving cases therefore need to be monitored with a view of helping them economically and sustainability in the projects undertaken by the groups.

Employees

Human capital is a critical ingredient towards ensuring realisation of our key strategic objectives and mandate. As our stakeholders increase their expectations, it is imperative to ensure adequate and motivated human resource capacity is available to provide services.

**Taita Taveta County Datu Sawazisha Fund
Reports and Financial Statements
For the year ended June 30, 2021.**

Conclusion

We appreciate the unrelenting support from the committee members, staff, the county government, development partners and all the key stakeholders. We look forward to the continued partnerships and cooperation in areas of mutual interest in the FY 2021/2022.

9. REPORT OF THE FUND ADMINISTRATION COMMITTEE

The Fund Administration Committee submit their report together with the audited financial statements for the year ended June 30, 2021, which show the state of the Fund affairs.

9.1 Principal activities

The principal activities of the Fund are (i) Improve and stimulate the economy and standards of living in the County. (ii) Provide credit facilities for women, the youth and persons with disability to enable them engage in profitable activities that enhance their economic growth. (iii) Promote and develop enterprises within the county.

9.2 Performance

The performance of the Fund for the year ended June 30, 2021, are set out on page 13

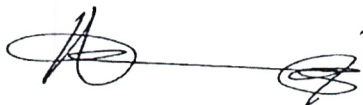
9.3 Trustees

The members of the Board of Trustee / *Administration Committee* who served during the year are shown on page 4

9.4 Auditors

The Auditor General is responsible for the statutory audit of the Fund in accordance with Article 229 of the Constitution of Kenya and the Public Audit Act 2015.

By Order of the Board



Andrew Kubo Mlawasi
CECM - Finance and Economic Planning
County Government of Taita Taveta
Date.....

10. STATEMENT OF MANAGEMENT'S RESPONSIBILITIES

Section 167 of the Public Finance Management Act, 2012 requires that, at the end of each financial year, the Administrator of a County Public Fund established by Kenya Gazette Supplement No. 5 (Taita Taveta County Acts No. 3) shall prepare financial statements for the Fund in accordance with the standards and formats prescribed by the Public Sector Accounting Standards Board.

The Administrator of the County Public Fund is responsible for the preparation and presentation of the Fund's financial statements, which give a true and fair view of the state of affairs of the Fund for and as at the end of the financial year ended on June 30, 2021. This responsibility includes: (i) maintaining adequate financial management arrangements and ensuring that these continue to be effective throughout the reporting period; (ii) maintaining proper accounting records, which disclose with reasonable accuracy at any time the financial position of the fund; (iii) Designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements, and ensuring that they are free from material misstatements, whether due to error or fraud; (iv) Safeguarding the assets of the fund; (v) Selecting and applying appropriate accounting policies; and (vi) Making accounting estimates that are reasonable in the circumstances.

The Administrator of the County Public Fund accepts responsibility for the Fund's financial statements, which have been prepared using appropriate accounting policies supported by reasonable and prudent judgements and estimates, in conformity with International Public Sector Accounting Standards (IPSAS), and in the manner required by the PFM Act, 2012 and Kenya Gazette Supplement No. 5 (Taita Taveta County Acts No. 3). The Administrator of the Fund is of the opinion that the Fund's financial statements give a true and fair view of the state of Fund's transactions during the financial year ended June 30, 2021, and of the Fund's financial position as at that date.

The Administrator further confirm the completeness of the accounting records maintained for the Fund, which have been relied upon in the preparation of the Fund's financial statements as well as the adequacy of the systems of internal financial control.

**Taita Taveta County Datu Sawazisha Fund
Reports and Financial Statements
For the year ended June 30, 2021.**

In preparing the financial statements, the Administrator of the County Public Fund has assessed the Fund's ability to continue as a going concern and disclosed, as applicable, matters relating to the use of going concern basis of preparation of the financial statements.

Nothing has come to the attention of the Administrator to indicate that the Fund will not remain a going concern for at least the next twelve months from the date of this statement.

Approval of the financial statements

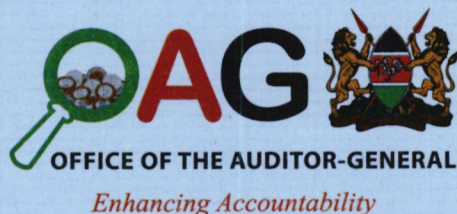
The Fund's financial statements were approved by the Board on 08-09-2021 and signed on its behalf by:



Peter Mwazighe
Fund Administrator

REPUBLIC OF KENYA

Telephone: +254-(20) 3214000
E-mail: info@oagkenya.go.ke
Website: www.oagkenya.go.ke



HEADQUARTERS
Anniversary Towers
Monrovia Street
P.O. Box 30084-00100
NAIROBI

REPORT OF THE AUDITOR-GENERAL ON TAITA TAVETA COUNTY DATU SAWAZISHA FUND FOR THE YEAR ENDED 30 JUNE, 2021

PREAMBLE

I draw your attention to the contents of my report which is in three parts:

- A. Report on the Financial Statements that considers whether the financial statements are fairly presented in accordance with the applicable financial reporting framework, accounting standards and the relevant laws and regulations that have a direct effect on the financial statements.
- B. Report on Lawfulness and Effectiveness in Use of Public Resources which considers compliance with applicable laws, regulations, policies, gazette notices, circulars, guidelines and manuals and whether public resources are applied in a prudent, efficient, economic, transparent and accountable manner to ensure Government achieves value for money and that such funds are applied for intended purpose.
- C. Report on Effectiveness of Internal Controls, Risk Management and Governance which considers how the entity has instituted checks and balances to guide internal operations. This responds to the effectiveness of the governance structure, the risk management environment, and the internal controls developed and implemented by those charged with governance for orderly, efficient and effective operations of the entity.

An unmodified opinion does not necessarily mean that an entity has complied with all relevant laws and regulations, and that its internal controls, risk management and governance systems are properly designed and were working effectively in the financial year under review.

The three parts of the report are aimed at addressing the statutory roles and responsibilities of the Auditor-General as provided by Article 229 of the Constitution, the Public Finance Management Act, 2012 and the Public Audit Act, 2015. The three parts of the report, when read together constitute the report of the Auditor-General.

REPORT ON THE FINANCIAL STATEMENTS

Qualified Opinion

I have audited the accompanying financial statements of Taita Taveta County Datu Sawazisha Fund set out on pages 19 to 58, which comprise of the statement of financial

position as at 30 June, 2021, and the statement of financial performance, statement of changes in net assets, statement of cash flows and the statement of comparison of budget and actual amounts for the year then ended, and a summary of significant accounting policies and other explanatory information in accordance with the provisions of Article 229 of the Constitution of Kenya and Section 35 of the Public Audit Act, 2015. I have obtained all the information and explanations which, to the best of my knowledge and belief, were necessary for the purpose of the audit.

In my opinion, except for the effects of the matter described in the Basis for Qualified Opinion section of my report, the financial statements present fairly, in all material respects, the financial position of the Taita Taveta County Datu Sawazisha Fund as at 30 June, 2021, and its financial performance and its cash flows for the year then ended, in accordance with the International Public Sector Accounting Standards (Accrual Basis) and comply with the Public Finance Management Act, 2012.

Basis for Qualified Opinion

Unsupported Receivables from Exchange Transactions

As disclosed in Note 11 to the financial statements, the statement of financial position reflects current portion of long-term receivables from exchange transactions of Kshs.11,375,292 and under non-current assets long-term receivables from exchange transactions of Kshs.34,125,876, all totalling to Kshs.45,501,169.

However, Management did not provide loans records/listings and ageing analysis for audit verification. Further, the Fund Management has not developed a policy document or guidelines on how the loans disbursed will be repaid or recovered.

In the circumstances, the accuracy and completeness of the receivables from exchange transactions balance of Kshs.45,501,169 could not be confirmed.

The audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAIs). I am independent of the Taita Taveta County Datu Sawazisha Fund Management in accordance with ISSAI 130 on Code of Ethics. I have fulfilled other ethical responsibilities in accordance with the ISSAI and in accordance with other ethical requirements applicable to performing audits of financial statements in Kenya. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my qualified opinion.

Key Audit Matters

Key audit matters are those matters that, in my professional judgment, are of most significance in the audit of the financial statements. There were no key audit matters to report in the year under review.

Other Matter

Unresolved Prior Year Matters

In the audit report of the previous year, several issues were raised. However, Management has not resolved the issues nor given any explanation for failure to adhere to the provisions of the Public Sector Accounting Standards Board templates.

REPORT ON LAWFULNESS AND EFFECTIVENESS IN USE OF PUBLIC RESOURCES

Conclusion

As required by Article 229(6) of the Constitution, based on the audit procedures performed, except for the matters described in the Basis for Conclusion on Lawfulness and Effectiveness in Use of Public Resources section of my report, I confirm that, nothing else has come to my attention to cause me to believe that public resources have not been applied lawfully and in an effective way.

Basis for Conclusion

1. Non-compliance with the Law on Administration Costs

As previously reported, Management spends 10% of the funds allocated to cater for administration costs. This is contrary to Regulation 197(1)(d) of Public Finance Management (County Governments) Regulations, 2015 which states that, "the administration costs of the Fund shall be a maximum of three (3%) percent of the approved budgets of the Fund".

In the circumstances, Management was in breach of the law.

2. Lack of an Approved Budget

During the year under review, the Fund had no approved budget. This is contrary to Regulation 42(b) of the Public Finance Management (County Governments) Regulations, 2015 which requires the Accounting Officer to ensure that public funds are applied only for purposes intended and appropriated by County Assembly. Further, this is contrary to Section 31(4) of the Taita Taveta County Datu Sawazisha Fund Act, 2014 which provides that, "except with the approval of the County Executive Committee Member in charge of Datu Sawazisha, no expenditure shall be incurred for the purposes of the Board except in accordance with the annual estimates.

In the circumstances, Management was in breach of the law.

The audit was conducted in accordance with ISSAI 4000. The standard requires that I comply with ethical requirements and plan and perform the audit to obtain assurance about whether the activities, financial transactions and information reflected in the financial statements are in compliance, in all material respects, with the authorities that

govern them. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

REPORT ON EFFECTIVENESS OF INTERNAL CONTROLS, RISK MANAGEMENT AND GOVERNANCE

Conclusion

As required by Section 7(1)(a) of the Public Audit Act, 2015, based on the audit procedures performed, except for the matters described in the Basis for Conclusion on Effectiveness of Internal Controls, Risk Management and Governance section of my report, I confirm that, nothing else has come to my attention to cause me to believe that internal controls, risk management and overall governance were not effective.

Basis for Conclusion

1. Lack of Risk Management Strategies

As previously reported, Management has not developed Risk Management Strategies including fraud prevention mechanism. Failure to develop risk management strategies affects effectiveness of internal control and ability of the Board in managing a robust service delivery.

In the circumstances, the effectiveness of risk management at the Fund could not be confirmed.

2. Board Members Serving on Expired Contracts

Review of records showed that all Fund Board Members' terms of service expired in November, 2017. However, no documentary evidence was provided for audit review to confirm that the members were re-appointed or their terms of service were renewed.

In the circumstances, the effectiveness of governance and internal control could not be confirmed.

The audit was conducted in accordance with ISSAI 2315 and ISSAI 2330. The standards require that I plan and perform the audit to obtain assurance about whether effective processes and systems of internal controls, risk management and overall governance were operating effectively, in all material respects. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

Responsibilities of Management and those Charged with Governance

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Public Sector Accounting Standards (Accrual Basis) and for maintaining effective internal control as Management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error and for its assessment of the effectiveness of internal controls, risk management and overall governance.

In preparing the financial statements, Management is responsible for assessing the Fund's ability to continue to sustain its services, disclosing, as applicable, matters related to sustainability of services and using the applicable basis of accounting unless Management is aware of the intention to terminate the Fund or to cease operations.

Management is also responsible for the submission of the financial statements to the Auditor-General in accordance with the provisions of Section 47 of the Public Audit Act, 2015.

In addition to the responsibility for the preparation and presentation of the financial statements described above, Management is also responsible for ensuring that the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities which govern them, and that public resources are applied in an effective way.

Those charged with governance are responsible for overseeing the Fund's financial reporting process, reviewing the effectiveness of how Management monitors compliance with relevant legislative and regulatory requirements, ensuring that effective processes and systems are in place to address key roles and responsibilities in relation to overall governance and risk management, and ensuring the adequacy and effectiveness of the control environment.

Auditor-General's Responsibilities for the Audit

The audit objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion in accordance with the provisions of Section 48 of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISSAIs will always detect a material misstatement and weakness when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

In addition to the audit of the financial statements, a compliance audit is planned and performed to express a conclusion about whether, in all material respects, the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities that govern them and that public resources are applied in an effective way, in accordance with the provisions of Article 229(6) of the Constitution and submit the audit report in compliance with Article 229(7) of the Constitution.

Further, in planning and performing the audit of the financial statements and audit of compliance, I consider internal control in order to give an assurance on the effectiveness of internal controls, risk management and overall governance processes and systems in accordance with the provisions of Section 7(1)(a) of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution. My consideration of

the internal control would not necessarily disclose all matters in the internal control that might be material weaknesses under the ISSAIs. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements caused by error or fraud in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions.


Because of its inherent limitations, internal control may not prevent or detect misstatements and instances of non-compliance. Also, projections of any evaluation of effectiveness to future periods are subject to the risk that controls may become inadequate because of changes in conditions, or that the degree of compliance with the policies and procedures may deteriorate.

As part of an audit conducted in accordance with ISSAIs, I exercise professional judgement and maintain professional skepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Management.
- Conclude on the appropriateness of the Management's use of the applicable basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Fund's ability to continue to sustain its services. If I conclude that a material uncertainty exists, I am required to draw attention in the auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my audit report. However, future events or conditions may cause the Fund to continue to cease to sustain its services.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Obtain sufficient appropriate audit evidence regarding the financial information and business activities of the Fund to express an opinion on the financial statements.
- Perform such other procedures as I consider necessary in the circumstances.

I communicate with the Management regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that are identified during the audit.

I also provide the Management with a statement that I have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on my independence, and where applicable, related safeguards.


CPA Nancy Gathungu, CBS
AUDITOR-GENERAL

Nairobi

05 September, 2022

Taita Taveta County Datu Sawazisha Fund
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12. FINANCIAL STATEMENTS

13.1 STATEMENT OF FINANCIAL PERFORMANCE FOR THE YEAR ENDED 30th JUNE 2021.

	Note	2020/2021	2019/2020
		KShs	KShs
Revenue from non-exchange transactions			
Public contributions and donations	1	-	-
Transfers from the County Government	2	-	-
Fines, penalties and other levies	3	-	-
		-	-
Revenue from exchange transactions			
Interest income	4	-	-
Other income	5	-	480
Total revenue		-	480
Expenses			
Fund administration expenses	6	-	350,000
General expenses	7	6,105	6,705
Finance costs	8	-	
Total expenses		6,105	356,705
Other gains/losses			
Gain/loss on disposal of assets	9	-	-
Surplus/(deficit) for the period		6,105	356,705

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The entity financial statements were approved on _____ 2021 and signed by:



Fund Administrator
Name: Peter Mwazighe
ICPAK Member Number: 25666



Fund Accountant
Name: Kelvin Mzae

Taita Taveta County Datu Sawazisha Fund
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13.2 STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2021

	Note	2020/2021	2019/2020
		KShs	KShs
Assets			
Current assets			
Cash and cash equivalents	10	604,101	610,206
Current portion of long- term receivables from exchange transactions	11	11,375,292	-
Receivables from Non- exchange transactions	12	-	-
Prepayments	13	-	-
Inventories	14	-	-
		11,979,393	610,206
Non-current assets			
Long term receivables from exchange transactions	11	34,125,876	45,501,169
Property, plant and equipment	15	-	-
Intangible assets	16	-	-
Total assets		46,105,269	46,111,375
Liabilities			
Current liabilities			
Trade and other payables from exchange transactions	17	-	-
Provisions	18	-	-
Current portion of borrowings	19	-	-
Employee benefit obligations	20	-	-
		-	-
Non-current liabilities			
Long term portion of borrowings	19	-	-
Non-current employee benefit obligation	20	-	-
Total liabilities		-	-
Net assets		46,105,269	46,111,375
Revolving Fund		54435424	54,435,424
Reserves		-	-
Accumulated surplus		(8,330,155)	(8,324,049)
Total net assets and liabilities		46,105,269	46,111,375

**Taita Taveta County Datu Sawazisha Fund
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The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The entity financial statements were approved on _____ 2021 and signed by:



Fund Administrator
Name: Peter Mwazighe
ICPAK Member Number: 25666



Fund Accountant
Name: Kelvin Mzae

Taita Taveta County Datu Sawazisha Fund
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13.3 STATEMENT OF CHANGES IN NET ASSETS AS AT 30 JUNE 2021

	Note	Revolving Fund	Revaluation Reserve KShs	Accumulated surplus KShs	Total KShs
Balance as at 1 July 2019		54,435,424	-	(7,967,824)	46,880,805
Surplus/(deficit) for the period	28	-	-	(356,225)	(413,205)
Funds received during the year	26	-	-	-	-
Revaluation gain	27	-	-	-	-
Balance as at 30 June 2020		54,435,424	-	(8,324,049)	46,111,375
Balance as at 1 July 2020		54,435,424	-	(8,324,049)	46,111,375
Surplus/(deficit) for the period	28	-	-	(6,105)	(6,105)
Funds received during the year	26	-	-	-	-
Revaluation gain	27	-	-	-	-
Balance as at 30 June 2021		54,435,424	-	(8,330,154)	46,105,270

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The entity financial statements were approved on _____ 2021 and signed by:



Fund Administrator
Name: Peter Mwazighe
ICPAK Member Number: 25666



Fund Accountant
Name: Kelvin Mzae

Taita Taveta County Datu Sawazisha Fund
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13.4 STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2021

	Note	FY2020/2021 KShs	FY2019/2020 KShs
Cash flows from operating activities			
Receipts			
Public contributions and donations	1	-	-
Transfers from the County Government	2	-	-
Fines, penalties and other levies	3	-	-
Interest received	4	-	-
Receipts from other operating activities	5	-	480
Total Receipts		-	480
Payments			
Fund administration expenses	6	0	350,000
General expenses	8	6,105	6,705
Other Transfers	9	-	-
Finance cost	10	-	-
Total Payments		6,105	356,705
Net cash flows from operating activities		(6,105)	(356,225)
Cash flows from investing activities			
Purchase of property, plant, equipment and intangible assets		-	-
Proceeds from sale of property, plant and equipment		-	-
Proceeds from loan principal repayments	26	-	-
Loan disbursements paid out	25	-	-
Net cash flows used in investing activities		-	-
Cash flows from financing activities			
Proceeds from revolving fund receipts		-	-
Additional borrowings		-	-
Repayment of borrowings		-	-
Net cash flows used in financing activities		-	-
Net increase/(decrease) in cash and cash equivalents		(6,105)	(356,225)
Cash and cash equivalents at 1 JULY	12	610,206	966,431
Cash and cash equivalents at 30 JUNE	12	604,101	610,206
Financial Position		604,101	610,206

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The entity financial statements were approved on _____ 2021 and signed by:



Fund Administrator
Name: Peter Mwazighe
ICPAK Member Number: 25666



Fund Accountant
Name: Kelvin Mzae

Taita Taveta County Datu Sawazish
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13.5 STATEMENT OF COMPARISON OF BUDGET AND ACTUAL AMOUNTS FOR THE PERIOD ENDED 30th JUNE 2021.

	Original budget	Adjustments	Final budget	Actual on comparable basis	Performance difference	% utilisation
	2021	2021	2021	2021	2021	2021
	KShs	KShs	KShs	KShs	KShs	
Revenue						
Public contributions and donations					-	0%
Transfers from County Govt.					-	0%
Interest income					-	0%
Other income				-	-	0%
Total income	-	-	-	-	-	-
Expenses						
Fund administration expenses				-	-	0%
General expenses				6,105	6,105	0%
Other Transfers					-	0%
Loans					-	0%
Total expenditure	-	-	-	6,105	(6105)	
Surplus for the period	-	-	-	(6,105)	6,105	-

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The entity financial statements were approved on _____ 2021 and signed by:



Fund Administrator
 Name: Peter Mwazighe
 ICPAK Member Number: 25666



Fund Accountant
 Name: Kelvin Mzae

13.6 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

1. Statement of compliance and basis of preparation

The Fund's financial statements have been prepared in accordance with and comply with International Public Sector Accounting Standards (IPSAS). The financial statements are presented in Kenya shillings, which is the functional and reporting currency of the Fund. The accounting policies have been consistently applied to all the years presented.

