

Approved
SBSO/SNA
26/11/2025

Hon. Speaker
pro
oppose
25/11/25



REPUBLIC OF KENYA


THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – FOURTH SESSION – 2025

COMMITTEE ON DELEGATED LEGISLATION

REPORT ON THE CONSIDERATION OF THE PUBLIC FINANCE MANAGEMENT
(SPORTS, ARTS, AND SOCIAL DEVELOPMENT FUND) (AMENDMENT)
REGULATIONS, 2025 (L.N. NO. 106 OF 2025)

NOVEMBER 2025

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 26 NOV 2025	DAY: WED
TABLED BY:	Hon. Samuel Chopkonga, MP Chairperson
CLERK-AT THE-TABLE:	David Mcharo

*The Directorate of Audit, Appropriations
& General Purpose Committees
The National Assembly
Parliament Buildings*

Committee on Delegated Legislation: Report on the Consideration of the Public Finance Management (Sports, Arts and Social Development Fund) (Amendment) Regulations, 2025

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ABBREVIATIONS AND ACCRONYMS

AG	Attorney-General
CBS	Chief of the Order of the Burning Spear
CEO	Chief Executive Officer
DLS	Directorate of Legislative and Procedural Services
EGH	Elder of the Order of the Golden Heart
EBS	Elder of the Order of the Burning Spear
GoK	Government of Kenya
LN	Legal Notice
MDA	Ministry, Department or Agency
MP	Member of Parliament
OAG	Office of the Auditor-General
PFM	Public Finance Management
SASDF	Sports, Arts and Social Development Fund
UDA	United Democratic Alliance
UDM	United Democratic Movement
UPA	United Progressive Alliance
UPIA	United Party of Independent Alliance
ODM	Orange Democratic Movement
KANU	Kenya African National Union
WDM–Kenya	Wiper Democratic Movement–Kenya

CHAIRPERSON'S FORWARD

The Public Finance Management (Sports, Arts, and Social Development Fund) (Amendment) Regulations, 2025 were made vide *LN. No. 106 of 2025* pursuant to powers conferred on the Cabinet Secretary for the National Treasury and Planning under section 24(4) of the Public Finance Management Act (*Cap. 412A*), hence, is a statutory instrument within the meaning of section 2 of the Statutory Instruments Act (*Cap. 2A*).

The Regulations were published in the Gazette on 12th June, 2025 and received by the Clerk of the National Assembly on 18th June, 2025. They were tabled before the House on 22nd July, 2025, within the statutory timelines contemplated under section 11(1) of the Statutory Instruments Act (*Cap. 2A*) and committed to the Committee on Delegated Legislation for consideration.

The purpose of the Public Finance Management (Sports, Arts, and Social Development Fund) (Amendment) Regulations, 2025 is to amend the Public Finance Management (Sports and Arts Fund) Regulations, 2025, whose objects and purpose are to provide funds to support the development and promotion of sports and arts.

Pursuant to section 16 of the Statutory Instruments Act (*Cap. 2A*), which requires the Committee to confer with the regulation-making authorities before making its decision, the Committee held a meeting with the National Treasury and Economic Planning on Thursday, 13th November, 2025, to deliberate on the Regulations.

Having examined the Public Finance Management (Sports, Arts, and Social Development Fund) (Amendment) Regulations, 2025 (*LN. No. 106 of 2025*) against the Constitution, the Statutory Instruments Act (*Cap. 2A*), the Public Finance Management Act (*Cap. 214A*), and the Interpretation and General Provisions Act (*Cap. 2*), the Committee resolved to recommend that the House **APPROVES the Public Finance Management (Sports, Arts, and Social Development Fund) (Amendment) Regulations, 2025 (LN. No. 106 of 2025) in accordance with section 24(4) the Public Finance Management Act (Cap. 412A).**

I wish to most sincerely thank the Speaker and the Office of the Clerk of the National Assembly for the invaluable support accorded to the Committee in the discharge of its mandate. I also wish to thank the Committee Membership and the Secretariat for their diligence during the consideration of these Regulations.

On behalf of the Members of the Committee on Delegated Legislation and pursuant to Standing Order 210, it is my pleasure and duty to present to the House the Committee's ***Report on the Consideration of the Public Finance Management (Sports, Arts, and Social Development Fund) (Amendment) Regulations, 2025 (LN. No. 106 of 2025).***

HON. CHEPKONG'A KIPRONO SAMUEL, CBS, MP.

1.0 PREFACE

1.1 Establishment and Mandate of the Committee

1. The Select Committee on Delegated Legislation is established under *Standing Order No. 210* of the National Assembly Standing Orders and is mandated to consider statutory instruments submitted to Parliament for consideration. The Committee is expected to consider in respect of any statutory instrument, whether it is in accord with the provisions of the Constitution, the Act pursuant to which it is made or other relevant written laws.
2. The Committee is mandated to consider in respect of any statutory instrument, whether it:
 - a) is in accordance with the provisions of the Constitution, the Act pursuant to which it is made or other relevant written laws;
 - b) infringes on fundamental rights and freedoms of the public;
 - c) contains a matter which in the opinion of the Committee should more properly be dealt with in an Act of Parliament;
 - d) contains imposition of taxation;
 - e) directly or indirectly bars the jurisdiction of the Courts;
 - f) gives retrospective effect to any of the provisions in respect to which the Constitution or the Act does not expressly give any such power;
 - g) involves expenditure from the Consolidated Fund or other public revenues;
 - h) is defective in its drafting or for any reason the form or purport of the statutory instrument calls for any elucidation;
 - i) appears to make some unusual or unexpected use of the powers conferred by the Constitution or the Act pursuant to which it is made;
 - j) appears to have had unjustifiable delay in its publication or laying before Parliament;
 - k) makes rights, liberties or obligations unduly dependent upon non-reviewable decisions;
 - l) makes rights, liberties or obligations unduly dependent insufficiently defined administrative powers;
 - m) inappropriately delegates legislative powers;
 - n) imposes a fine, imprisonment or other penalty without express authority having been provided for in the enabling legislation;
 - o) appears for any reason to infringe on the rule of law;
 - p) inadequately subjects the exercise of legislative power to Parliamentary scrutiny; and
 - q) accords to any other reason that the Committee considers fit to examine.