The financial statements have been prepared on the basis of historical cost, unless stated otherwise. The cash flow statement is prepared using the direct method. The financial statements are prepared on accrual basis.

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SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

2. Adoption of new and revised standards

a) Relevant new standards and amendments to published standards effective for the year ended 30 June 2021

Standard/ Amendments : Applicable: 1 st January 2021:	Impact
a) Amendments to IPSAS 13, to include the appropriate references to IPSAS on impairment, in place of the current references to other international and/or national accounting frameworks	There was no impact of the amendment to IPSAS 13 with respect to the current financial report
b) IPSAS 13, Leases and IPSAS 17, Property, Plant, and Equipment. Amendments to remove transitional provisions which should have been deleted when IPSAS 33, First Time Adoption of Accrual Basis International Public Sector Accounting Standards (IPSASs) was approved	There was no impact of the amendment to IPSAS 13 and IPSAS 17 with respect to the current financial report as the entity did not apply any of the transitional provisions in the FY 2020/2021
c) IPSAS 21, Impairment of Non-Cash-Generating Assets and IPSAS 26, Impairment of Cash Generating Assets. Amendments to ensure consistency of impairment guidance to account for revalued assets in the scope of IPSAS 17, Property, Plant, and Equipment and IPSAS 31, Intangible Assets.	There was no impact of the amendment to IPSAS 21 and IPSAS 26 with respect to the current financial report as the entity does not have Non-Cash Generating Assets and neither did it have impaired cash generating assets.
d) IPSAS 33, First-time Adoption of Accrual Basis International Public Sector Accounting Standards (IPSASs). Amendments to the implementation guidance on deemed cost in IPSAS 33 to make it consistent with the core principles in the Standard	<i>Document the impact if the fund is reporting for the first time on accrual/ Otherwise indicate that there was no impact</i>

SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

b) New and amended standards and interpretations in issue but not yet effective in the year ended 30 June 2021

Standard	Effective date and impact:
<p>IPSAS 41: Financial Instruments</p>	<p>Applicable: 1st January 2022:</p> <p>The objective of IPSAS 41 is to establish principles for the financial reporting of financial assets and liabilities that will present relevant and useful information to users of financial statements for their assessment of the amounts, timing and uncertainty of an entity's future cash flows.</p> <p>IPSAS 41 provides users of financial statements with more useful information than IPSAS 29, by:</p> <ul style="list-style-type: none"> • Applying a single classification and measurement model for financial assets that considers the characteristics of the asset's cash flows and the objective for which the asset is held; • Applying a single forward-looking expected credit loss model that is applicable to all financial instruments subject to impairment testing; and • Applying an improved hedge accounting model that broadens the hedging arrangements in scope of the guidance. The model develops a strong link between an entity's risk management strategies and the accounting treatment for instruments held as part of the risk management strategy. <p><i>(State the impact of the standard to the entity if relevant)</i></p>
<p>IPSAS 42: Social Benefits</p>	<p>Applicable: 1st January 2022</p> <p>The objective of this Standard is to improve the relevance, faithful representativeness and comparability of the information that a reporting entity provides in its financial statements about social benefits. The information provided should help users of the financial statements and general-purpose financial reports assess:</p>

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Standard	Effective date and impact:
	<p>(a) The nature of such social benefits provided by the entity;</p> <p>(b) The key features of the operation of those social benefit schemes; and</p> <p>(c) The impact of such social benefits provided on the entity's financial performance, financial position and cash flows.</p> <p><i>(State the impact of the standard to the entity if relevant)</i></p>
<p>Amendments to Other IPSAS resulting from IPSAS 41, Financial Instruments</p>	<p>Applicable: 1st January 2022:</p> <p>a) Amendments to IPSAS 5, to update the guidance related to the components of borrowing costs which were inadvertently omitted when IPSAS 41 was issued.</p> <p>b) Amendments to IPSAS 30, regarding illustrative examples on hedging and credit risk which were inadvertently omitted when IPSAS 41 was issued.</p> <p>c) Amendments to IPSAS 30, to update the guidance for accounting for financial guarantee contracts which were inadvertently omitted when IPSAS 41 was issued.</p> <p>Amendments to IPSAS 33, to update the guidance on classifying financial instruments on initial adoption of accrual basis IPSAS which were inadvertently omitted when IPSAS 41 was issued.</p>

SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

c) Early adoption of standards

The entity did not early – adopt any new or amended standards in year 2020.

3. Revenue recognition

i) Revenue from non-exchange transactions

Transfers from other government entities

Revenues from non-exchange transactions with other government entities are measured at fair value and recognized on obtaining control of the asset (cash, goods, services and property) if the transfer is free from conditions and it is probable that the economic benefits or service potential related to the asset will flow to the entity and can be measured reliably.

ii) Revenue from exchange transactions

Interest income

Interest income is accrued using the effective yield method. The effective yield discounts estimated future cash receipts through the expected life of the financial asset to that asset's net carrying amount. The method applies this yield to the principal outstanding to determine interest income each period.

4. Budget information

The original budget for FY 2020/2021 was approved by the County Assembly on 23rd May 2014. Subsequent revisions or additional appropriations were made to the approved budget in accordance with specific approvals from the appropriate authorities. The additional appropriations are added to the original budget by the entity upon receiving the respective approvals in order to conclude the final budget.

The entity's budget is prepared on a different basis to the actual income and expenditure disclosed in the financial statements. The financial statements are prepared on accrual basis using a classification based on the nature of expenses in the statement of financial performance, whereas the budget is prepared on a cash basis. The amounts in the financial statements were

Taita Taveta County Datu Sawazisha Fund
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SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

recast from the accrual basis to the cash basis and reclassified by presentation to be on the same basis as the approved budget. A comparison of budget and actual amounts, prepared on a comparable basis to the approved budget, is then presented in the statement of comparison of budget and actual amounts.

In addition to the Basis difference, adjustments to amounts in the financial statements are also made for differences in the formats and classification schemes adopted for the presentation of the financial statements and the approved budget.

A statement to reconcile the actual amounts on a comparable basis included in the statement of comparison of budget and actual amounts and the actuals as per the statement of financial performance has been presented under section xxx of these financial statements.

5. Property, plant and equipment

All property, plant and equipment are stated at cost less accumulated depreciation and impairment losses. Cost includes expenditure that is directly attributable to the acquisition of the items. When significant parts of property, plant and equipment are required to be replaced at intervals, the entity recognizes such parts as individual assets with specific useful lives and depreciates them accordingly. Likewise, when a major inspection is performed, its cost is recognized in the carrying amount of the plant and equipment as a replacement if the recognition criteria are satisfied. All other repair and maintenance costs are recognized in surplus or deficit as incurred. Where an asset is acquired in a non-exchange transaction for nil or nominal consideration the asset is initially measured at its fair value.

2. Intangible assets

Intangible assets acquired separately are initially recognized at cost. The cost of intangible assets acquired in a non-exchange transaction is their fair value at the date of the exchange. Following initial recognition, intangible assets are carried at cost less any accumulated amortization and accumulated impairment losses. Internally generated intangible assets, excluding capitalized development costs, are not capitalized and expenditure is reflected in surplus or deficit in the period in which the expenditure is incurred. The useful life of the intangible assets is assessed as either finite or indefinite.

SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

3. Financial instruments

a) Financial assets

Initial recognition and measurement

Financial assets within the scope of IPSAS 29 Financial Instruments: Recognition and Measurement are classified as financial assets at fair value through surplus or deficit, loans and receivables, held-to-maturity investments or available-for-sale financial assets, as appropriate. The Entity determines the classification of its financial assets at initial recognition.

Loans and receivables

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market. After initial measurement, such financial assets are subsequently measured at amortized cost using the effective interest method, less impairment. Amortized cost is calculated by taking into account any discount or premium on acquisition and fees or costs that are an integral part of the effective interest rate. Losses arising from impairment are recognized in the surplus or deficit.

Held-to-maturity

Non-derivative financial assets with fixed or determinable payments and fixed maturities are classified as held to maturity when the Entity has the positive intention and ability to hold it to maturity. After initial measurement, held-to-maturity investments are measured at amortized cost using the effective interest method, less impairment. Amortized cost is calculated by taking into account any discount or premium on acquisition and fees or costs that are an integral part of the effective interest rate. The losses arising from impairment are recognized in surplus or deficit.

Impairment of financial assets

The Entity assesses at each reporting date whether there is objective evidence that a financial asset or a entity of financial assets is impaired. A financial asset or a entity of financial assets is deemed to be impaired if, and only if, there is objective evidence of impairment as a result of one or more events that has occurred after the initial recognition of the asset (an incurred 'loss event') and that loss event has an impact on the estimated future cash flows of the financial

SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

asset or the entity of financial assets that can be reliably estimated. Evidence of impairment may include the following indicators:

- The debtors or a entity of debtors are experiencing significant financial difficulty
- Default or delinquency in interest or principal payments
- The probability that debtors will enter bankruptcy or other financial reorganization
- Observable data indicates a measurable decrease in estimated future cash flows (e.g. changes in arrears or economic conditions that correlate with defaults)

b) Financial liabilities

Initial recognition and measurement

Financial liabilities within the scope of IPSAS 29 are classified as financial liabilities at fair value through surplus or deficit or loans and borrowings, as appropriate. The Entity determines the classification of its financial liabilities at initial recognition.

All financial liabilities are recognized initially at fair value and, in the case of loans and borrowings, plus directly attributable transaction costs.

Loans and borrowing

After initial recognition, interest bearing loans and borrowings are subsequently measured at amortized cost using the effective interest method. Gains and losses are recognized in surplus or deficit when the liabilities are derecognized as well as through the effective interest method amortization process.

Amortized cost is calculated by taking into account any discount or premium on acquisition and fees or costs that are an integral part of the effective interest rate.

4. Inventories

Inventory is measured at cost upon initial recognition. To the extent that inventory was received through non-exchange transactions (for no cost or for a nominal cost), the cost of the inventory is its fair value at the date of acquisition.

SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Costs incurred in bringing each product to its present location and conditions are accounted for, as follows:

- Raw materials: purchase cost using the weighted average cost method
- Finished goods and work in progress: cost of direct materials and labour and a proportion of manufacturing overheads based on the normal operating capacity, but excluding borrowing costs

After initial recognition, inventory is measured at the lower of cost and net realizable value. However, to the extent that a class of inventory is distributed or deployed at no charge or for a nominal charge, that class of inventory is measured at the lower of cost and current replacement cost.

Net realizable value is the estimated selling price in the ordinary course of operations, less the estimated costs of completion and the estimated costs necessary to make the sale, exchange, or distribution.

Inventories are recognized as an expense when deployed for utilization or consumption in the ordinary course of operations of the Entity.

5. Provisions

Provisions are recognized when the Entity has a present obligation (legal or constructive) as a result of a past event, it is probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation and a reliable estimate can be made of the amount of the obligation.

Where the Entity expects some or all of a provision to be reimbursed, for example, under an insurance contract, the reimbursement is recognized as a separate asset only when the reimbursement is virtually certain.

The expense relating to any provision is presented in the statement of financial performance net of any reimbursement.

Contingent liabilities

The Entity does not recognize a contingent liability, but discloses details of any contingencies in the notes to the financial statements, unless the possibility of an outflow of resources embodying economic benefits or service potential is remote.

SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Contingent assets

The Entity does not recognize a contingent asset but discloses details of a possible asset whose existence is contingent on the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Entity in the notes to the financial statements. Contingent assets are assessed continually to ensure that developments are appropriately reflected in the financial statements. If it has become virtually certain that an inflow of economic benefits or service potential will arise and the asset's value can be measured reliably, the asset and the related revenue are recognized in the financial statements of the period in which the change occurs.

6. Nature and purpose of reserves

The Entity creates and maintains reserves in terms of specific requirements. *Entity to state the reserves maintained and appropriate policies adopted.*

7. Changes in accounting policies and estimates

The Entity recognizes the effects of changes in accounting policy retrospectively. The effects of changes in accounting policy are applied prospectively if retrospective application is impractical.

8. Employee benefits – Retirement benefit plans

The Entity provides retirement benefits for its employees and directors. Defined contribution plans are post-employment benefit plans under which an entity pays fixed contributions into a separate entity (a fund), and will have no legal or constructive obligation to pay further contributions if the fund does not hold sufficient assets to pay all employee benefits relating to employee service in the current and prior periods. The contributions to fund obligations for the payment of retirement benefits are charged against income in the year in which they become payable.

SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Defined benefit plans are post-employment benefit plans other than defined-contribution plans. The defined benefit funds are actuarially valued tri-annually on the projected unit credit method basis. Deficits identified are recovered through lump sum payments or increased future contributions on proportional basis to all participating employers. The contributions and lump sum payments reduce the post-employment benefit obligation.

9. Foreign currency transactions

Transactions in foreign currencies are initially accounted for at the ruling rate of exchange on the date of the transaction. Trade creditors or debtors denominated in foreign currency are reported at the statement of financial position reporting date by applying the exchange rate on that date. Exchange differences arising from the settlement of creditors, or from the reporting of creditors at rates different from those at which they were initially recorded during the period, are recognized as income or expenses in the period in which they arise.

10. Borrowing costs

Borrowing costs are capitalized against qualifying assets as part of property, plant and equipment. Such borrowing costs are capitalized over the period during which the asset is being acquired or constructed and borrowings have been incurred. Capitalization ceases when construction of the asset is complete. Further borrowing costs are charged to the statement of financial performance.

11. Related parties

The Entity regards a related party as a person or an entity with the ability to exert control individually or jointly, or to exercise significant influence over the Entity, or vice versa. Members of key management are regarded as related parties and comprise the directors/Trustee, the Fund Managers and Fund Accountant.

SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

12. Cash and cash equivalents

Cash and cash equivalents comprise cash on hand and cash at bank, short-term deposits on call and highly liquid investments with an original maturity of three months or less, which are readily convertible to known amounts of cash and are subject to insignificant risk of changes in value. Bank account balances include amounts held at the Central Bank of Kenya (*Remove if not applicable*) and at various commercial banks at the end of the financial year. For the purposes of these financial statements, cash and cash equivalents also include short term cash imprests and advances to authorised public officers and/or institutions which were not surrendered or accounted for at the end of the financial year.

13. Comparative figures

Where necessary comparative figures for the previous financial year have been amended or reconfigured to conform to the required changes in presentation.

14. Events after the reporting period

There were no material adjusting and non- adjusting events after the reporting period.

15. Ultimate and Holding Entity

The entity is a County Public Fund established by DATU SAWAZISHA Fund Bill under the Department of Youth, Sports, Gender and social services. Its ultimate parent is the County Government of Taita Taveta.

16. Currency

The financial statements are presented in Kenya Shillings (Kshs).

SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

17. Significant judgments and sources of estimation uncertainty

The preparation of the Entity's financial statements in conformity with IPSAS requires management to make judgments, estimates and assumptions that affect the reported amounts of revenues, expenses, assets and liabilities, and the disclosure of contingent liabilities, at the end of the reporting period. However, uncertainty about these assumptions and estimates could result in outcomes that require a material adjustment to the carrying amount of the asset or liability affected in future periods.

State all judgements, estimates and assumptions made: e.g.

a) Estimates and assumptions

The key assumptions concerning the future and other key sources of estimation uncertainty at the reporting date, that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year, are described below. The Entity based its assumptions and estimates on parameters available when the consolidated financial statements were prepared. However, existing circumstances and assumptions about future developments may change due to market changes or circumstances arising beyond the control of the Entity. Such changes are reflected in the assumptions when they occur. IPSAS 1.140.

b) Useful lives and residual values

The useful lives and residual values of assets are assessed using the following indicators to inform potential future use and value from disposal:

- i) The condition of the asset based on the assessment of experts employed by the Entity
- ii) The nature of the asset, its susceptibility and adaptability to changes in technology and processes
- iii) The nature of the processes in which the asset is deployed
- iv) Availability of funding to replace the asset
- v) Changes in the market in relation to the asset

SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

c) Provisions

Provisions were raised and management determined an estimate based on the information available.

Provisions are measured at the management's best estimate of the expenditure required to settle the obligation at the reporting date, and are discounted to present value where the effect is material.

(include provisions applicable for your organisation e.g provision for bad debts, provisions of obsolete stocks and how management estimates these provisions)

18. Financial risk management

The Fund's activities expose it to a variety of financial risks including credit and liquidity risks and effects of changes in foreign currency. The Fund's overall risk management programme focuses on unpredictability of changes in the business environment and seeks to minimise the potential adverse effect of such risks on its performance by setting acceptable levels of risk. The Fund does not hedge any risks and has in place policies to ensure that credit is only extended to customers with an established credit history.

The Fund's financial risk management objectives and policies are detailed below:

a) Credit risk

The Fund has exposure to credit risk, which is the risk that a counterparty will be unable to pay amounts in full when due. Credit risk arises from cash and cash equivalents, and deposits with banks, as well as trade and other receivables and available-for-sale financial investments.

Management assesses the credit quality of each customer, taking into account its financial position, past experience and other factors. Individual risk limits are set based on internal or external assessment in accordance with limits set by the directors. The amounts presented in the statement of financial position are net of allowances for doubtful receivables, estimated by the entity's management based on prior experience and their assessment of the current economic environment.

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SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

The carrying amount of financial assets recorded in the financial statements representing the entity's maximum exposure to credit risk without taking account of the value of any collateral obtained is made up as follows:

	Total amount KShs	Fully performing KShs	Past due KShs	Impaired KShs
At 30 June 2021				
Receivables from exchange transactions	-	-	-	-
Receivables from non-exchange transactions	-	xxx	xxx	xxx
Bank balances	xxx	xxx	xxx	xxx
Total	xxx	xxx	xxx	xxx
At 30 June 2020				
Receivables from exchange transactions	xxx	xxx	xxx	xxx
Receivables from non-exchange transactions	xxx	xxx	xxx	xxx
Bank balances	xxx	xxx	xxx	xxx
Total	xxx	xxx	xxx	xxx

(NB: The totals column should tie to the individual elements of credit risk disclosed in the entity's statement of financial position)

The customers under the fully performing category are paying their debts as they continue trading. The credit risk associated with these receivables is minimal and the allowance for uncollectible amounts that the entity has recognised in the financial statements is considered adequate to cover any potentially irrecoverable amounts. The entity has significant concentration of credit risk on amounts due from xxx.

The board of trustees sets the Fund's credit policies and objectives and lays down parameters within which the various aspects of credit risk management are operated.

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For the year ended June 30, 2021.**

SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

b) Liquidity risk management

Ultimate responsibility for liquidity risk management rests with the Fund Administrator, who has built an appropriate liquidity risk management framework for the management of the entity's short, medium and long-term funding and liquidity management requirements. The entity manages liquidity risk through continuous monitoring of forecasts and actual cash flows. The table below represents cash flows payable by the Fund under non-derivative financial liabilities by their remaining contractual maturities at the reporting date. The amounts disclosed in the table are the contractual undiscounted cash flows. Balances due within 12 months equal their carrying balances, as the impact of discounting is not significant.

	Less than 1 month	Between 1-3 months	Over 5 months	Total
	KShs	KShs	KShs	KShs
At 30 June 2021				
Trade payables	-	-	-	-
Current portion of borrowings	-	-	-	-
Provisions	-	-	-	-
Employee benefit obligation	-	-	-	-
Total	-	-	-	-
At 30 June 2020				
Trade payables	-	-	-	-
Current portion of borrowings	-	-	-	-
Provisions	-	-	-	-
Employee benefit obligation	-	-	-	-
Total	-	-	-	-

SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

c) Market risk

The board has put in place an internal audit function to assist it in assessing the risk faced by the entity on an ongoing basis, evaluate and test the design and effectiveness of its internal accounting and operational controls.

Market risk is the risk arising from changes in market prices, such as interest rate, equity prices and foreign exchange rates which will affect the entity's income or the value of its holding of financial instruments. The objective of market risk management is to manage and control market risk exposures within acceptable parameters, while optimising the return. Overall responsibility for managing market risk rests with the Audit and Risk Management Committee. The Fund's Finance Department is responsible for the development of detailed risk management policies (subject to review and approval by Audit and Risk Management Committee) and for the day to day implementation of those policies.

There has been no change to the entity's exposure to market risks or the manner in which it manages and measures the risk.

d) Foreign currency risk

The entity has transactional currency exposures. Such exposure arises through purchases of goods and services that are done in currencies other than the local currency. Invoices denominated in foreign currencies are paid after 30 days from the date of the invoice and conversion at the time of payment is done using the prevailing exchange rate.

Taita Taveta County Datu Sawazisha Fund
Reports and Financial Statements
For the year ended June 30, 2021.

SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

The carrying amount of the entity's foreign currency denominated monetary assets and monetary liabilities at the end of the reporting period are as follows:

		Other currencies	Total
	KShs	KShs	KShs
At 30 June 2021			
Financial assets	-	-	-
Investments	-	-	-
Cash	-	-	-
Debtors/ receivables			
Liabilities			
Trade and other payables	-	-	-
Borrowings	-	-	-
Net foreign currency asset/(liability)	-	-	-

The Fund manages foreign exchange risk from future commercial transactions and recognised assets and liabilities by projecting for expected sales proceeds and matching the same with expected payments.

Foreign currency sensitivity analysis

The following table demonstrates the effect on the Fund's statement of financial performance on applying the sensitivity for a reasonable possible change in the exchange rate of the three main transaction currencies, with all other variables held constant. The reverse would also occur if the Kenya Shilling appreciated with all other variables held constant.

	Change in currency rate	Effect on surplus/ deficit	Effect on equity
	KShs	KShs	KShs
2021			
Euro	10%	-	-
USD	10%	-	-
2020			
Euro	10%	-	-
USD	10%	-	-

SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

e) Interest rate risk

Interest rate risk is the risk that the entity's financial condition may be adversely affected as a result of changes in interest rate levels. The entity's interest rate risk arises from bank deposits. This exposes the Fund to cash flow interest rate risk. The interest rate risk exposure arises mainly from interest rate movements on the Fund's deposits.

Management of interest rate risk

To manage the interest rate risk, management has endeavoured to bank with institutions that offer favourable interest rates.

Sensitivity analysis

The Fund analyses its interest rate exposure on a dynamic basis by conducting a sensitivity analysis. This involves determining the impact on profit or loss of defined rate shifts. The sensitivity analysis for interest rate risk assumes that all other variables, in particular foreign exchange rates, remain constant. The analysis has been performed on the same basis as the prior year.

Using the end of the year figures, the sensitivity analysis indicates the impact on the statement of comprehensive income if current floating interest rates increase/decrease by one percentage point as a decrease/increase of KShs xxx (2021: KShs xxx). A rate increase/decrease of 5% would result in a decrease/increase in profit before tax of KShs xxx (2020 – KShs xxx)

f) Capital risk management

The objective of the Fund's capital risk management is to safeguard the Fund's ability to continue as a going concern. The entity capital structure comprises of the following funds:

Taita Taveta County Datu Sawazisha Fund
Reports and Financial Statements
For the year ended June 30, 2021.

SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

	2020/2021	2019/2020
	KShs	KShs
Revaluation reserve	-	-
Revolving fund	-	-
Accumulated surplus	-	-
Total funds	-	-
Total borrowings	-	-
Less: cash and bank balances	-	-
Net debt/(excess cash and cash equivalents)	-	-
Gearing		

Taita Taveta County Datu Sawazisha Fund
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For the year ended June 30, 2021.

13. NOTES TO THE FINANCIAL STATEMENTS

1. Public contributions and donations

Description	2020/2021	2019/2020
	KShs	KShs
Donation from development partners	-	-
Contributions from the public	-	-
Total	-	-

(Provide brief explanation for this revenue)

2. Transfers from County Government

Description	2020/2021	2019/2020
	KShs	KShs
Transfers from County Govt. – operations	-	-
Payments by County on behalf of the entity	-	-
Total	-	-

3. Fines, penalties and other levies

Description	2020/2021	2019/2020
	KShs	KShs
Late payment penalties	-	-
Fines	-	-
Levies	-	-
Licences	-	-
Total	-	-

(Provide brief explanation for this revenue)

4. Interest income

Description	2020/2021	2019/2020
	KShs	KShs
Interest income from Mortgage loans	-	-
Interest income from car loans	-	-
Interest income from investments	-	-
Interest income on bank deposits	-	-
Total interest income	-	-

(Provide brief explanation for this revenue)

Taita Taveta County Datu Sawazisha Fund
Reports and Financial Statements
For the year ended June 30, 2021.

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

5. Other income

Description	2020/2021	2019/2020
	KShs	KShs
Insurance recoveries	-	-
Income from sale of tender documents	-	-
Miscellaneous income (specify)	-	-
Total other income	-	-

(NB: All income should be classified as far as possible in the relevant classes and other income should be used to recognise income not elsewhere classified).

6. Fund administration expenses

Description	FY2020/2021	FY2019/2020
	KShs	KShs
Staff costs (Note 7)	-	350,000
Loan processing costs	-	-
Professional services costs	-	-
Total	-	350,000

N/B The total amount under staff costs has been included in note 6 as part of Fund Administration Expenses chiefly because most funds do not have separate employee but rather the cost would relate to allowances drawn in line fund administration.

Taita Taveta County Datu Sawazisha Fund
 Reports and Financial Statements
 For the year ended June 30, 2021.

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

7. General expenses

Description	2020/2021	2019/2020
	KShs	KShs
Consumables	-	-
Electricity and water expenses	-	-
Fuel and oil costs	-	-
Insurance costs	-	-
Postage	-	-
Printing and stationery	-	-
Rental costs	-	-
Security costs	-	-
Telecommunication	-	-
Bank Charges	-	-
Hospitality	-	-
Depreciation and amortization costs	-	-
Other expenses	-	-
Total	-	-

8. Finance costs

Description	2020/2021	2019/2020
	KShs	KShs
Interest on Bank overdrafts	-	-
Interest on loans from banks	-	-
Total	-	-

9. Gain/(loss) on disposal of assets

Description	2020/2021	2019/2020
	KShs	KShs
Property, plant and equipment	-	-
Intangible assets	-	-
Total	-	-

Taita Taveta County Datu Sawazisha Fund
 Reports and Financial Statements
 For the year ended June 30, 2021.

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

10. Cash and cash equivalents

Description	2020/2021	2019/2020
	KShs	KShs
Fixed deposits account	-	-
On – call deposits	-	-
Current account	604,101	610,206
Others	-	-
Total cash and cash equivalents	-	-

(The amount should agree with the closing and opening balances as included in the statement of cash flows)

Detailed analysis of the cash and cash equivalents are as follows:

Financial institution	Account number	2020/2021	2019/2020
		KShs	KShs
a) Fixed deposits account			
Kenya Commercial bank		-	-
Equity Bank, etc		-	-
Sub- total		-	-
b) On - call deposits			
Kenya Commercial bank		-	-
Equity Bank - etc		-	-
Sub- total		-	-
c) Current account			
Kenya Commercial bank		603,492.50	609,597.50
Bank B		608.35	608.50
Sub- total		604,101	610,206
d) Others(specify)			
Cash in transit		-	-
Cash in hand		-	-
Mobile Money		-	-
Sub- total		-	-
Grand total		-	-

Taita Taveta County Datu Sawazisha Fund
 Reports and Financial Statements
 For the year ended June 30, 2021.

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

11. Receivables from exchange transactions

b) Description	FY2020/2021	FY2019/2020
	KShs	KShs
Current Receivables		
Interest receivable	-	-
Current loan repayments due	11,375,292	11,375,292
Other exchange debtors	-	-
Less: impairment allowance	-	-
Total Current receivables	11,375,292	11,375,292
Non-Current receivables		
Long term loan repayments due	34,125,876	34,125,876
Total Non-current receivables	34,125,876	34,125,876
Total receivables from exchange transactions	45,501,169	45,501,169

Additional disclosure on interest receivable

Description	2020/2021	2019/2020
	KShs	KShs
Interest receivable		
Interest receivable from current portion of long-term loans of previous years	-	-
Accrued interest receivable from of long-term loans of previous years	-	-
Interest receivable from current portion of long-term loans issued in the current year	-	-
Current loan repayments due		
Current portion of long-term loans from previous years	-	-
Accrued principal from long-terms loans from previous periods	-	-
Current portion of long-term loans issued in the current year	-	-

Taita Taveta County Datu Sawazisha Fund
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For the year ended June 30, 2021.

12. Prepayments

Description	2020/2021	2019/2020
	KShs	KShs
Prepaid rent	-	-
Prepaid insurance	-	-
Prepaid electricity costs	-	-
Other prepayments(specify)	-	-
Total	-	-

13. Inventories

Description	2020/2021	2019/2020
	KShs	KShs
Consumable stores	-	-
Spare parts and meters	-	-
Catering	-	-
Other inventories(specify)	-	-
Total inventories at the lower of cost and net realizable value	-	-

**Taita Taveta County Datu Sawazisha Fund
Reports and Financial Statements
For the year ended June 30, 2021.**

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

14. Property, plant and equipment

Taita Taveta County Datu Sawazisha Fund
 Reports and Financial Statements
 For the year ended June 30, 2021.

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

16. Intangible assets-software

Description	FY2020/2021	FY2019/2020
	KShs	KShs
Cost		
At beginning of the year	-	-
Additions	-	-
At end of the year	-	-
Amortization and impairment		
At beginning of the year	-	-
Amortization	-	-
At end of the year	-	-
Impairment loss	-	-
At end of the year	-	-
NBV	-	-

16. Property, plant and equipment

	Land and	Motor vehicles	Furnitu f
	Buildings		
Cost	KShs	KShs	
At 1 st July 2020	-	-	
Additions	-	-	
Disposals	-	-	
Transfers/adjustments	-	-	
At 30 th June 2021	-	-	
Depreciation and impairment			
At 1 st July 2020	-	-	
Depreciation	-	-	
Impairment	-	-	
At 30 th June 2021	-	-	
At 1 st July 2020	-	-	
Depreciation	-	-	
Disposals	-	-	
Impairment	-	-	
Transfer/adjustment	-	-	
At 30 th June 2021	-	-	
Net book values			
At 30 th June 2020	-	-	

Taita Taveta County Datu Sawazisha Fund
 Reports and Financial Statements
 For the year ended June 30, 2021.

At 30 th June 2021	-	-
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17. Trade and other payables from exchange transactions

Description	2020/2021	2019/2020
	KShs	KShs
Trade payables	-	-
Refundable deposits	-	-
Accrued expenses	-	-
Other payables	-	-
Total trade and other payables	-	-

1. Provisions

Description	Leave provision	Bonus provision	Other provision	Total
	KShs	KShs	KShs	KShs
Balance at the beginning of the year (1.07.2020)	-	-	-	-
Additional Provisions	-	-	-	-
Provision utilised	-	-	-	-
Change due to discount and time value for money	-	-	-	-
Transfers from non -current provisions	-	-	-	-
Balance at the end of the year (30.06.2021)	-	-	-	-

Taita Taveta County Datu Sawazisha Fund
Reports and Financial Statements
For the year ended June 30, 2021.

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

2. Borrowings

Description	2020/2021	2019/2020
Balance at beginning of the period	-	-
External borrowings during the year	-	-
Domestic borrowings during the year	-	-
Repayments of external borrowings during the period	-	-
Repayments of domestics borrowings during the period	-	-
Balance at end of the period	-	-

Taita Taveta County Datu Sawazisha Fund
 Reports and Financial Statements
 For the year ended June 30, 2021.

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

3. Employee benefit obligations

Description	Defined benefit plan	Post employment medical benefits	Other Provisions	Total
	KShs	KShs	KShs	KShs
Current benefit obligation	-	-	-	-
Non-current benefit obligation	-	-	-	-
Total employee benefits obligation	-	-	-	-

4. Cash generated from operations

	2020/2021	2019/2020
	KShs	KShs
Surplus/ (deficit) for the year before tax	-	-
Adjusted for:		
Depreciation	-	-
Amortisation	-	-
Gains/ losses on disposal of assets	-	-
Interest income	-	-
Finance cost	-	-
Working Capital adjustments		
Increase in inventory	-	-
Increase in receivables	-	-
Increase in payables	-	-
Net cash flow from operating activities	-	-

(The total of this statement should tie to the cash flow section on net cash flows from operating activities)

**Taita Taveta County Datu Sawazisha Fund
Reports and Financial Statements
For the year ended June 30, 2021.**

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

5. Related party balances

a) Nature of related party relationships

Entities and other parties related to the Fund include those parties who have ability to exercise control or exercise significant influence over its operating and financial decisions. Related parties include management personnel, their associates and close family members. The fund/scheme is related to the following entities:

- a) The County Government;
- b) The Parent County Government Ministry;
- c) County Assembly;
- d) Key management;
- e) Board of Trustees; etc

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

b) Related party transactions

	2020/2021	2019/2020
	KShs	KShs
Transfers from related parties'	-	-
Transfers to related parties	-	-

c) Key management remuneration

	2020/2021	2019/2020
	KShs	KShs
Board of Trustees	-	-
Key Management Compensation	-	-
Total	-	-

**Taita Taveta County Datu Sawazisha Fund
Reports and Financial Statements
For the year ended June 30, 2021.**

d) Due from related parties

	2020/2021	2019/2020
	KShs	KShs
Due from parent Ministry	-	-
Due from County Government	-	-
Due from County Assembly	-	-
Total	-	-

e) Due to related parties

	2020/2021	2019/2020
	KShs	KShs
Due to parent Ministry	-	-
Due to County Government	-	-
Due to Key management personnel	-	-
Due to County Assembly	-	-
Total	-	-

6. Contingent assets and contingent liabilities

Contingent liabilities	2020/2021	2019/2020
	KShs	KShs
Court case xxx against the Fund	-	-
Bank guarantees	-	-
Total	-	-

(Give details)

**Taita Taveta County Datu Sawazisha Fund
Reports and Financial Statements
For the year ended June 30, 2021.**

**15. PROGRESS ON FOLLOW UP OF PRIOR YEAR AUDITOR'S
RECOMMENDATIONS**

The following is the summary of issues raised by the external auditor, and management comments that were provided to the auditor. We have nominated focal persons to resolve the various issues as shown below with the associated time frame within which we expect the issues to be resolved.

Reference No. on the external audit Report	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)

Guidance Notes:

- a) Use the same reference numbers as contained in the external audit report;
- b) Obtain the “Issue/Observation” and “management comments”, required above, from final external audit report that is signed by Management;
- c) Before approving the report, discuss the timeframe with the appointed Focal Point persons within your entity responsible for implementation of each issue;
- d) Indicate the status of “Resolved” or “Not Resolved” by the date of submitting this report to County Treasury.

Taita Taveta County Datu Sawazisha Fund
 Reports and Financial Statements
 For the year ended June 30, 2021.

16. APPENDIX I: INTER-ENTITY TRANSFERS

ENTITY NAME:				
Break down of Transfers from the County Executive of xxx County Government				
FY 2020/2021				
a.	Recurrent Grants	Bank Statement Date	Amount (KShs)	Indicate the FY to which the amounts relate
			-	
			-	
			-	
		Total	-	
b.	Development Grants	Bank Statement Date	Amount (KShs)	Indicate the FY to which the amounts relate
			-	
			-	
			-	
		Total	-	
c.	Direct Payments	Bank Statement Date	Amount (KShs)	Indicate the FY to which the amounts relate
			-	
			-	
			-	
		Total	-	

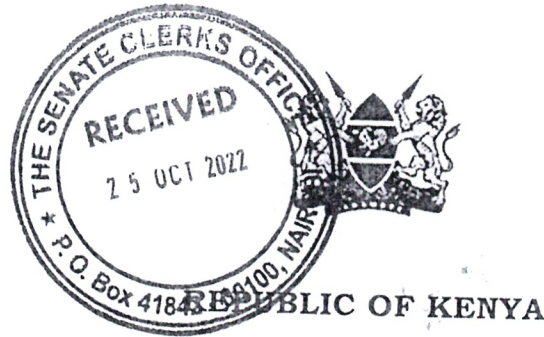
The above amounts have been communicated to and reconciled with the parent Ministry.

Finance Manager

Head of County Treasury at

Sign -----

Sign-----



② DCC(MA)
Submitted for
further process
201
25/10/22

①
DPLPS
This is submitted
for processing
25.10.2022

THIRTEENTH PARLIAMENT - (FIRST SESSION)

THE SENATE

REQUEST FOR STATEMENT ON THE DROUGHT SITUATION IN KILIFI COUNTY

Mr. Speaker, Sir,

I rise, pursuant to Standing Order 53 (1), to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations on the severe drought and famine situation in Kilifi County.

In the Statement, the Committee should: -

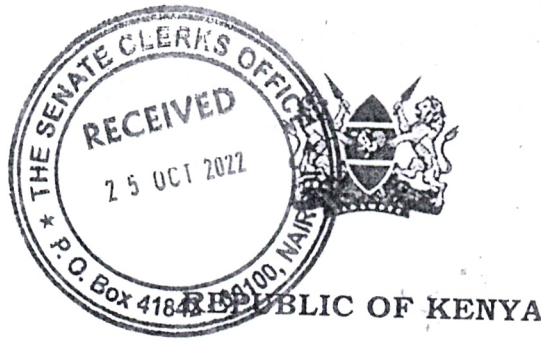
1. State the measures if any, that the National Drought Management Authority has put in place in response to the drought situation in Kilifi County specifically the worst hit sub-counties of Magarini, Ganze and Kaloleni which are in dire need of food aid;
2. Provide details of the relief food distribution programme in place by the National Government across the country including Kilifi County, detailing the areas covered, the number and particulars of the beneficiaries including their sub-counties, the type of food aid in distribution, ascertaining equity of food distribution across drought-stricken counties across the Country;
3. Ascertain whether illegal logging in Kilifi County is partly responsible for the drought situation in the County, stating measures, if any, put in place to sensitize residents against environmental degradation as a long-term measure to mitigate future drought disasters;
4. Establish sustainable measures if any, the Authority and stakeholders seek to institute to address the issue of drought and famine in Kenya's Arid and Semi-Arid Lands (ASAL).

④
I-Hon Speaker
on my approve.
25/10/22

SEN. JUSTICE (RTD.) STEWART MADZAYO, MP
SENATOR FOR KILIFI COUNTY

DATE: 24th October 2022

③ Clerk
for your approval
25/10/22



② DC(MA)
Submitted for
further process
201
25/10/22

DDLPS ①
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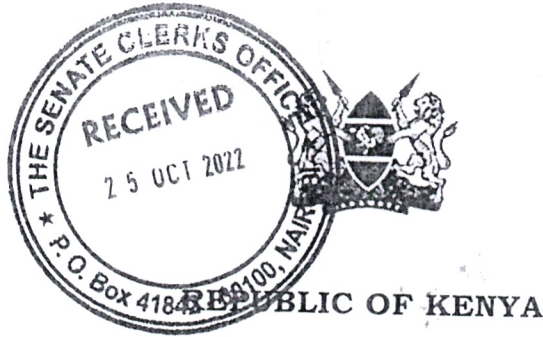
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SEN. JUSTICE (RTD.) STEWART MADZAYO, MP
SENATOR FOR KILIFI COUNTY

DATE: 24th October 2022

③ Clerk
for your approval
25/10/22

④
f. the speaker
on my approve.
25/10/22



DPLPS
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25.10.2022

DC(MA)
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(4)
H-H Speaker
in my approval
25/10/22

SEN. JUSTICE (RTD.) STEWART MADZAYO, MP
SENATOR FOR KILIFI COUNTY

DATE: 24th October 2022

(3) Clerk
for your approval
25/10/22



② DC(MA)
Submitted for
further processing
201
25.10.22

DPLPS
This is submitted
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25.10.2022

THIRTEENTH PARLIAMENT - (FIRST SESSION)

THE SENATE

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4. Establish sustainable measures if any, the Authority and stakeholders seek to institute to address the issue of drought and famine in Kenya's Arid and Semi-Arid Lands (ASAL).