1.2 Committee Membership

3. The Committee membership comprises –

Chairperson

Hon. Chepkong'a Kiprono Samuel, CBS, M.P.

Ainabkoi Constituency

UDA

Vice-Chairperson

Hon. Githinji Robert Gichimu, M.P.

Gichugu Constituency

UDA

Committee Members

Hon. Mbui Robert, CBS, M.P

Kathiani Constituency

WDM-Kenya

**Hon. (Maj) (Rtd) Dekow Barrow Mohamed,
M.P**

Garrisa Township Constituency

UDA

**Hon. Julius Lekakeny Ole Sunkuli, EGH,
EBS, M.P.**

Kilgoris Constituency

KANU

Hon. Kamene Joyce, M.P

Machakos County

WDM-Kenya

**Hon. Dr. Onchoke, Mamwacha Charles,
M.P.**

Bonchari Constituency

UPA

Hon. Dr. Kimaiyo, Gideon Kipkoech, M.P.

Keiyo South Constituency

UDA

Hon. Waithaka, John Machua, M.P.

Kiambu Constituency

UDA

Hon. Chebor, Paul Kibet, M.P

Rongai Constituency

UDA

Hon. Yakub Adow Kuno, M.P

Bura Constituency

UPIA

**Hon. (Maj) (Rtd) Abdullahi, Bashir Sheikh,
M.P.**

Mandera North Constituency

UDM

Hon. Mwirigi John Paul, M.P.

Igembe South Constituency

UDA

Hon. Odoyo, Jared Okello, M.P.

Nyando Constituency

ODM

Hon. Chepkorir Linet, M.P.

Bomet County

UDA

Hon. Munyoro Joseph Kamau, M.P

Kigumo Constituency

UDA

Hon. Oluoch, Anthony Tom M.P.

Mathare Constituency

ODM

Hon. Lenguris Pauline, M.P.

Samburu County

UDA

Hon. Mwale, Nicholas S. Tindi M.P.

Butere Constituency

ODM

Hon Mnyazi Amina Laura, MP.

Malindi Constituency

ODM

Hon. Mugabe Innocent Maino, M.P.

Likuyani Constituency

ODM

1.3 Committee Secretariat

4. The secretariat facilitating the Committee comprises –

Ms. Esther Nginyo
Senior Clerk Assistant (Team Leader)

Mr. Dima Dima
Deputy Director-DLS

Mr. Brian Langwech
Clerk Assistant III

Mr. Silvanus Makau
Clerk Assistant III

Ms. Angela Musau
Legal Counsel II

Ms. Elzy Cherop
Legal Counsel II

Mr. Daniel Ominde
Research Officer III

Mr. Noah Chemweno
Serjeant at Arms

Mr. Valerian Pascal
Hansard Reporter III

Ms. Rahab Chepkilim
Audio Officer

2.0 CONSIDERATION OF THE PUBLIC FINANCE MANAGEMENT (SPORTS, ARTS, AND SOCIAL DEVELOPMENT FUND) (AMENDMENT) REGULATIONS, 2025 (L.N. NO. 106 OF 2025)

2.1 Introduction

5. The Public Finance Management (Sports, Arts, and Social Development Fund) (Amendment) Regulations, 2025 (L.N. No. 106 of 2025) were made pursuant to the powers conferred on the Cabinet Secretary for the National Treasury and Planning under section 24(4) of the Public Finance Management Act (Cap. 412A) thereby constituting a statutory instrument within the meaning of section 2 of the Statutory Instruments Act (Cap. 2A).
6. The Regulations were published in the Gazette on 12th June 2025, received by the Clerk of the National Assembly on 18th June, 2025 and were tabled before the House on 22nd July, 2025, being within the statutory timelines contemplated under section 11(1) of the Statutory Instruments Act. They were subsequently transmitted to the Committee on Delegated Legislation for consideration.
7. Pursuant to section 16 of the Statutory Instruments Act Cap 2A, which requires the Committee to confer with the regulation-making authorities before making its decision, the Committee held a meeting with the National Treasury and Economic Planning on Thursday, 13th November, 2025, to deliberate on the Regulations.

2.2 Object and Purpose of the Regulations

8. The purpose of this Statutory Instrument is to amend the Public Finance Management (Sports and Arts Fund) Regulations, 2025, whose objects and purpose are to provide funds to support the development and promotion of sports and arts.

2.3 Policy Context and Rationale for the Public Finance Management (Sports, Arts, and Social Development Fund) (Amendment) Regulations, 2025 (L.N. No. 106 of 2025)

9. The Sports, Arts and Social Development Fund (SASDF) is established under the Public Finance Management (Sports, Arts and Social Development Fund) Regulations, 2018. The mandate of the Fund is to provide funding to support the development and promotion of sports and arts, and the promotion of social development, including universal health care.
10. The Government therefore noted the need to amend the scope of the Fund to include the Sports and Arts. The Government also