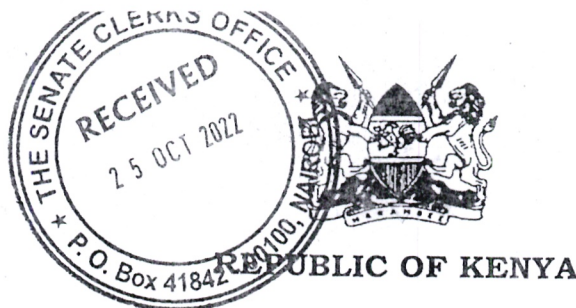
SEN. JUSTICE (RTD.) STEWART MADZAYO, MP
SENATOR FOR KILIFI COUNTY

DATE: 24th October 2022

③ Clerk
for your approval
25/10/22

④
I - the Speaker
on my approval
25/10/22

DDLPS
This is submitted
for processing.
25.10.2022



(2) DCCMA
Submitted for
processing.
204
25/10/22

THIRTEENTH PARLIAMENT - (FIRST SESSION)

THE SENATE

REQUEST FOR STATEMENT

**ON THE REVIEW OF REMUNERATION AND BENEFITS OF STATE OFFICERS
BY THE SALARIES AND REMUNERATION COMMISSION (SRC)**

Mr. Speaker, Sir,

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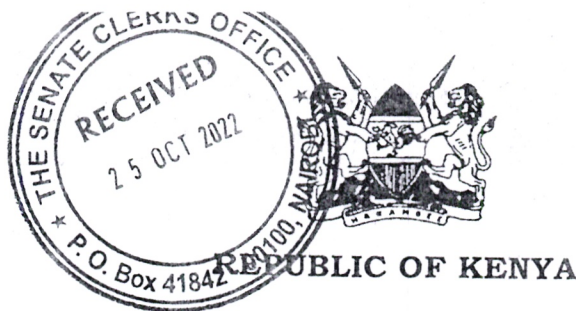
SEN. MWINYIHAJI FAKI, MP
SENATOR FOR MOMBASA COUNTY

DATE: 24th October, 2022

(3) Clerk
You may approve.
Mwaka
25/10/22

(4) Rt. Hon. Speaker
You may approve.
25/10/22

DDLPS
This is submitted
for processing.
25-10-2022



(2) DCCMA
Submitted for
processing.
201
25/10/22

THIRTEENTH PARLIAMENT - (FIRST SESSION)

THE SENATE

REQUEST FOR STATEMENT

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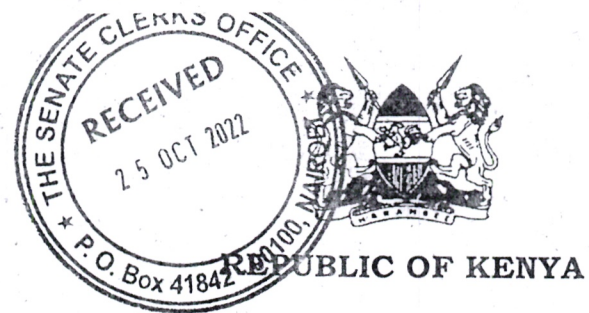
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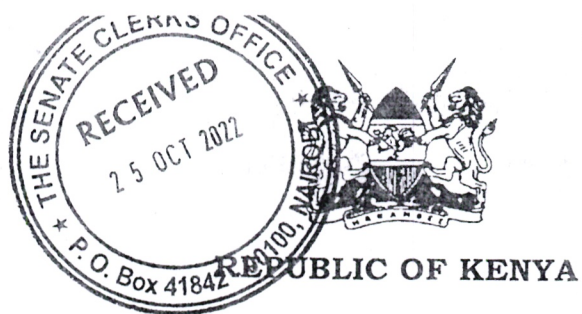
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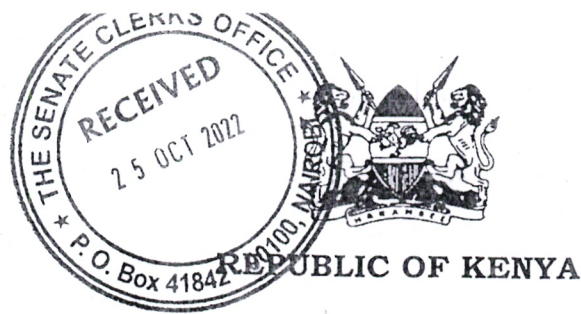
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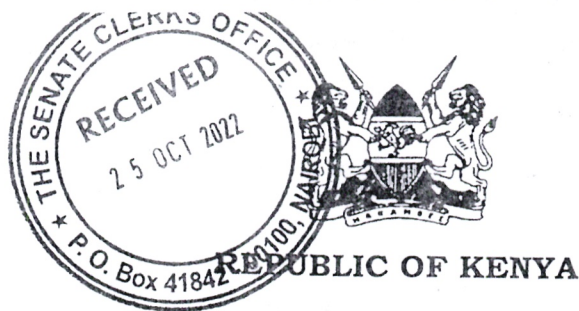
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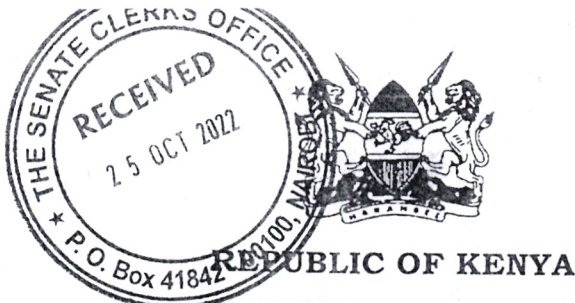
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SENATOR FOR MOMBASA COUNTY

DATE: 24th October, 2022

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You may approve.

[Signature]
25/10/22

④ Rt. Hon. Speaker

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[Signature]
25/10/22

Approved

[Signature]

26.10.2022.

DSS

DDLT

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25-10-2022



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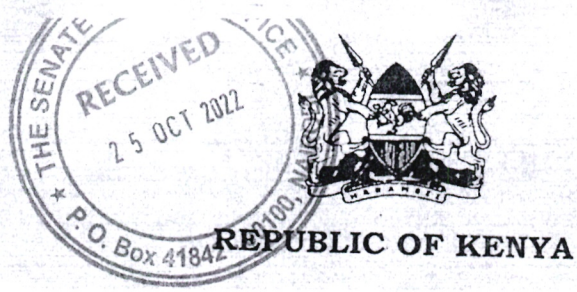
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W. W. W.
25/10/22

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25/10/22

Approved
[Signature]
26.10.2022.
D.S.S.



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DATE: 24th October, 2022

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Mwaka
25/10/22

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25/10/22

Approved
~~M. M. M. M.~~
26.10.2022.
DSS

DDLT

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DATE: 24th October, 2022

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MWAKI
25/10/22

④ Rt. Hon. Speaker

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25/10/22

Approved

[Signature]

26.10.2022.

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SEN. MWINYIHAIJI FAKI, MP
SENATOR FOR MOMBASA COUNTY

DATE: 24th October, 2022

③ Clerk
You may approve.
25/10/22

④ Rt. Hon. Speaker
You may approve.
25/10/22

Approved
[Signature]
26.10.2022.
D.C.S.

DDLT

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25-10-2022



Submitted for processing.

201
25/10/22

THIRTEENTH PARLIAMENT - (FIRST SESSION)

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SENATOR FOR MOMBASA COUNTY

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25/10/22

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25/10/22

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26.10.2022.
DCS

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SEN. MWINYIHAJI FAKI, MP
SENATOR FOR MOMBASA COUNTY

DATE: 24th October, 2022

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You may approve.
25/10/22

④ Rt. Hon. Speaker
You may approve.
25/10/22

Approved
[Signature]
26.10.2022.
D.S.S.

CSenate
Submitted for further processing
Swire
5/10/22



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FIRST SESSION)

THE SENATE

**REQUEST FOR A STATEMENT ON HUMAN - WILDLIFE CONFLICT IN TAITA
TAVETA COUNTY**

Mr. Speaker, Sir,

I rise, pursuant to Standing Order 53 (1) to seek a statement from the Standing Committee on Land, Environment and Natural Resources concerning the incessant human - wildlife conflict in Taita Taveta County.

In the statement, the committee should-

- 1) Outline the long-term strategies put in place by the Kenya Wildlife Service (KWS) to ensure that the encroachment of wildlife into residential areas and farms is dealt with permanently;
- 2) State the measures and interventions in place to compensate families affected by human - wildlife conflict with specific reference to victims of snake bites and crop destruction which were removed from the list of items for compensation, detailing the particulars of those compensated in the last four years;
- 3) State the amount collected by the Tsavo Conservation Area and remitted to the communities around the Tsavo National Park in the last two years in accordance with the Wildlife Conservation and Management Act, which requires that a minimum of five per cent of benefits from national parks be allocated to local communities neighbouring a park; and
- 4) Outline the legislative interventions which the Committee seeks to introduce to address gaps noted in the Act above, such as benefits due to communities neighbouring parks and mechanisms to address compensation for crop destruction and victims of snake bites which have been exempted from the list of items for compensation.

SEN. JOHNES MWARUMA, MP
SENATOR FOR TAITA TAVETA COUNTY

Date: 5th October, 2022

Rt. Hon Speaker
You may approve.
05/10/22

Approved.
Rt. Hon. Speaker,
6/10/22

①
Mr. Amolo,
The Statement
is in order
for processing.
LAP



②
DOLPS
Submitted for
swift process
19/10/2022

19/10/2022 REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT - (FIRST SESSION)

③ DCCMA
Submitted for
approval.
2nd
21/10/22



④ Clerk
for your approval
21/10/22

ON PREDATORY ASSET-BASED LENDING BY MICRO-LENDING COMPANIES IN KENYA

Rt. Hon. Speaker
You may approve.
21/10/22

Mr. Speaker, Sir,

I rise, pursuant to Standing Order 52 (1), to make a Statement on a matter of general topical concern, namely: concern over the predatory asset-based lending by micro-finance lending companies in Kenya.

Mr. Speaker, Sir,

Kenya has experienced an exponential growth of approximately 80% in the number of micro-lending companies for the period 2016 to 2022. This growth has been as a result of the prevailing unemployment and underemployment levels in Kenya that have led to a significant number of Kenyans turning to loans to establish businesses and/or supplement their meagre incomes.

Mr. Speaker, it is noteworthy that formal banking and microfinance institutions' loan facilities remain inaccessible to the average Kenyan due to their lengthy and complicated procedures and thresholds for accessing the loans which are unfavourable to low income earners. To make the situation worse, micro lending companies offering unsecured loans provide small loans which are not significant enough to finance or establish a relatively good business venture. This has made the average Kenyan to opt for asset-based loans, with loans backed by collateral of motorcycles and motor vehicles being the most common and attractive form of borrowing.

Mr. Speaker, Sir,

Micro-lenders such as Mogo, Progressive Credit, Tugende, Mkopa, and Watu Credit who took up space in this niche are offering their products at exorbitant interest rates averaging 4.5% per month and 54% per annum, therefore placing the borrowers at a great disadvantage. Needless to say, these exorbitant interest rates, in light of the prevailing economic conditions, result into default on payments and

Approved
21/10/2022

repossession of the backing collateral assets, with statistics showing that the repossession rate of motorcycles stands at approximately 50%.

Mr. Speaker, the repossession of collateral assets, especially in cases where at least 30% of the value of the asset has been paid up, is an extremely punitive remedy and since asset-based micro lending companies operate in a limited regulatory space, recourse for the borrower is limited, leaving a majority of struggling Kenyans at a loss.

Mr. Speaker, Sir,

These high interest-rate loans and the punitive remedies on default only exacerbate the unemployment challenge in the country by significantly reducing net revenues to businesses and leading to closure of business in extreme cases, with the end result being that the borrowers get trapped in a vicious cycle of poverty.

Mr. Speaker, there is need to protect the average Kenyans that find themselves in such situations of exploitation, to align the underlying contracts to the exigencies of the state and to ethical norms. I note, with concern, that the strides made in the regulation of micro lenders with the enactment of the Central Bank (Amendment) Act, 2021 only empowered the Central Bank to regulate digital credit providers.

Mr. Speaker, Sir,

Chapter Four of the Constitution of Kenya, 2010, provides for the Bill of Rights for every Kenyan, and some of those rights include: the right to human dignity, the right not to have their possessions seized and the right to information necessary for them to gain full benefit from goods and services.

Mr. Speaker, Amendment No. 9 of 2006 of the Kenya Banking Act introduced the In-duplum Rule into Kenyan legislation which provides that the sum of the interest and legal costs in respect of the outstanding debt may not exceed the initial capital amount of the contract. If the In-duplum Rule is applied, the running of interest stops when unpaid interest equals the outstanding capital balance and that expenses incurred in the recovery of any amounts owed by the debtor may be recovered.

Mr. Speaker, Sir,

The legislature is known to intervene in certain circumstances by way of legislation designed to protect Kenyans from the harsh effects of transactions induced to benefit commercial interests in disregard of the principles of social justice.

I would, therefore, like to conclude by appealing to this Senate to call upon the Ministry of National Treasury and Economic Planning to:-

1. bring into regulation all asset-based micro lending companies placing a ceiling on the interest rates chargeable to their loans;

2. extend the application of the In-Duplum Rule in limiting the amount of interest recoverable on defaulted loans by micro lending companies; and
3. Capacity build before the end of the law term.

Mr. Speaker, in view of the severity of this matter, I request that you refer this Statement to the Standing Committee on Finance and Budget for further inquiry and recommendations, pursuant to Standing Order 52(3).

I thank you, Speaker!

SEN. EDDY GICHERU OKETCH, MP
SENATOR FOR MIGORI COUNTY

Date: 19th October 2022

① Mr. Amolo,
The Statement
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for processing.



19/10/2022 REPUBLIC OF KENYA

② DOLPS
Submitted for
swift process
19/10/2022

THIRTEENTH PARLIAMENT - (FIRST SESSION)

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approval.
2nd
21/10/22



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for your approval
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Mr. Speaker, Sir,

These high interest-rate loans and the punitive remedies on default only exacerbate the unemployment challenge in the country by significantly reducing net revenues to businesses and leading to closure of business in extreme cases, with the end result being that the borrowers get trapped in a vicious cycle of poverty.

Mr. Speaker, there is need to protect the average Kenyans that find themselves in such situations of exploitation, to align the underlying contracts to the exigencies of the state and to ethical norms. I note, with concern, that the strides made in the regulation of micro lenders with the enactment of the Central Bank (Amendment) Act, 2021 only empowered the Central Bank to regulate digital credit providers.

Mr. Speaker, Sir,

Chapter Four of the Constitution of Kenya, 2010, provides for the Bill of Rights for every Kenyan, and some of those rights include: the right to human dignity, the right not to have their possessions seized and the right to information necessary for them to gain full benefit from goods and services.

Mr. Speaker, Amendment No. 9 of 2006 of the Kenya Banking Act introduced the In-duplum Rule into Kenyan legislation which provides that the sum of the interest and legal costs in respect of the outstanding debt may not exceed the initial capital amount of the contract. If the In-duplum Rule is applied, the running of interest stops when unpaid interest equals the outstanding capital balance and that expenses incurred in the recovery of any amounts owed by the debtor may be recovered.

Mr. Speaker, Sir,

The legislature is known to intervene in certain circumstances by way of legislation designed to protect Kenyans from the harsh effects of transactions induced to benefit commercial interests in disregard of the principles of social justice.

I would, therefore, like to conclude by appealing to this Senate to call upon the Ministry of National Treasury and Economic Planning to:-

1. bring into regulation all asset-based micro lending companies placing a ceiling on the interest rates chargeable to their loans;

2. extend the application of the In-Duplum Rule in limiting the amount of interest recoverable on defaulted loans by micro lending companies; and
3. Capacity build before the end of the law term.

Mr. Speaker, in view of the severity of this matter, I request that you refer this Statement to the Standing Committee on Finance and Budget for further inquiry and recommendations, pursuant to Standing Order 52(3).

I thank you, Speaker!

SEN. EDDY GICHERU OKETCH, MP
SENATOR FOR MIGORI COUNTY

Date: 19th October 2022



Sen. Chute
Onboarding of Marsabit County
Staff

- 3 Sen. Julius Gataya Mwenda, MP
- 4 Sen. Gloria Magoma Orwoba, MP
- 5 Sen. Raphael Chimera Mwinzagu, MP
- 6 Sen. Betty Batuli Montet, MP
- 7 Sen. Joseph Githuku Kamau, MP
- 8 Sen. James Lomenen Ekomwa, MP
- 9 Sen. Beth Kalunda Syengo, MP

L. National Security, Defence and Foreign Relations

- 1 Sen. William Cheptumo Kipkiror, CBS, MP
- 2 Sen. Karen Njeri Nyamu, MP
- 3 Sen. Julius Murgor Recha, MP
- 4 Sen. Lenku Ole Kanar Seki, MP
- 5 Sen. George Mungai Mbugua, MP
- 6 Sen. Fatuma Adan Dullo, CBS, MP
- 7 Sen. Joseph Githuku Kamau, MP
- 8 Sen. Tom Odhiambo Ojienda, SC, MP
- 9 Sen. Abdul Mohammed Haji, MP

M. Roads, Transportation and Housing

- 1 Sen. Paul Karungo Thangwa, MP
- 2 Sen. Peris Pesi Tobiko, MP
- 3 Sen. John Kinyua Nderitu, MP
- 4 Sen. Mohamed Said Chute, MP
- 5 Sen. (Dr.) Steve Lelegwe Ltumbesi, MP
- 6 Sen. Enoch Kiiro Wambua, MP
- 7 Sen. Moses Otieno Kajwang', MP
- 8 Sen. (Rtd.) Justice Stewart Madzayo, CBS, MP
- 9 Sen. Edwine Watanya Sifuna, MP

N. Trade, Industrialization and Tourism

- 1 Sen. Lenku Ole Kanar Seki, MP
- 2 Sen. Onesimus Kipchumba Murkomen, EGH, MP
- 3 Sen. Jackson Kiplagat Mandago, EGH, MP
- 4 Sen. Tabitha Karanja Keroche, MP
- 5 Sen. Paul Karungo Thangwa, MP
- 6 Sen. Crystal Kegehi Asige, MP
- 7 Sen. Andrew Omtatah Okoiti, MP
- 8 Sen. Betty Batuli Montet, MP
- 9 Sen. Hezena M. Lemaletian, MP

12. MOTION - APPROVAL OF SENATORS TO SERVE IN THE COUNTY PUBLIC ACCOUNTS COMMITTEE; COUNTY PUBLIC INVESTMENTS AND SPECIAL FUNDS COMMITTEE; AND THE COMMITTEE ON DELEGATED LEGISLATION

(The Senate Majority Leader)

THAT, pursuant to Standing Orders Nos.193, 194, 195, and 199 the Senate approves the following Senators nominated by the Senate Business Committee to serve in Select Committees of the Senate as follows –

...../**Motions**

A. County Public Accounts Committee

1. Sen. Samson Kiprotich Cherarkey, MP
2. Sen. John Muhia Methu, MP
3. Sen. Mariam Sheikh Omar, MP
4. Sen. Julius Gataya Mwenda, MP
5. Sen. Moses Otieno Kajwang', MP
6. Sen. Fatuma Adan Dullo, CBS, MP
7. Sen. Richard Momoima Onyonka, MP
8. Sen. Edwine Watanya Sifuna, MP
9. Sen. Andrew Omtatah Okoiti, MP

B. County Public Investments and Special Funds Committee

1. Sen. Onesimus Kipchumba Murkomen, EGH, MP
2. Sen. Paul Karungo Thangwa, MP
3. Sen. Maureen Tabitha Mutinda, MP
4. Sen. Miraj Abdullahi Abdulrahman, MP
5. Sen. Eddy Gicheru Oketch, MP
6. Sen. Ledama Olekina, MP
7. Sen. Hamida, Kibwana MP
8. Sen. Tom Odhiambo Ojienda, SC, MP
9. Sen. Godfrey Atieno Osotsi, MP

C. Committee on Delegated Legislation

1. Sen. Julius Gataya Mwenda, MP
2. Sen. Danson Buya Mungatana, MP
3. Sen. Gloria Magoma Orwoba, MP
4. Sen. Joyce Chepkoech Korir, MP
5. Sen. Julius Murgor Recha, MP
6. Sen. Daniel Kitonga Maanzo, MP
7. Sen. Mohamed Faki Mwinyihaji, MP
8. Sen. Betty Batuli Montet, MP
9. Sen. (Rtd.) Justice Stewart Madzayo, CBS, MP

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...../Appendix

APPENDIX

1. PAPERS

- i.) Report of the Auditor General on the Financial Statements of Machakos County Executive Committee and Chief Officers' Car Loan & Mortgage Scheme for the year ended 30th June, 2021.
- ii.) Report of the Auditor General on the Financial Statements of Machakos County Bursary Fund for the year ended 30th June, 2021.
- iii.) Report of the Auditor General on the Financial Statements of Municipal Council of Machakos Water & Sewerage Company Ltd for the year ended 30th June, 2021.
- iv.) Report of the Auditor General on the Financial Statements of Mavoko Water & Sewerage Company Ltd for the year ended 30th June, 2021.
- v.) Report of the Auditor General on the Financial Statements of Matungulu-Kangundo Water & Sewerage Company Ltd for the year ended 30th June, 2021.
- vi.) Report of the Auditor General on the Financial Statements of Mwala Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- vii.) Report of the Auditor General on the Financial Statements of Nyeri County Executive Car Loan & Mortgage (Staff) Scheme Fund for the year ended 30th June, 2021.
- viii.) Report of the Auditor General on the Financial Statements of Nyeri County Enterprise Development Fund for the year ended 30th June, 2021.
- ix.) Report of the Auditor General on the Financial Statements of Nyeri Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- x.) Report of the Auditor General on the Financial Statements of Mathira Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- xi.) Report of the Auditor General on the Financial Statements of Naromoru Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- xii.) Report of the Auditor General on the Financial Statements of Laikipia County Executive Members Car Loan & Mortgage Scheme Fund for the year ended 30th June, 2021.

...../Appendix

- xiii.) Report of the Auditor General on the Financial Statements of Laikipia County Assembly (Members) Car & Mortgage Fund for the year ended 30th June, 2021.
- xiv.) Report of the Auditor General on the Financial Statements of Laikipia County Emergency Fund for the year ended 30th June, 2021.
- xv.) Report of the Auditor General on the Financial Statements of Laikipia County Development Authority for the year ended 30th June, 2021.
- xvi.) Report of the Auditor General on the Financial Statements of Laikipia County Enterprise Fund for the year ended 30th June, 2021.
- xvii.) Report of the Auditor General on the Financial Statements of Laikipia County Education Bursary Fund for the year ended 30th June, 2021.
- xviii.) Report of the Auditor General on the Financial Statements of Nyahururu Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- xix.) Report of the Auditor General on the Financial Statements of Nanyuki Water & Sewerage Company Ltd for the year ended 30th June, 2021.
- xx.) Report of the Auditor General on the Financial Statements of Laikipia County Assets Leasing Fund for the year ended 30th June, 2021.
- xxi.) Report of the Auditor General on the Financial Statements of Laikipia County Revenue Board for the year ended 30th June, 2021.
- xxii.) Report of the Auditor General on the Financial Statements of Makueni County Assembly Car & Mortgage Loan Fund for the year ended 30th June, 2021.
- xxiii.) Report of the Auditor General on the Financial Statements of Makueni County Emergency Fund for the year ended 30th June, 2021.
- xxiv.) Report of the Auditor General on the Financial Statements of Makueni County State & Public Officers Car Loan & Mortgage Fund for the year ended 30th June, 2021.
- xxv.) Report of the Auditor General on the Financial Statements of Makueni County Youth, Men, Women, Persons with Disabilities and Table-Banking Groups Empowerment Fund for the year ended 30th June, 2021.

...../Appendix

- xxvi.) Report of the Auditor General on the Financial Statements of Wote Water & Sewerage Company Ltd for the year ended 30th June, 2021.
- xxvii.) Report of the Auditor General on the Financial Statements of Kibwezi-Makindu Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- xxviii.) Report of the Auditor General on the Financial Statements of Makeni County Sand Conservation & Utilization Authority for the year ended 30th June, 2021.
- xxix.) Report of the Auditor General on the Financial Statements of Kitui County Assembly Car & Mortgage (Members) Scheme Fund for the year ended 30th June, 2021.
- xxx.) Report of the Auditor General on the Financial Statements of Kitui County Assembly Service Board Employees' Car & Mortgage Fund Schemes for the year ended 30th June, 2021.
- xxxi.) Report of the Auditor General on the Financial Statements of Kitui County Textile Centre for the year ended 30th June, 2021.
- xxxii.) Report of the Auditor General on the Financial Statements of Kitui Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- xxxiii.) Report of the Auditor General on the Financial Statements of Kiambere Mwingi Water & Sanitation Company Ltd for the year ended 30th June, 2021 for the year ended 30th June, 2021.
- xxxiv.) Report of the Auditor General on the Financial Statements of Uasin - Gishu County Executive for the year ended 30th June, 2021.
- xxxv.) Report of the Auditor General on the Financial Statements of Uasin - Gishu County Assembly Members Mortgage & Car Loan Scheme Fund for the year ended 30th June, 2021.
- xxxvi.) Report of the Auditor General on the Financial Statements of Uasin-Gishu County Alcoholic Drinks Control Fund for the year ended 30th June, 2021.
- xxxvii.) Report of the Auditor General on the Financial Statements of North Rift Valley Water Works Development Agency for the year ended 30th June, 2021.
- xxxviii.) Report of the Auditor General on the Financial Statements of Nakuru County Bursary Fund for the year ended 30th June, 2021.

...../Appendix

- xxxix.) Report of the Auditor General on the Financial Statements of Nakuru County Persons with Disabilities Fund for the year ended 30th June, 2021.
- xl.) Report of the Auditor General on the Financial Statements of Nakuru County Emergency Fund for the year ended 30th June, 2021.
- xli.) Report of the Auditor General on the Financial Statements of Nakuru Water & Sanitation Services company Ltd for the year ended 30th June, 2021.

(The Senate Majority Leader)

2. NOTICES OF MOTIONS

i.) **Parking charges in institutions offering essential services to the public**

(Sen. Edwine Sifuna, MP)

THAT, AWARE THAT, many urban areas and towns in Kenya lack designated car parking areas as a result of imbalance between parking supply and demand mainly due to ineffective land use planning and miscalculations of space requirements, thereby leading to exorbitant parking fees;

NOTING THAT, most essential services offered in hospitals, educational institutions, airports, shopping malls and other public utilities are offered in urban centers, and other designated areas that charge parking fees to access;

ACKNOWLEDGING, that whether they are delivered by public or private providers, essential services such as health, banking, education, shopping and other utilities are considered to be public services because they are public goods that sustain the well-being of every citizen and help in the development of the society as a whole;

CONCERNED, that access to hospitals, educational institutions, airports, shopping malls and other places offering essential services might be hindered due to exorbitant parking fees levied on motorists accessing these services;

FURTHER CONCERNED, that charging entry fees amount to double taxation as the motorists who would have paid the parking fees will still pay for the services they seek;

NOW THEREFORE, the Senate urges the Cabinet Secretary for Lands, Housing and Physical Planning together with the Council of Governors to come up with a policy framework to create an enabling environment for protection of motorists accessing essential services from paying exorbitant parking fees.

...../Appendix

ii.) **Promotion of mental health facilities for mothers**

(Sen. Hamida Kibwana, MP)

THAT, AWARE THAT according to the World Health Organization, globally 10% of pregnant women and 13% of women who have just given birth experience a mental condition, referred to as perinatal depression, which is higher in developing countries with 15.6% during pregnancy, and 19.8% after child birth;

FURTHER AWARE that women who go through still birth and those that lose their children during delivery are taken to the general maternity ward where other mothers with healthy babies are recovering, causing them mental anguish and adversely impacting their mental health;

NOTING THAT integrating mental health care into primary healthcare settings requires training in psychiatric care and providing consulting support to primary care providers, considering that there are not enough mental health care providers to meet the current and growing need for mental health services;

APPRECIATING THAT the Health Act under section 6 (1) (b) provides that every person has a right to reproductive health care which includes the right of access to appropriate health care services that will enable mothers go safely through pregnancy, childbirth, and the postpartum period which should include the integration of mental health in perinatal care as recommended by the National Mental Health Taskforce in its “Mental Health and Wellbeing towards Happiness and National Prosperity” report;

NOW THEREFORE, the Senate urges the Ministry of Health in collaboration with the Council of Governors to:

- (i) ensure that all county health facilities with maternity wings, allocate a separate ward for recovery for the mothers who have gone through still birth or those that have lost their babies during delivery;
- (ii) facilitate continuous mental health training and the provision of counselling support in the perinatal wards for all primary care providers in all counties;
- (iii) establish counselling facilities at all county health facilities with maternity wings to provide counselling therapy to mothers who lose their children through a miscarriage, during delivery, or through still birth; and,
- (iv) establish counselling facilities at all county health facilities with maternity wings to provide counselling therapy to mothers who are suffering from perinatal and postpartum depression.

...../Appendix

3. STATEMENTS

i.) **Pursuant to Standing Order 52 (1)**

The Senator for Nandi County, (Sen. Samson Cherarkey, MP) to make a statement on the exemplary performance by athletes Eliud Kipchoge, Amos Kipruto and Joyciline Jepkosgei in Berlin and London marathons respectively.

ii.) **Pursuant to Standing Order 53 (1)**

i.) The Senator for Machakos County, (Sen. Agnes Kavindu, MP) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the Human-Wildlife conflict in Masinga Constituency, Machakos County.

ii.) The Senator for Machakos County, (Sen. Agnes Kavindu, MP) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the declassification of Machakos County as an Arid and Semi-Arid area (ASAL).

iii.) The Senator for Kitui County, (Sen. Enoch Wambua, MP) to seek a Statement from the Standing Committee on Labour and Social Welfare regarding the plight of Kenya's migrant workers in the Kingdom of Saudi Arabia and other countries in the Middle East.

iv.) The Senator for Kitui County, (Sen. Enoch Wambua, MP) to seek a Statement from the Standing Committee on Education on the reintroduction of the school feeding programme in public primary schools, particularly those in Arid and Semi-Arid (ASALs) areas.

iii.) **Pursuant to Standing Order 57 (1)**

The Senate Majority Leader to issue a statement on the business of the Senate for the week commencing Tuesday, 18th October, 2022.

...../Notice Paper

NOTICE PAPER

Tentative Business for

Tuesday, October 18, 2022

(Published pursuant to Standing Order 43 (1))

It is notified that the Senate Business Committee has approved the following **tentative** business to appear in the Order Paper for Tuesday, October 18, 2022.

MOTIONS

1. Parking charges in institutions offering essential services to the public
(Sen. Edwine Sifuna, MP)

2. Promotion of mental health facilities for mothers
(Sen. Hamida Kibwana, MP)

UNION INTERPARLEMENTAIRE



INTER-PARLIAMENTARY UNION

ASSOCIATION DES SECRÉTAIRES GÉNÉRAUX DES PARLEMENTS
ASSOCIATION OF SECRETARIES GENERAL OF PARLIAMENTS

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London SW1A 0AA United Kingdom.
Tel: (44) 20 7219 0867
e-mail: garvieadamse@parliament.uk
www.asgp.com

London, 6 July 2022

Dear Secretaries General,

The secretariat of the Association of Secretaries General of Parliaments (ASGP) is delighted to provide details for the next meeting of the Association, which will take place in Kigali, Rwanda from Tuesday 11 October to Saturday 15 October 2022.

The meetings will take place over four and a half days, which includes a cultural excursion organised by the host parliament on the afternoon of Tuesday 11 October and a joint IPU-ASGP session which will take place on Saturday 15 October.

Location and transport

The meetings will take place at the Kigali Convention Centre. The Assembly of the Interparliamentary Union (IPU) will take place in the same location.

Registration

Participants must register with the secretariat of the IPU in order to appear on the list of participants and to receive a security pass for the conference centre. The IPU online registration system will be operational as of 11 July 2022 and the IPU have requested all participants to respect the registration deadline of 27 September 2022. A note on how to use the registration system is available on the [IPU webpage](#).

Health measures

In light of the ongoing Covid-19 pandemic, the following health measures, which also apply to IPU participants, will be required of members of the ASGP:

Arriving passengers at Kigali International Airport must:

- present a two doses vaccination certificate; and
- a negative rapid antigen test taken 72 hours prior to departure; and
- take an additional rapid antigen test upon arrival.

Wearing a face mask is no longer mandatory, however people are encouraged to wear masks indoors. As the pandemic evolves, it may be necessary to send details of further measures.

Cultural programme

On Tuesday 11 October, members of the ASGP are invited to participate in a half-day cultural excursion organised by the Rwandan Parliament. The excursion will be a 1 hour and 30-minute tour of the Museum for the Campaign Against Genocide which is located within the parliamentary buildings. Members will meet outside the conference centre ready for a 15.00 departure for the visit. The parliamentary buildings are opposite the conference centre which means travel will be a 10-minute walk. The aim of the excursion is to enable ASGP members to meet informally and learn a little more about the culture of our hosts. Members wishing to take part in the excursion will be required to fill in, and return, a registration form which will be emailed to Members and put on the ASGP website, alongside further details of the visit.

Plenary meetings

The first plenary meeting of the ASPG will begin on **Wednesday 12 October at 11am**, the afternoon session will commence at **2.30pm**. On **Thursday 13 October** the plenary meeting will commence at **10am** for the morning session and **2.30pm** for the afternoon session. On **Friday 14 October** the plenary meeting will commence at **10.30am and finish at 12.30**. Members of the ASGP will then have the opportunity to enjoy a guided tour of the parliamentary buildings in Kigali on the afternoon of **Friday 14 October, between 14.30-17.00**. On **Saturday 15 October** a joint IPU-ASGP session will take place between **11am-1pm**.

The Executive Committee will meet on **Tuesday 12 October, Wednesday 13 October and Friday 14 October at 8.30am**.

Proposals for communications

The draft orders of the day are based on discussions held at the ASGP plenary meeting in Bali in March 2022. It is still possible to add new items or themes to the orders of the day for this conference.

The **deadline for sending proposals for communications is Friday 9 September**. The Executive Committee reserves the right not to accept proposals that arrive after the deadline has expired.

I would be very grateful if the full text of all communications, and contributions to general debates, could be e-mailed to the secretariat **in both French and English**, in a format that is compatible with Microsoft Word. Please send your contributions in writing **as soon as possible**. There will be a **final deadline of 23 September for the written texts**, in order that the documents can be made available on the ASGP website.

I draw your attention to the decision of the Executive Committee, made during the 2016 session in Geneva, that **any text submitted after the expiry of the deadline is likely to be postponed until a subsequent session**, or published on the website without the author having the opportunity to make an oral presentation.

During the session, you are asked to **consult the texts of communications and general debate contributions via the website on your tablet or computer**. In line with decisions taken by the IPU for environmental and cost reasons, **no paper copies will be provided**.

The following guidelines have been set down by the Executive Committee:

- Members making a **communication** are asked to restrict their spoken remarks to a maximum of **ten minutes**, in order to allow sufficient time for questions.
- Contributions to **general debates** are **limited to five minutes**.
- **Moderators** for a general debate are permitted **10 minutes introducing** the topic of the general debate, and a further **10 minutes at the end in summing up**.

Any member intending to simply read the text of a published contribution may not be called if time is short.

Interpretation

Interpretation will be provided in English and French and, thanks to the generous support of the Association of Secretaries General of Arab Parliaments, in Arabic too. I would like to draw to your attention that in Kigali, for the first time, simultaneous interpretation will be provided remotely. If you wish to arrange interpretation into an additional language, please get in contact with the secretariat who can explain how the new system operates.

Elections

Elections for one post of **Vice-President of the Association** and 2 posts of **ordinary members of the Executive Committee** will take place in Kigali.

I would like to take this opportunity to remind you that **only members whose subscription payments are up-to-date will be allowed to stand as candidates for election**. The Executive Committee **may also withdraw the right to vote from any ASGP member who is more than two years in arrears with their subscription payments**. I invite you, therefore, to confirm the subscription status of your parliament before the start of the meeting.

Only ASGP members, honorary members and those who have been empowered to vote on behalf of an ASGP member, or honorary member, by proxy may vote in these elections. The rules for establishing a proxy vote are as follows:

- The proxy must be designated before the start of the session at which the election is being held;
- The proxy must be designated by name in a letter signed by the member or honorary member, a form is available on the Association's website;
- The proxy must be a member of the personnel of your parliament;
- Each person can only vote once; therefore, a proxy cannot be a voting member of the Association or a person who also holds the proxy for another person.

Taking into account the ongoing restrictions on international travel, which may prevent some members from attending the ASGP meeting, **it will be possible for members who are not physically present in Bali, having applied in writing, to stand for election**.

A further note, setting out in detail the process and rules for the elections, will be sent via email to all members and placed on the Associations' website shortly.

Attendance

I would be very grateful if you could let Daniel Moeller know, before the session, of any changes that you would like to appear in the list of members. New Secretaries General are requested to fill out the membership form which is attached to this email. Daniel can be contacted via email at moellerd@parliament.uk if you have any questions.

If you would like to be represented by one of your colleagues at the session, in line with the rules of the Association, please notify us in advance by means of a letter addressed to Mr Najib El Khadi, President of the ASGP. The letter should mention the name of the person who will act as substitute for you. The letter should be sent via e-mail (to garvieadamse@parliament.uk and ccapon@assemblee-nationale.fr).

ASGP website

Our website (www.asgp.co) has been updated with biographies and photographs of our members. If the details on your personal page are not up-to-date, please send any missing information or changes to asgp@parliament.uk

Finally, please do not hesitate to get in touch if you have any further questions about the forthcoming session, or about the ASGP in general.

Yours sincerely,

Elektra Garvie-Adams
British Co-Secretary of the ASGP

SPL/006/2022

Clerks Chambers

Senate

NAIROBI

13th October, 2022


PAPERS LAID

Mr. Speaker Sir, I beg to lay the following Papers on the Table of the Senate, today, 13th October, 2022; Reports of the Auditor General for the year ended 30th June, 2021 on the Financial Statements for:-

- 1) Machakos County Executive Committee and Chief Officers' Car Loan & Mortgage Scheme;
- 2) Machakos County Bursary Fund;
- 3) Municipal Council of Machakos Water & Sewerage Company Ltd;
- 4) Mavoko Water & Sewerage Company Ltd;
- 5) Matungulu-Kangundo Water & Sewerage Company Ltd;
- 6) Mwala Water & Sanitation Company Ltd;
- 7) Nyeri County Executive Car Loan & Mortgage (Staff) Scheme Fund;
- 8) Nyeri County Enterprise Development Fund;
- 9) Nyeri Water & Sanitation Company Ltd;
- 10) Mathira Water & Sanitation Company Ltd;
- 11) Naromoru Water & Sanitation Company Ltd;
- 12) Laikipia County Executive Members Car Loan & Mortgage Scheme Fund;
- 13) Laikipia County Assembly (Members) Car & Mortgage Fund;
- 14) Laikipia County Emergency Fund;
- 15) Laikipia County Development Authority;

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- 16) Laikipia County Enterprise Fund;
 - 17) Laikipia County Education Bursary Fund;
 - 18) Nyahururu Water & Sanitation Company Ltd;
 - 19) Nanyuki Water & Sewerage Company Ltd;
 - 20) Laikipia County Assets Leasing Fund;
 - 21) Laikipia County Revenue Board;
 - 22) Makueni County Assembly Car & Mortgage Loan Fund;
 - 23) Makueni County Emergency Fund;
 - 24) Makueni County State & Public Officers Car Loan & Mortgage Fund;
 - 25) Makueni County Youth, Men, Women, Persons with Disabilities and Table-Banking Groups Empowerment Fund;
 - 26) Wote Water & Sewerage Company Ltd;

 - 27) Kibwezi-Makindu Water & Sanitation Company Ltd;
 - 28) Makueni County Sand Conservation & Utilization Authority;
 - 29) Kitui County Assembly Car & Mortgage (Members) Scheme Fund;
 - 30) Kitui County Assembly Service Board Employees' Car & Mortgage Fund Schemes for the year ended 30th June, 2021.
 - 31) Kitui County Textile Centre;
 - 32) Kitui Water & Sanitation Company Ltd;
 - 33) Kiambere Mwingi Water & Sanitation Company Ltd;
 - 34) Uasin -Gishu County Executive;
 - 35) Uasin -Gishu County Assembly Members Mortgage & Car Loan Scheme Fund;
 - 36) Uasin-Gishu County Alcoholic Drinks Control Fund;

- 
- 37) North Rift Valley Water Works Development Agency;
 - 38) Nakuru County Bursary Fund;
 - 39) Nakuru County Persons with Disabilities Fund;
 - 40) Nakuru County Emergency Fund; and
 - 41) Nakuru Water & Sanitation Services company Ltd.

(The Senate Majority Leader)

1. **MOTION – ADJOURNMENT ON DEFINITE MATTER OF URGENT NATIONAL IMPORTANCE PURSUANT TO STANDING ORDER 37 REGARDING THE DROUGHT SITUATION IN THE COUNTRY**

- A Senator (Mover) stands on a Point of Order under Standing Order no. 37 to move the above Motion.

- **5 Senators stand in their place in support.**

- Once the Speaker ascertains that the threshold has been met, he announces as follows;

*“I have confirmed that indeed the requisite threshold has been attained and I direct that the Senate will adjourn at **5.00PM** to discuss the said Motion”.*

- At the appointed time, the Speaker calls the Mover to move the Motion pursuant to Standing Order 37 to discuss a definite matter of national importance. The Mover calls a Senator to second. (Secunder is given 5 minutes to discuss the matter.

- The Speaker to propose the Question as follows;

“Hon. Senators, I propose the Question

THAT, *the Senate do now adjourn to discuss a definite matter of urgent national importance, namely, the drought situation in the country”.*

- The Speaker to allow 5 minutes to each Senator wishing to contribute.

No question is put at the end of this debate.

1. **MOTION – ADJOURNMENT ON DEFINITE MATTER OF URGENT NATIONAL IMPORTANCE PURSUANT TO STANDING ORDER 37 REGARDING THE DROUGHT SITUATION IN THE COUNTRY**

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No question is put at the end of this debate.



REPUBLIC OF KENYA
THIRTEENTH PARLIAMENT – (FIRST SESSION)
THE SENATE
SUPPLEMENTARY ORDER PAPER
THURSDAY, OCTOBER 13, 2022 AT 2.30 PM

PRAYER

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers (as listed in the Appendix)
6. Notices of Motion (as listed in the Appendix)
7. Statements (as listed in the Appendix)
8. **MOTION - APPROVAL OF SENATORS TO SERVE IN THE SPEAKER'S PANEL**
(The Senate Majority Leader)

THAT, pursuant to Standing Order 20, the Senate approves the nomination of the following Senators to serve in the Speaker's Panel and to further preside over the Senate in the absence of the Speaker and the Deputy Speaker, pursuant to Article 107(1)(c) of the Constitution and Standing Order 18 of the Senate-

1. Sen. Wakili Hillary Kiprotich Sigei, MP
2. Sen. Veronica W. Nduati, MP
3. Sen. Abdul Mohammed Haji, MP
4. Sen. Catherine Muyeka Mumma, MP.

9. **MOTION - APPROVAL OF SENATORS TO SERVE IN THE PROCEDURE AND RULES COMMITTEE**
(The Senate Majority Leader)

THAT, pursuant to Standing Orders No. 191 (2) (d) and 199, the Senate approves the following Senators nominated by the Senate Business Committee to serve in the Procedure and Rules Committee, in addition to Senators specified in Standing Order 191 (2) (a), (b) and (c)-

...../Motions

1. Sen. Sheikh Mohammed Abass, MP
2. Sen. Joseph Nyutu Ngugi, MP
3. Sen. Beth Kalunda Syengo, MP

10. **MOTION - APPROVAL OF SENATORS TO SERVE IN THE POWERS AND PRIVILEGES COMMITTEE**

(The Senate Majority Leader)

THAT, Pursuant to section 15 (1) (b) (ii), of the Parliamentary Powers and Privileges Act, and Standing Order 199, the Senate approves the following Senators nominated by the Senate Business Committee to serve in the Committee on Powers and Privileges, in addition to the Speaker of the Senate, who, pursuant to Section 15 (1) (b) (i) of the Parliamentary Powers and Privileges Act, shall be the Chairperson of the Committee-

1. Sen. Alexander Munyi Mundigi, MP
2. Sen. Wamatinga Wahome, MP
3. Sen. Rosalinda Soipan Tuiya, CBS, MP
4. Sen. Miraj Abdulahi Abdulrahman, MP
5. Sen. James Lomenen Ekomwa, MP
6. Sen. Shakila Abdalla Mohamed, MP

11. **MOTION - APPROVAL OF SENATORS TO SERVE IN STANDING COMMITTEES OF THE SENATE**

(The Senate Majority Leader)

THAT, pursuant to Standing Orders 199 and 228, and the Fourth Schedule to the Standing Orders, the Senate approves the following Senators nominated by the Senate Business Committee to serve in Standing Committees of the Senate as follows -

A. Agriculture, Livestock and Fisheries

- 1 Sen. James Kamau Murango, MP
- 2 Sen. Alexander Munyi Mundigi, MP
- 3 Sen. Wamatinga Wahome, MP
- 4 Sen. Allan Kiprotich Chesang', MP
- 5 Sen. Maureen Tabitha Mutinda, MP
- 6 Sen. Moses Otieno Kajwang', MP
- 7 Sen. Daniel Kitonga Maanzo, MP
- 8 Sen. Enoch Kii Wambua, MP
- 9 Sen. Beth Kalunda Syengo, MP

B. Devolution and Intergovernmental Relations

- 1 Sen. Sheikh Mohamed Abass, MP
- 2 Sen. Roselinda Soipan Tuya, CBS, MP
- 3 Sen. Peris Pesi Tobiko, MP
- 4 Sen. George Mungai Mbugua, MP

...../Motions

- 5 Sen. Mohamed Said Chute, MP
- 6 Sen. (Dr.) Oburu Oginga, CBS, MP
- 7 Sen. Richard Momoima Onyonka, MP
- 8 Sen. Hezena M. Lemaletian, MP
- 9 Sen. Catherine Muyeka Mumma, MP

C. Education

- 1 Sen. Joseph Nyutu Ngugi, MP
- 2 Sen. Peris Pesi Tobiko, MP
- 3 Sen. Lenku Ole Kanar Seki, MP
- 4 Sen. James Kamau Murango, MP
- 5 Sen. John Kinyua Nderitu, MP
- 6 Sen. (Prof.) Margaret Kamar, EGH, MP
- 7 Sen. Agnes Kavindu Muthama, MP
- 8 Sen. Joseph Githuku Kamau, MP
- 9 Sen. Johnes Mwashushe Mwaruma, MP

D. Energy

- 1 Sen. Wamatinga Wahome, MP
- 2 Sen. Veronica W. Nduati, MP
- 3 Sen. Danson Buya Mungatana, MP
- 4 Sen. Sheikh Mohamed Abass, MP
- 5 Sen. (Dr.) Boni Khalwale, CBS, MP
- 6 Sen. Ledama Olekina, MP
- 7 Sen. (Dr.) Oburu Oginga, CBS, MP
- 8 Sen. James Lemenen Ekomwa, MP
- 9 Sen. Edwine Watanya Sifuna, MP

E. Finance and Budget

- 1 Sen. Ali Ibrahim Roba, MP
- 2 Sen. Maureen Tabitha Mutinda, MP
- 3 Sen. (Dr.) Boni Khalwale, CBS, MP
- 4 Sen. Joyce Chepkoech Korir, MP
- 5 Sen. Tabitha Karanja Keroche, MP
- 6 Sen. Richard Momoima Onyonka, MP
- 7 Sen. Shakila Abdalla Mohamed, MP
- 8 Sen. Eddy Gicheru Oketch, MP
- 9 Sen. Mohamed Faki Mwinyihaji, MP

F. Health

- 1 Sen. Jackson Kiplagat Mandago, EGH, MP
- 2 Sen. Mariam Sheikh Omar, MP
- 3 Sen. Raphael Chimera Mwinzagu, MP
- 4 Sen. Joseph Nyutu Ngugi, MP
- 5 Sen. Roselinda Soipan Tuya, CBS, MP
- 6 Sen. Erick Okong'o Mogeni, SC, MP
- 7 Sen. Ledama Olekina, MP
- 8 Sen. Abdul Mohammed Haji, MP
- 9 Sen. Hamida Kibwana, MP

G. Information, Communication and Technology

- 1 Sen. Allan Kiprotich Chesang, MP
- 2 Sen. Gloria Magoma Orwoba, MP
- 3 ~~Sen. Miraj Abdulahi Abdulrahman, MP~~
- 4 Sen. Karen Njeri Nyamu, MP
- 5 Sen. Samson Kiprotich Cherarkey, MP
- 6 Sen. Boy Issa Juma, MP
- 7 Sen. Shakila Abdalla Mohamed, MP
- 8 Sen. Beatrice Akinyi Oyomo, MP
- 9 Sen. Godfrey Atieno Osotsi, MP

H. Justice, Legal Affairs and Human Rights

- 1 Sen. Wakili Hillary Kiprotich Sigei, MP
- 2 Sen. Raphael Chimera Mwinzagu, MP
- 3 Sen. Samson Kiprotich Cherarkey, MP
- 4 Sen. Veronica W. Nduati, MP
- 5 Sen. William Cheptumo Kipkiror, CBS, MP
- 6 Sen. Fatuma Adan Dullo, CBS, MP
- 7 Sen. Hamida Kibwana, MP
- 8 Sen. Andrew Omtatah Okoiti, MP
- 9 Sen. Catherine Muyeka Mumma, MP

I. Labour and Social Welfare

- 1 Sen. Julius Murgor Recha, MP
- 2 Sen. George Mungai Mbugua, MP
- 3 Sen. Karen Njeri Nyamu, MP
- 4 Sen. Alexander Munyi Mundigi, MP
- 5 Sen. Miraj Abdulahi Abdulrahman, MP
- 6 Sen. Mohamed Faki Mwinyihaji, MP
- 7 Sen. Erick Okong'o Mogeni, SC, MP
- 8 Sen. (Rtd.) Justice Stewart Madzayo, CBS, MP
- 9 Sen. Crystal Kegehi Asige, MP

J. Land, Environment and Natural Resources

- 1 Sen. John Muhia Methu, MP
- 2 Sen. (Dr.) Steve Lelegwe Ltumbesi, MP
- 3 Sen. William Cheptumo Kipkiror, CBS, MP
- 4 Sen. Wamatinga Wahome, MP
- 5 Sen. Mariam Sheikh Omar, MP
- 6 Sen. Issa Juma Boy, MP
- 7 Sen. Johnes Mwashushe Mwaruma, MP
- 8 Sen. Agnes Kavindu Muthama, MP
- 9 Sen. Beatrice Akinyi Oyomo, MP

K. National Cohesion, Equal Opportunity and Regional Integration

- 1 Sen. Mohamed Said Chute, MP
- 2 Sen. Joyce Chepkoech Korir, MP

...../Motions

- 3 Sen. Julius Gataya Mwenda, MP
- 4 Sen. Gloria Magoma Orwoba, MP
- 5 Sen. Raphael Chimera Mwinzagu, MP
- 6 Sen. Betty Batuli Montet, MP
- 7 Sen. Joseph Githuku Kamau, MP
- 8 Sen. James Lomenen Ekomwa, MP
- 9 Sen. Beth Kalunda Syengo, MP

L. National Security, Defence and Foreign Relations

- 1 Sen. William Cheptumo Kipkiror, CBS, MP
- 2 Sen. Karen Njeri Nyamu, MP
- 3 Sen. Julius Murgor Recha, MP
- 4 Sen. Lenku Ole Kanar Seki, MP
- 5 Sen. George Mungai Mbugua, MP
- 6 Sen. Fatuma Adan Dullo, CBS, MP
- 7 Sen. Joseph Githuku Kamau, MP
- 8 Sen. Tom Odhiambo Ojienda, SC, MP
- 9 Sen. Abdul Mohammed Haji, MP

M. Roads, Transportation and Housing

- 1 Sen. Paul Karungo Thangwa, MP
- 2 Sen. Peris Pesi Tobiko, MP
- 3 Sen. John Kinyua Nderitu, MP
- 4 Sen. Mohamed Said Chute, MP
- 5 Sen. (Dr.) Steve Lelegwe Ltumbesi, MP
- 6 Sen. Enoch Kiio Wambua, MP
- 7 Sen. Moses Otieno Kajwang', MP
- 8 Sen. (Rtd.) Justice Stewart Madzayo, CBS, MP
- 9 Sen. Edwine Watanya Sifuna, MP

N. Trade, Industrialization and Tourism

- 1 Sen. Lenku Ole Kanar Seki, MP
- 2 Sen. Onesimus Kipchumba Murkomen, EGH, MP
- 3 Sen. Jackson Kiplagat Mandago, EGH, MP
- 4 Sen. Tabitha Karanja Keroche, MP
- 5 Sen. Paul Karungo Thangwa, MP
- 6 Sen. Crystal Kegehi Asige, MP
- 7 Sen. Andrew Omtatah Okoiti, MP
- 8 Sen. Betty Batuli Montet, MP
- 9 Sen. Hezena M. Lemaletian, MP

12. MOTION - APPROVAL OF SENATORS TO SERVE IN THE COUNTY PUBLIC ACCOUNTS COMMITTEE; COUNTY PUBLIC INVESTMENTS AND SPECIAL FUNDS COMMITTEE; AND THE COMMITTEE ON DELEGATED LEGISLATION

(The Senate Majority Leader)

THAT, pursuant to Standing Orders Nos.193, 194, 195, and 199 the Senate approves the following Senators nominated by the Senate Business Committee to serve in Select Committees of the Senate as follows -

...../Motions

A. County Public Accounts Committee

1. Sen. Samson Kiprotich Cherarkey, MP
2. Sen. John Muhia Methu, MP
3. Sen. Mariam Sheikh Omar, MP
4. Sen. Julius Gataya Mwenda, MP
5. Sen. Moses Otieno Kajwang', MP
6. Sen. Fatuma Adan Dullo, CBS, MP
7. Sen. Richard Momoima Onyonka, MP
8. Sen. Edwine Watenya Sifuna, MP
9. Sen. Andrew Omtatah Okoiti, MP

B. County Public Investments and Special Funds Committee

1. Sen. Onesimus Kipchumba Murkomen, EGH, MP
2. Sen. Paul Karungo Thangwa, MP
3. Sen. Maureen Tabitha Mutinda, MP
4. Sen. Miraj Abdullahi Abdulrahman, MP
5. Sen. Eddy Gicheru Oketch, MP
6. Sen. Ledama Olekina, MP
7. Sen. Hamida, Kibwana MP
8. Sen. Tom Odhiambo Ojienda, SC, MP
9. Sen. Godfrey Atieno Osotsi, MP

C. Committee on Delegated Legislation

1. Sen. Julius Gataya Mwenda, MP
2. Sen. Danson Buya Mungatana, MP
3. Sen. Gloria Magoma Orwoba, MP
4. Sen. Joyce Chepkoech Korir, MP
5. Sen. Julius Murgor Recha, MP
6. Sen. Daniel Kitonga Maanzo, MP
7. Sen. Mohamed Faki Mwinyihaji, MP
8. Sen. Betty Batuli Montet, MP
9. Sen. (Rtd.) Justice Stewart Madzayo, CBS, MP

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...../Appendix

APPENDIX**1. PAPERS**

- i.) Report of the Auditor General on the Financial Statements of Machakos County Executive Committee and Chief Officers' Car Loan & Mortgage Scheme for the year ended 30th June, 2021.
- ii.) Report of the Auditor General on the Financial Statements of Machakos County Bursary Fund for the year ended 30th June, 2021.
- iii.) Report of the Auditor General on the Financial Statements of Municipal Council of Machakos Water & Sewerage Company Ltd for the year ended 30th June, 2021.
- iv.) Report of the Auditor General on the Financial Statements of Mavoko Water & Sewerage Company Ltd for the year ended 30th June, 2021.
- v.) Report of the Auditor General on the Financial Statements of Matungulu-Kangundo Water & Sewerage Company Ltd for the year ended 30th June, 2021.
- vi.) Report of the Auditor General on the Financial Statements of Mwala Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- vii.) Report of the Auditor General on the Financial Statements of Nyeri County Executive Car Loan & Mortgage (Staff) Scheme Fund for the year ended 30th June, 2021.
- viii.) Report of the Auditor General on the Financial Statements of Nyeri County Enterprise Development Fund for the year ended 30th June, 2021.
- ix.) Report of the Auditor General on the Financial Statements of Nyeri Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- x.) Report of the Auditor General on the Financial Statements of Mathira Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- xi.) Report of the Auditor General on the Financial Statements of Naromoru Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- xii.) Report of the Auditor General on the Financial Statements of Laikipia County Executive Members Car Loan & Mortgage Scheme Fund for the year ended 30th June, 2021.

...../Appendix

- xiii.) Report of the Auditor General on the Financial Statements of Laikipia County Assembly (Members) Car & Mortgage Fund for the year ended 30th June, 2021.
-
- xiv.) Report of the Auditor General on the Financial Statements of Laikipia County Emergency Fund for the year ended 30th June, 2021.
- xv.) Report of the Auditor General on the Financial Statements of Laikipia County Development Authority for the year ended 30th June, 2021.
- xvi.) Report of the Auditor General on the Financial Statements of Laikipia County Enterprise Fund for the year ended 30th June, 2021.
- xvii.) Report of the Auditor General on the Financial Statements of Laikipia County Education Bursary Fund for the year ended 30th June, 2021.
- xviii.) Report of the Auditor General on the Financial Statements of Nyahururu Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- xix.) Report of the Auditor General on the Financial Statements of Nanyuki Water & Sewerage Company Ltd for the year ended 30th June, 2021.
- xx.) Report of the Auditor General on the Financial Statements of Laikipia County Assets Leasing Fund for the year ended 30th June, 2021.
- xxi.) Report of the Auditor General on the Financial Statements of Laikipia County Revenue Board for the year ended 30th June, 2021.
- xxii.) Report of the Auditor General on the Financial Statements of Makueni County Assembly Car & Mortgage Loan Fund for the year ended 30th June, 2021.
- xxiii.) Report of the Auditor General on the Financial Statements of Makueni County Emergency Fund for the year ended 30th June, 2021.
- xxiv.) Report of the Auditor General on the Financial Statements of Makueni County State & Public Officers Car Loan & Mortgage Fund for the year ended 30th June, 2021.
- xxv.) Report of the Auditor General on the Financial Statements of Makueni County Youth, Men, Women, Persons with Disabilities and Table-Banking Groups Empowerment Fund for the year ended 30th June, 2021.

...../Appendix

- xxvi.) Report of the Auditor General on the Financial Statements of Wote Water & Sewerage Company Ltd for the year ended 30th June, 2021.
- xxvii.) Report of the Auditor General on the Financial Statements of Kibwezi-Makindu Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- xxviii.) Report of the Auditor General on the Financial Statements of Makueni County Sand Conservation & Utilization Authority for the year ended 30th June, 2021.
- xxix.) Report of the Auditor General on the Financial Statements of Kitui County Assembly Car & Mortgage (Members) Scheme Fund for the year ended 30th June, 2021.
- xxx.) Report of the Auditor General on the Financial Statements of Kitui County Assembly Service Board Employees' Car & Mortgage Fund Schemes for the year ended 30th June, 2021.
- xxxi.) Report of the Auditor General on the Financial Statements of Kitui County Textile Centre for the year ended 30th June, 2021.
- xxxii.) Report of the Auditor General on the Financial Statements of Kitui Water & Sanitation Company Ltd for the year ended 30th June, 2021.
- xxxiii.) Report of the Auditor General on the Financial Statements of Kiambere Mwingi Water & Sanitation Company Ltd for the year ended 30th June, 2021 for the year ended 30th June, 2021.
- xxxiv.) Report of the Auditor General on the Financial Statements of Uasin - Gishu County Executive for the year ended 30th June, 2021.
- xxxv.) Report of the Auditor General on the Financial Statements of Uasin - Gishu County Assembly Members Mortgage & Car Loan Scheme Fund for the year ended 30th June, 2021.
- xxxvi.) Report of the Auditor General on the Financial Statements of Uasin-Gishu County Alcoholic Drinks Control Fund for the year ended 30th June, 2021.
- xxxvii.) Report of the Auditor General on the Financial Statements of North Rift Valley Water Works Development Agency for the year ended 30th June, 2021.
- xxxviii.) Report of the Auditor General on the Financial Statements of Nakuru County Bursary Fund for the year ended 30th June, 2021.

...../Appendix

- xxxix.) Report of the Auditor General on the Financial Statements of Nakuru County Persons with Disabilities Fund for the year ended 30th June, 2021.
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- xl.) Report of the Auditor General on the Financial Statements of Nakuru County Emergency Fund for the year ended 30th June, 2021.
- xli.) Report of the Auditor General on the Financial Statements of Nakuru Water & Sanitation Services company Ltd for the year ended 30th June, 2021.

(The Senate Majority Leader)

2. NOTICES OF MOTIONS

- i.) **Parking charges in institutions offering essential services to the public**
(Sen. Edwine Sifuna, MP)

THAT, AWARE THAT, many urban areas and towns in Kenya lack designated car parking areas as a result of imbalance between parking supply and demand mainly due to ineffective land use planning and miscalculations of space requirements, thereby leading to exorbitant parking fees;

NOTING THAT, most essential services offered in hospitals, educational institutions, airports, shopping malls and other public utilities are offered in urban centers, and other designated areas that charge parking fees to access;

ACKNOWLEDGING, that whether they are delivered by public or private providers, essential services such as health, banking, education, shopping and other utilities are considered to be public services because they are public goods that sustain the well-being of every citizen and help in the development of the society as a whole;

CONCERNED, that access to hospitals, educational institutions, airports, shopping malls and other places offering essential services might be hindered due to exorbitant parking fees levied on motorists accessing these services;

FURTHER CONCERNED, that charging entry fees amount to double taxation as the motorists who would have paid the parking fees will still pay for the services they seek;

NOW THEREFORE, the Senate urges the Cabinet Secretary for Lands, Housing and Physical Planning together with the Council of Governors to come up with a policy framework to create an enabling environment for protection of motorists accessing essential services from paying exorbitant parking fees.

...../Appendix

ii.) Promotion of mental health facilities for mothers
(Sen. Hamida Kibwana, MP)

~~THAT, AWARE THAT~~ according to the World Health Organization, globally 10% of pregnant women and 13% of women who have just given birth experience a mental condition, referred to as perinatal depression, which is higher in developing countries with 15.6% during pregnancy, and 19.8% after child birth;

FURTHER AWARE that women who go through still birth and those that lose their children during delivery are taken to the general maternity ward where other mothers with healthy babies are recovering, causing them mental anguish and adversely impacting their mental health;

NOTING THAT integrating mental health care into primary healthcare settings requires training in psychiatric care and providing consulting support to primary care providers, considering that there are not enough mental health care providers to meet the current and growing need for mental health services;

APPRECIATING THAT the Health Act under section 6 (1) (b) provides that every person has a right to reproductive health care which includes the right of access to appropriate health care services that will enable mothers go safely through pregnancy, childbirth, and the postpartum period which should include the integration of mental health in perinatal care as recommended by the National Mental Health Taskforce in its “Mental Health and Wellbeing towards Happiness and National Prosperity” report;

NOW THEREFORE, the Senate urges the Ministry of Health in collaboration with the Council of Governors to:

- (i) ensure that all county health facilities with maternity wings, allocate a separate ward for recovery for the mothers who have gone through still birth or those that have lost their babies during delivery;
- (ii) facilitate continuous mental health training and the provision of counselling support in the perinatal wards for all primary care providers in all counties;
- (iii) establish counselling facilities at all county health facilities with maternity wings to provide counselling therapy to mothers who lose their children through a miscarriage, during delivery, or through still birth; and,
- (iv) establish counselling facilities at all county health facilities with maternity wings to provide counselling therapy to mothers who are suffering from perinatal and postpartum depression.

...../Appendix

3. STATEMENTS

i.) **Pursuant to Standing Order 52 (1)**

The Senator for Nandi County, (Sen. Samson Cherarkey, MP) to make a statement on the exemplary performance by athletes Eliud Kipchoge, Amos Kipruto and Joyciline Jepkosgei in Berlin and London marathons respectively.

ii.) **Pursuant to Standing Order 53 (1)**

i.) The Senator for Machakos County, (Sen. Agnes Kavindu, MP) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the Human-Wildlife conflict in Masinga Constituency, Machakos County.

ii.) The Senator for Machakos County, (Sen. Agnes Kavindu, MP) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the declassification of Machakos County as an Arid and Semi-Arid area (ASAL).

iii.) The Senator for Kitui County, (Sen. Enoch Wambua, MP) to seek a Statement from the Standing Committee on Labour and Social Welfare regarding the plight of Kenya's migrant workers in the Kingdom of Saudi Arabia and other countries in the Middle East.

iv.) The Senator for Kitui County, (Sen. Enoch Wambua, MP) to seek a Statement from the Standing Committee on Education on the reintroduction of the school feeding programme in public primary schools, particularly those in Arid and Semi-Arid (ASALs) areas.

iii.) **Pursuant to Standing Order 57 (1)**

The Senate Majority Leader to issue a statement on the business of the Senate for the week commencing Tuesday, 18th October, 2022.

...../Notice Paper

NOTICE PAPER

Tentative Business for

Tuesday, October 18, 2022

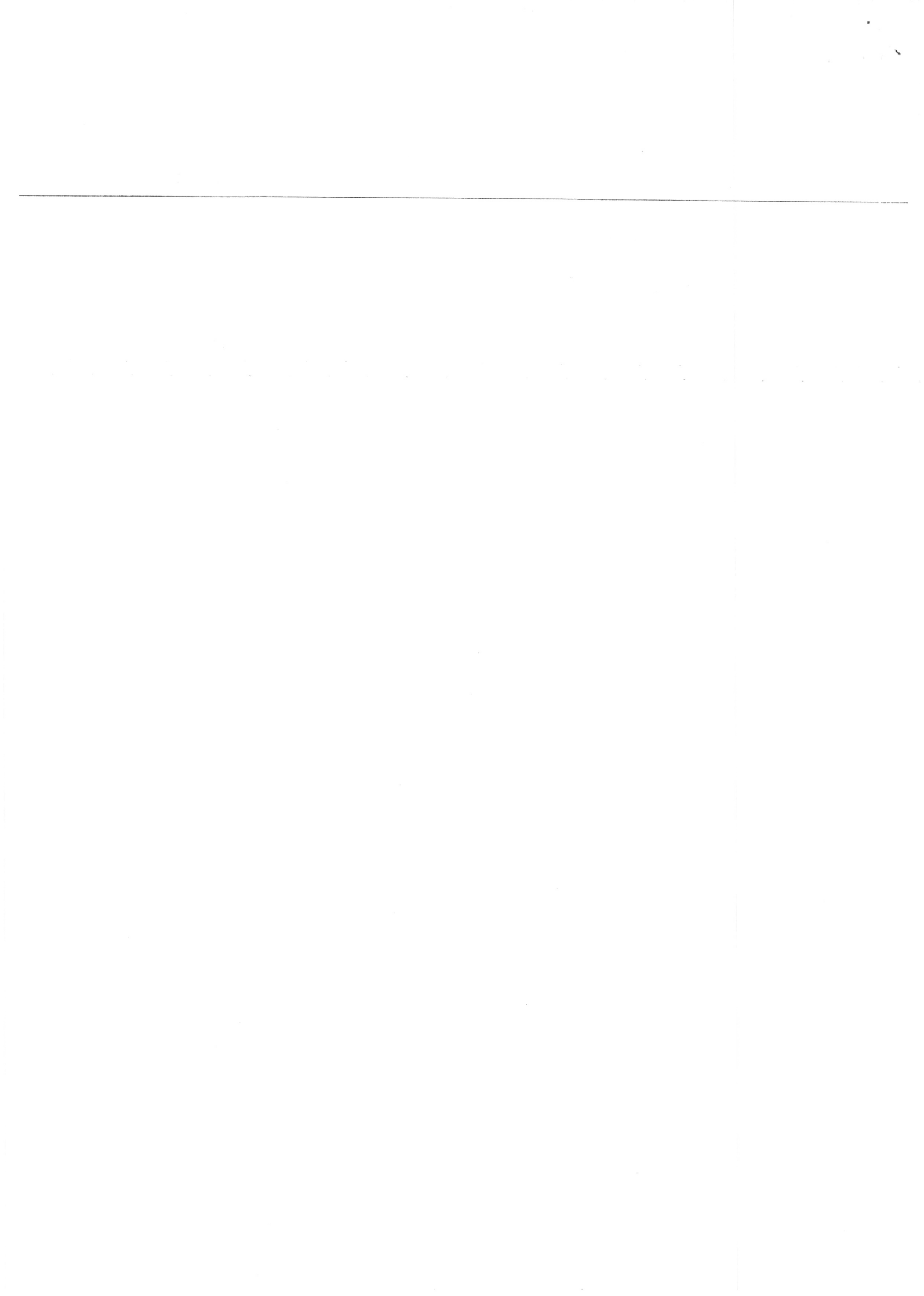
(Published pursuant to Standing Order 43 (1))

It is notified that the Senate Business Committee has approved the following **tentative** business to appear in the Order Paper for Tuesday, October 18, 2022.

MOTIONS

1. Parking charges in institutions offering essential services to the public
(Sen. Edwine Sifuna, MP)

2. Promotion of mental health facilities for mothers
(Sen. Hamida Kibwana, MP)





PARLIAMENT LIAISON	
DATE	04/10/2022
TABLED BY	Sen Aaron Chesang
COMMITTEE	—
CLERK AT THE TABLE	Mrs. Affodou

SPEECH

BY

**HIS EXCELLENCY HON. WILLIAM SAMOEI RUTO,
PhD, C.G.H., PRESIDENT OF THE REPUBLIC OF
KENYA AND COMMANDER-IN-CHIEF OF THE
DEFENCE FORCES**

**DURING THE
OPENING OF THE 13TH PARLIAMENT**

ON

29TH SEPTEMBER, 2022.

**Honourable Speakers,
Honourable Members,**

- 1.** It is my pleasure to address the inaugural session of the 13th Parliament following the August 9 General Election.
- 2.** It is important to note that we have made very positive progress. This Parliament has recorded the highest number of re-elected MPs ever.

3. In the National Assembly, a record **193 members** have been re-elected, **50 more** than in 2017, while in the Senate, **17 senators** have been re-elected. It confirms the increased confidence of the people of Kenya in their leaders and institutions, affirming the maturity of our democracy.

4. Another milestone is in the election of women legislators elected into single-member constituencies. In this year's election, **29 women** were elected members of the National Assembly, **six more** than in 2017. This is a manifestation of the growing confidence in the contribution of women leadership in decision-making in our governance and political institutions. I am certain that this positive trend will continue into the future.

5. It is also instructive that the same confidence in Parliament has been shown in the Executive. In 2013, the President was elected with at least 25 per cent of votes in **30 counties**, **34** in 2017 and **39** in the just-concluded election, further demonstrating the deepening pluralism and inclusivity of our democracy.

6. I therefore take this special opportunity to congratulate all of you on your election in the last General Election and subsequent nominations.

7. The confidence demonstrated by Kenyans in us and our institutions should inspire us to raise the bar in our service to the nation and accountability to the electorate.

8. It is also my singular honour to congratulate our Speakers, the Honourable Moses Wetang'ula and Honourable Amason Kingi, for overwhelming confidence bestowed on them by members to preside over the respective Houses. I also congratulate members who have been elected to parliamentary leadership positions, and wish each one of you wisdom, strength and success in steering our legislative affairs.

**Honourable Speakers,
Honourable Members,**

9. We gather here on the tranquil side of a competitive election where we all came to grips with the turbulent energies of political competition that characterise our uniquely Kenyan brand of democracy. It is true this election was an intensely contested one. Nevertheless, that it was peaceful and democratic, again confirms the coming of age of our democracy.

10. I submit to you, that the fact that the election was so close is an indication that what unites us is always much more greater than what divides us. With the support of Kenyans, we have dislodged ethnicity as the central organising principle of our politics, thereby retiring – for good - the ethnic mobilisation and personality cults, together with their culture and practices of exclusion, discrimination, patronage, tribalism and nepotism.

11. We took this assignment further, with a paradigm shift of issue-based political leadership anchored in credible platforms, feasible programs and transformative commitments aimed at positively affecting the well-being of all Kenyans, from the bottom up.

12. In summary, and this only happens in Kenya, the sitting Deputy President became the candidate of the Opposition and the Leader of Opposition became the candidate of the government, and as things would be, the opposition candidate won the election and became President and the President became the leader of the opposition party. That's the beauty of our democracy.

13. In the process, we affirmed the sovereignty of the people of Kenya as the ultimate decision makers as envisaged in the constitution.

14. I promised to lead an administration dedicated to the just and fair government of all Kenyans in order to deliver a Kenya for everyone. I commit to be the loyal, hard working, devoted President of every Kenyan, and my administration will serve all, without regard to any distinction, real or imagined. Certainly, service delivery under my administration shall be impartial regardless of political affiliation or voter preference. Kenya is our home, and we remain united as one strong family.

15. For these reasons, I want to persuade you that the legislative agenda I stand here to prosecute deserves the bi-partisan support of this House. My administration is pursuing a transformational program that offers a uniquely all-Kenyan moment which calls for unity of purpose in the legislature. We are committed to serving all people, in all wards of each constituency and all counties in every region, throughout the Republic of Kenya. After all, we all serve the same boss: the people, and their sovereign interests are our operating principle and purpose.

16. I will run an administration that is open, that is transparent, and my administration will rely on oversight from this House to make sure the public gets value for every cent invested in every policy, program and project.

17. Consequently, I ask Parliament to consider a mechanism in the Standing Orders to facilitate Cabinet Secretaries articulate government agenda, explain policy and answer questions on the floor of the House to enhance executive accountability to the people of Kenya through their elected representatives. On this matter of oversight and holding government accountable, my administration commits to restore place of Parliament in our democracy by respecting the autonomy and oversight authority of Parliament on the executive.

18. Equally, I am a firm believer in democracy and the rule of law. That is why my first executive action when I took office was to undo a legacy of acts and omissions that had incrementally undermined the independence of the Judiciary. For avoidance of doubt, the Judiciary is an arm of government just like this Parliament, and my administration will be intentional in respecting the constitutionally mandated system of checks and balances.

19. It is in this spirit that I will be seeking additional resources to support the bottom-up scaling of justice and empower the Judiciary to acquire capacity and develop the infrastructure needed to more efficiently adjudicate and expeditiously conclude corruption cases, commercial disputes and all other matters.

**Honourable Speakers,
Honourable Members,**

20. To implement the pledges and commitments set out in our 'PLAN', my administration is committed to investing in the requisite enablers and infrastructure to provide a sound foundation for its execution. These are interventions intended to create a conducive environment for effective, efficient and sustainable realisation of our national transformation.

21. We are on a mission to dramatically scale up productivity in agriculture and make sure that every Kenyan farmer, fisherman and pastoralist contributes to sustainable economic growth by contributing to adequate and affordable food, generating greater incomes and producing the raw materials required by the agro-industrial and manufacturing value chains. This will boost Kenya's export performance, and create millions of jobs.

22. Consequently, we have been deliberate in our efforts to restore sanity and introduce greater responsibility in the management of public resources. One significant intervention is the resolve to abandon consumption subsidies in favour of supporting and investing in production.

23. This is why we have made available fertilizer for our farmers at cheaper rates of **Ksh3,500** per **50 kg bag** down from **Ksh6,500**. We are exploring further mechanisms to bring these prices down.

24. We have an obligation to redeem our pledge to our small traders; the hawker, *mama mboga*, *kinyozi*, *makanga*, that every person who sells any good or service, gets to work, and earns a decent livelihood enough to place them on the path to wealth, through saving and investment. The Hustler Economy has to flourish and form the foundation of broader economic transformation, while catalysing the widening of the national revenue base. Our agenda here is to take necessary measures to create an enabling environment for business people to thrive and decriminalise enterprise.

Honourable Speakers,
Honourable Members,

25. Affordable credit makes a huge difference in the rate of business growth. Access to affordable credit is like a magic formula. The current Credit Reference Bureau approach of blacklisting debtors is zero-sum, punitive and has arbitrarily locked millions of businesses out of the credit system.

26. It is time to shift the formula to a credit scoring system, which allows lenders to apply customer segmentation and at the same time end the stigma of blacklisting.

27. We have held productive conversations with operators of the Fuliza and M-Shwari platforms on the modalities of reducing their lending rates. I am happy to report today that yesterday, our engagement culminated in an undertaking by the platform operators to reduce the cost of credit by about **40 per cent**. This is a significant step towards unlocking billions of shillings needed to spur economic activity by once again expanding financial inclusion.

28. My administration will allocate **Ksh50 billion** every year to the **Hustlers Fund** from which micro, small, and medium enterprises can access affordable credit to start and expand their businesses. We will leverage on technology in the management and disbursement of the Hustler Fund.

29. There is tremendous opportunity for this House to fully take up its role in resolving the systemic issues that limit access to affordable homes and affordable financing. This administration will unlock housing for the nation by supporting:

- (i) the provision of land for affordable housing; and
- (ii) providing access to cheap and stable funding. These two measures will allow us to undertake mass housing production, and thereby shape our approach to urban development and spatial planning, which unlike before, will deliver sustainable and inclusive human settlement.

30. I also wish to express our intention to bring to this House legislative proposals to provide a framework for a housing off-take plan, which will create incentives for developers to invest more money into our housing strategy on the strength of guaranteed off-take of the completed units.

31. To actualise the enabling infrastructure, we intend to take the following measures: A Public-Private-Partnership funding framework is envisaged for large capital projects. In order to achieve our target of raising access to water from the current **60 per cent to 80 per cent, Ksh500 billion** is required. The Government can provide this gradually, but the private sector can mobilise it all at once. We will thus adopt a PPP framework by entering into water purchase agreements with investors. This way, we will achieve water for all in less than a decade.

32. Concerning electricity, we shall facilitate the development of innovative and effective modalities to provide better off-grid systems, including enabling consumers to form small cooperatives for that purpose.

33. In health, we are duty bound to take measures to make Universal Health Coverage a reality and liberate Kenyans and their families from the threat harrowing poverty that stalks them every time a family member falls seriously ill. In our plan, and through your support, we will restructure our primary healthcare system so that we put more resources into promotive, preventive and early diagnosis of diseases.

34. A key driver to this realisation is the National Health Insurance Fund, whose restructuring is not only necessary for efficiency but also enables it become a fit for purpose social insurance scheme that caters for all, including chronic diseases.

35. Digital technologies have become a critical player in economic growth. We will capitalise on existing technology and innovation in public and private sector to distribute the Hustler Fund as promised in our Plan.

36. I call upon financial institutions and our young people in innovation hubs to participate in the digital economy by redesigning their products to serve the goal of empowering millions armed with grand ideas and are only waiting for the fund to finance their dreams to reality.

**Honourable Speakers,
Honourable Members,**

37. I have news, and it is not very good news. Our financial situation is not very good.

38. For Kenya to grow to an upper middle-income country, we need to invest at least **25 per cent** of our GDP. Our current national savings rate is below **10 per cent** of our GDP which translates to an investment-savings deficit of **15 per cent** of GDP.

39. Over the last decade, we have sought to close this gap through public borrowing. This year alone, we budgeted to borrow **Ksh900 billion** to finance both development and recurrent expenditure.

40. The Government should never borrow to finance recurrent expenditure. This is not right, prudent or sustainable, it is simply wrong. We must bring ourselves back to sanity.

41. Over the next three years, we must reverse this and go back to the situation where government contributes to the national savings effort by keeping recurrent expenditure below revenue. To this end, I have instructed National Treasury to work with ministries to find savings of **Ksh300 billion** in this year's budget. Next year, we will bring it further down so that, by the third year, we have a recurrent budget surplus.

42. On the revenue side, I am committed and determined to ensure that our tax system is responsive to the needs of the economy. It must be equitable, efficient and customer-friendly. The economic principle of equitable taxation require that the tax burden reflects ability to pay. This is best achieved by a hierarchy that taxes wealth, consumption, income and trade in that order of preference. Our tax regime currently falls far short of this. We are over-taxing trade and under-taxing wealth. We will be proposing tax measures that begin to move us in the right direction.

43. We will also work with the Kenya Revenue Authority on a culture change to make it a people-friendly, customer-centric organisation. I am of the view that we should rename it the **Kenya Revenue Service** in line with the proposed transformation.

44. The very large Government borrowing requirement has also undermined the business sector, contribution to the national savings and investment effort. These measures outlined above will also address the problem arising from government crowding out the private sector from the credit market. It will encourage banks to go back to lending to businesses and also bring down interest rates so that the private sector can also contribute to reducing the savings-investment deficit.

45. In many countries, the social security and particularly pension system contributes significantly to national savings. Our current social security infrastructure, both public, that is NSSF, and private only cater for people in formal employment, thereby excluding the vast majority of working Kenyans. There is no retired Kenyan today who is living on their NSSF retirement benefits. The meagre current contribution of **Ksh200** a month adds up to **Ksh72,000** over **30 years**. There is no rate of return on earth that can grow this into an adequate pension.

46. Not surprisingly, many Kenyans scramble to provide for themselves by investing in 50 by 100 plots of land, thereby exacerbating the problem of land fragmentation, price inflation as well as land fraud.

47. We intend to overhaul our social security infrastructure to make it inclusive. To encourage those excluded to save, I will be proposing a national savings drive to encourage those in the informal sector to set up their retirement savings plan. For every **two shillings** saved in the scheme, up to a maximum of **Ksh6,000** a year, the government will contribute **one shilling**.

48. As part of the response to the ongoing drought, we have embarked on distribution of relief supplies to **3.5 million Kenyans** who are affected by drought in 23 arid and semi- arid counties. The ultimate solution to the drought cycle in our country is mitigation of climate change and its adverse effects. We must act urgently to keep global heating levels below 1.5 degrees centigrade, help those in need, promote the use of renewable energy and thus end addiction to fossil fuels

**Honourable Speakers,
Honourable Members,**

49. I know the contribution the National Government Constituency Development Fund (NG-CDF) has made in making life better for our citizens. Having served in Parliament for 15 years, before and after the establishment of NG-CDF, I know the difference it makes is monumental.

50. I believe there is a way NG-CDF can be aligned to the tenets of the Constitution. In this regard, I also hasten to add that both Houses should also be adequately resourced for oversight duties.

51. With regard to the Senate and its constitutional mandate, I believe the two Houses should work together to set up the Senate Oversight Fund. This will be used to provide oversight over millions allocated to counties.

**Honourable Speakers,
Honourable Members,**

52. The people of Kenya rightly expect much of us. We have our work cut out for us. This is our chance to achieve real change by working together to make Kenya a land of equal opportunity for all where every Kenyan is proud to call home. Let us all play our part in the service of our employers, the people of Kenya.

**God bless you, and God bless the great people of
Kenya.**

I THANK YOU.

.....0000000.....0000000.....

(2) DC CMA

Submitted for further processing

(3)

COS

Forwarded for your approval
Deputy Clerk (MA) - Senate

Date... 14/10/22

COS

Submitted for approval

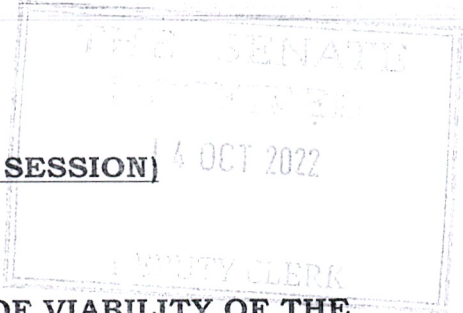
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14/10/22



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT - (FIRST SESSION)

THE SENATE



REQUEST FOR A STATEMENT ON THE STATUS OF VIABILITY OF THE LAKE TURKANA WINDPOWER PROJECT

Mr. Speaker, Sir,

I rise, pursuant to Standing Order 53 (1), to seek a Statement from the Standing Committee on Energy on the status of viability of the Lake Turkana Wind Power project.

In the Statement, the Committee should:-

1. Disclose the terms of contract between Lake Turkana Wind Power project and the Government, giving the particulars of the individuals who signed the contract on behalf of the Government;
2. State the amount in sales of units, the project has sold to the Government since it began operations;
3. Apprise the Senate on the status of construction of the electricity line from Lake Turkana to Naivasha, stating whether the project was tendered, providing details of who won the award, disclosing penalties if any, the Government has been billed and paid for the delay in the construction of the line;
4. State the amount of funds the project earned in the carbon credits since the project began, stating the amount remitted to Communities around the project; and
5. State the share of the project due to the Communities around the project, who contributed their land.

**SEN. MOHAMED SAID CHUTE, MP
SENATOR FOR MARSABIT COUNTY**

Date: 14th October, 2022

Hon. Speaker

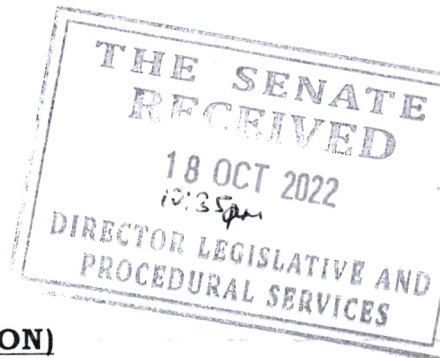
Recommended for approval

Approved
Rt. Hon. Speaker
17/10/22

14/10/2022

① Mr. Magye (C.O. 1000)
 PS process
 18/10/22

② Dec (MA)
 Submitted for further
 processing 18/10/22



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT - (FIRST SESSION)

THE SENATE

REQUEST FOR A STATEMENT ON THE PROCESS OF ACQUISITION AND DISTRIBUTION OF RELIEF SUPPLIES IN MARSABIT COUNTY

Mr. Speaker, Sir,

I rise, pursuant to Standing Order 53 (1), to seek a Statement from the National Security, Defence and Foreign Relations, regarding the process of acquisition and distribution of relief supplies to Marsabit County.

In the Statement, the Committee should:-

1. Table a detailed report of the amount of relief supplies provided by the Government to the people of Marsabit County in tonnage in the last five years;
2. Disclose the nature, type and the cost of relief food supplies that have been disbursed to the County in the last five years, stating the particulars of the beneficiaries indicating the benefiting Sub - Counties;
3. Audit the procedure of how the suppliers are arrived at, stating the tendering process, providing the details of who won and the cost of the award; and
4. State measures, if any, to ensure that such relief supplies fully benefits the targeted communities in the future.

M. Chute

SEN. CHUTE MOHAMED SAID, MP
SENATOR FOR MARSABIT COUNTY

Date: 18th October, 2022

Approved
 18/10/22

④ Hon. Speaker
 You may approve
 18/10/22

① Mr. Magye (C.O. 1000) PS process 18/10/22

② Dec (MA) submitted for further processing 18/10/22



THE SENATE RECEIVED 18 OCT 2022 10:35pm DIRECTOR LEGISLATIVE AND PROCEDURAL SERVICES

③ DHS Submitted for further processing 20/10/22 18/10/22

REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT - (FIRST SESSION)

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M. Chute

**SEN. CHUTE MOHAMED SAID, MP
SENATOR FOR MARSABIT COUNTY**

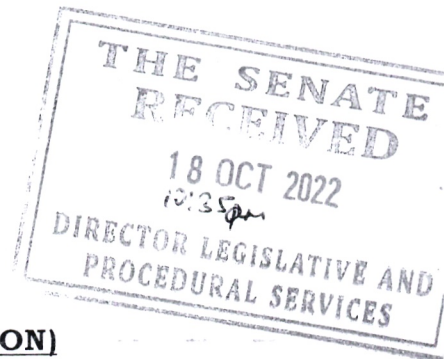
Date: 18th October, 2022

Approved
18/10/22

④ Hon. Speaker
You may approve
18/10/22

① Mr. Mager (COP LAPS)
PS process
18/10/22

② Dec (MA)
submitted for further
provisions
18/10/22



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT - (FIRST SESSION)

③ DHS
Submitted for
Secretary processing
201
18/10/22

THE SENATE

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DISTRIBUTION OF RELIEF SUPPLIES IN MARSABIT COUNTY

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M. M. A. I.

SEN. CHUTE MOHAMED SAID, MP
SENATOR FOR MARSABIT COUNTY

Date: 18th October, 2022

Approved
18/10/22

④ Hon. Speaker
You may approve
18/10/22

① Mr. Magyei (CDD/MS) PS process
18/10/22

② Dec (MA) submitted for further processing
18/10/22



③ DHS Submitted for further processing
204
18/10/22

REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT - (FIRST SESSION)

THE SENATE

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M. Chute

SEN. CHUTE MOHAMED SAID, MP
SENATOR FOR MARSABIT COUNTY

Date: 18th October, 2022

Approved
18/10/22

④ Hon. Speaker
You may approve
18/10/22

① Mr. Magye (CDD LSPS)
ps process
18/10/22

② Dec (MA)
Submitted for further
processors
18/10/22



THE SENATE
RECEIVED
18 OCT 2022
10:35 pm
DIRECTOR LEGISLATIVE AND
PROCEDURAL SERVICES

③ DHS
Submitted for
greater processing
201
18/10/22

REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT - (FIRST SESSION)

THE SENATE

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M. Said

**SEN. CHUTE MOHAMED SAID, MP
SENATOR FOR MARSABIT COUNTY**

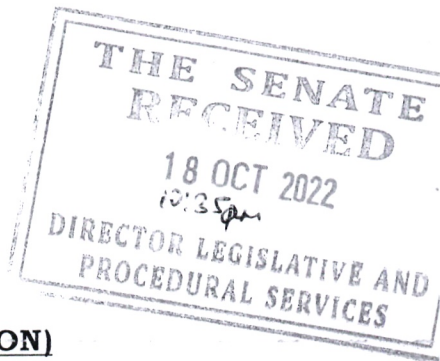
Date: 18th October, 2022

Approved
18/10/22

④ Hon. Speaker
You may approve
18/10/22

① Mr. Magye (CDD) (KSS))
PS process
18/10/22

② Dec (MA)
Submitted for further
processes
18/10/22



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT - (FIRST SESSION)

③ DHS
Submitted for
further processing
20/10/22
18/10/22

THE SENATE

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M. M. Said

SEN. CHUTE MOHAMED SAID, MP
SENATOR FOR MARSABIT COUNTY

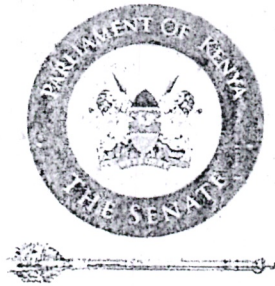
Date: 18th October, 2022

Approved

18/10/22

④ Hon. Speaker
You may approve

18/10/22



13TH PARLIAMENT - FIRST SESSION

THE SENATE BUSINESS COMMITTEE

MINUTES OF THE FOURTH (4TH) MEETING OF THE SENATE BUSINESS COMMITTEE HELD ON TUESDAY, 25TH OCTOBER, 2022 IN COMMITTEE ROOM 4, MAIN PARLIAMENT BUILDINGS, AT 11.32 AM.

PRESENT

1. Sen. Veronica Waheti Nduati, MP - Member (**Ag. Chairperson**)
2. Sen. Aaron Cheruiyot, MP - Senate Majority Leader
3. Sen. (Rtd.) Justice Stewart Madzayo, CBS, MP - Senate Minority Leader
4. Sen. (Dr.) Boni Khalwale, CBS, MP - Senate Majority Whip
5. Sen. Fatuma Dullo, CBS, MP - Senate Minority Whip
6. Sen. Ledama Olekina, MP - Deputy Senate Minority Whip
7. Sen. (Prof.) Margaret Kamar, EGH, MP - Member
8. Sen. Mwinyihaji Mohammed Faki, MP - Member
9. Sen. Ali Ibrahim Roba, MP - Member
10. Sen. Wakili Hillary Kiprotich Sigei, MP - Member

ABSENT WITH APOLOGY

1. Rt. Hon. Amason Jeffah Kingi, EGH, MP - Speaker of the Senate
(**Chairperson**)
2. Sen. Maureen Tabitha Mutinda, MP - Member

SECRETARIAT

1. Mr. J. M. Nyegenye, CBS - Clerk of the Senate
2. Mr. Mohamed Ali, MBS - Deputy Clerk
3. Ms. Eunice Gichangi, OGW - Deputy Clerk
4. Ms. Roselynn Omolloh - Director, Speaker's Office
5. Dr. Johnson Okello - Director, Legal Services
6. Ms. Mary Chesire - Ag. Director, Committee Services
7. Mr. Zakayo Mogere - Deputy Director, Legislative and Procedural Services
8. Maj. (Rtd.) Joel Nkubitu - Deputy Sergeant-At-Arms
9. Ms. Marya Adjibodou - Principal Clerk Assistant I
10. Ms. Mercy Thanji - Senior Legal Counsel
11. Ms. Kavata Musyoka - Senior Clerk Assistant
12. Ms. Angela Wangechi - Clerk Assistant I
13. Ms. Belinda Barasa - Clerk Assistant III
14. Ms. Natasha Rashida - Clerk Assistant III

SBC. MIN. NO. 021/2022

PRAYER

The Ag. Chairperson called the meeting to order at 11.32 am and opened the meeting with a prayer.

SBC. MIN. NO. 022/2022

ADOPTION OF THE AGENDA

The agenda for the meeting was adopted after being proposed by Sen. Mwinyihaji Mohammed Faki, MP, and seconded by Sen. (Rtd.) Justice Stewart Madzayo, CBS, MP

SBC. MIN. NO. 023/2022

CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING

Minutes of the 3rd meeting held on Tuesday, 18th October, 2022, were confirmed as a true record of the deliberations after being proposed by Sen. Ali Ibrahim Roba, MP, and seconded by Sen. Mwinyihaji Mohammed Faki, MP.

SBC. MIN. NO. 024/2022

MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING

- i. **Ex. Min SBC. Min. No. 017/2022: Consideration of a Paper on process of election of Members to the East African Legislative Assembly (EALA).**

The Committee was informed that on 18th October, 2022, the Senate passed a Motion on appointment of Senate Members to a Joint Select Committee on Election of Members to the East African Legislative Assembly (EALA) and that a Message on the matter was conveyed to the National Assembly.

The Committee was further informed that the Joint Committee was scheduled to meet on Tuesday, 25th October, 2022 at 11:30 am.

- ii. **Ex. Min SBC. Min. No. 019/2022: Any other business - Parliamentary approval of the nominee for appointment to the position of Inspector General of the National Police Service.**

The Committee was informed that on 18th October, 2022, His Excellency the President communicated to the Houses of Parliament, the nominee for appointment to the position of Inspector General of Police. The Speaker conveyed the Message to the Senate, and subsequently committed the matter to the Standing Committee on National Security, Defence and Foreign Relations of the Senate to undertake a joint vetting exercise with Departmental Committee on Administration and Internal Affairs of the National Assembly.

SBC. MIN. NO. 025/2022

CONSIDERATION OF THE ORDER
PAPER FOR TUESDAY, 25TH
OCTOBER, 2022 AND THE WEEKLY
PROGRAMME OF SENATE BUSINESS
FOR THE WEEK COMMENCING
TUESDAY, 25TH OCTOBER, 2022

Upon invitation by the Ag. Chairperson, the Clerk of the Senate, presented the Order Paper for Tuesday, 25th October, 2022, and the Weekly Programme of Senate Business for the week commencing Tuesday, 25th October, 2022.

The Committee noted that the Senator for Tana River County (Sen. Danson Mungatana, MP) was scheduled to seek a statement from the Standing Committee on Finance and Budget concerning the release of funds to schools in Tana River County under the National Government Constituency Fund (NG-CDF), by the National Treasury and Economic Planning.

The Committee observed that there was a court case pending on the matter and resolved that Statement be withdrawn.

The Committee thereafter approved the Order Paper for Tuesday, 25th October, 2022 and the Programme of Senate Business for the week commencing Tuesday, 25th October, 2022, subject to withdrawal of the Statement on release of funds to schools, by the Senator for Tana River County.

SBC. MIN. NO. 026/2022

CONSIDERATION OF A PAPER ON
SUPREME COURT PETITION NO. 24
OF 2019 AS CONSOLIDATED WITH
PETITION NO. 27 OF 2019; THE
SENATE VS COUNCIL OF COUNTY
GOVERNORS & OTHERS
(COMMITTEE PAPER NO. 5).

Upon invitation by the Ag. Chairperson, the Director, Legal Services presented the paper on Supreme Court Petition No. 24 of 2019, as Consolidated with Petition No. 27 of 2019.

The Committee was informed that –

1. the Council of Governors had filed a Petition at the High Court in Nairobi challenging the invitation of Governors from Bomet, Muranga, Kisumu and Kiambu counties to a meeting with the Sessional Committee on County Public Accounts and Investments on various issues raised in the report of the Auditor General on financial statements relating to those counties;
2. in its judgment, the High Court confirmed the power of the Senate to summon Governors and other persons to personally appear before it to answer questions on county government finances. However the

Council of Governors appealed the decision of the High Court and filed an appeal in the Court of Appeal challenging the judgment of the High Court;

3. the Court of Appeal in its ruling impeded the role of the Senate as an oversight body for the counties and therefore, the Senate instructed M/s Kilukumi and Company Advocates to appeal to the Supreme Court. In its determination, the Supreme Court ordered as follows-
 - (i) In the performance of its oversight role over County revenue, the Senate has powers to summon County Governors to answer any questions or provide any requisite information;
 - (ii) The Senate's oversight authority is not limited to nationally allocated revenue but extends to locally generated revenue by the Counties; and
 - (iii) County Assemblies have the power of first tier oversight over County Government revenue, whether nationally allocated or locally generated.

Following deliberations, the Committee resolved that -

- (i) A framework be developed for delineation of the oversight function between the county assemblies and the Senate; and**
- (ii) The paper on the court matter be included as a substantive agenda item for discussion during the second induction retreat for all Senators.**

SBC. MIN. NO. 027/2022

CONSIDERATION OF A PAPER ON SUPREME COURT PETITION NO.19 (E027) OF 2021; SENATE & OTHERS VS THE NATIONAL ASSEMBLY & ANOTHER (COMMITTEE PAPER NO. 6)

Upon invitation by the Ag. Chairperson, the Senior Legal Counsel presented the paper on Supreme Court Petition No.19 (E027) of 2021; Senate & Others Vs. the National Assembly & Another.

The Committee was informed that the Senate had filed a petition with the High Court seeking to challenge laws that had been enacted un-procedurally in the 12th Parliament; an interpretation of the term "money Bill"; and a final determination on the procedure to be followed in respect of all the Bills that are pending before Parliament so as to ensure compliance with Article 110(3) of the Constitution and for the future.

Following appeals by both houses of Parliament at the Court of Appeal and Supreme Court, the Supreme Court issued the following directive;

“In view of the nature of the dispute in the main petition of appeal and while bearing in mind the procedure of parliament in legislation and taking into consideration that there is now a new parliament in office, the Deputy Registrar of the Court has been instructed to have this matter mentioned for the parties to indicate as to whether the substratum of the appeal still exists or not and to consider whether the appeal should be withdrawn or not.”

The Committee observed that –

- i) in the event that the Senate withdraws the Petition, the decision of the Court of Appeal will prevail despite the erroneous interpretation by the Court on Article 110(3) of the Constitution and the proper application of Articles 109 to 114 of the Constitution;
- ii) The Senate may participate in the discussions on the terms of settling the matter and put forward the position resolved by the House on 20th June 2019 on the role that the Senate and the Speaker of the Senate must play in the processing of all Bills published in either House of Parliament;
- iii) In order for the Supreme Court to adopt a Consent, all parties must agree on the proposed terms and in the event that the parties do not agree on the terms of a Consent, they shall be at liberty to file a brief on all outstanding issues which they seek to proceed for hearing and determination by the Supreme Court; and
- iv) The legal proceedings in this matter were instituted pursuant to the Resolution of the Senate dated, 20th June, 2019, where the Senate of the Republic of Kenya passed the Motion and resolved to institute the legal proceedings.

Following deliberations, the Committee resolved as follows;

- i. That the Senate legal team and the Standing Committee on Justice, Legal Affairs and Human Rights, reviews the matter and proposes a consent framework for negotiation with the Leadership of the National Assembly; and**
- ii. That a Special Meeting of the Senate Business Committee be convened on Thursday, 27th October, 2022 to consider the framework in (i) above.**

SBC. MIN. NO. 028/2022

**CONSIDERATION OF A PAPER ON
UPCOMING SENATE EVENTS DURING
THE RECESS PERIOD (COMMITTEE
PAPER NO.7).**

Upon invitation by the Ag. Chairperson, the Deputy Director, Legislative and Procedural Services presented the paper on upcoming senate events during the recess period.

The Committee was informed that pursuant to the Senate Calendar, the House was scheduled to proceed on a one week recess from October 28th to

November, 7th 2022. During the recess, the following events had been scheduled –

- i. Induction of the Speaker’s Panel at the Serena Hotel in Mombasa County on Friday, 28th and Saturday, 29th October, 2022;
- ii. Induction of the Senate Business Committee at the Serena Hotel in Mombasa County on Monday, 31st October, 2022 and Tuesday, 1st November, 2022; and
- iii. Second Induction for all Senators at the Sarova Whitesands Hotel in Mombasa County from 2nd Wednesday, 2022 to Friday, 4th November, 2022.

The Committee noted of the contents of the Paper and resolved that the induction of the Speaker’s Panel be rescheduled to a later date due to lack of quorum.

SBC. MIN. NO. 029/2022

ANY OTHER BUSINESS.

Senate Oversight Fund

The Committee noted the need to revisit the matter of the proposed Senate Oversight Fund and provide a way forward.

Following deliberations, the Committee resolved that the matter be discussed substantively during the Special Meeting of the Committee scheduled for Thursday, 27th October, 2022.

SBC. MIN. NO. 030/2022

ADJOURNMENT AND DATE OF THE NEXT MEETING.

There being no other business, the Ag. Chairperson adjourned the meeting at forty-seven minutes past twelve O’clock. The next meeting of the Committee would be held on Thursday, 27th October, 2022, at 11.00 a.m.

SIGNED:
(CHAIRPERSON)

DATE: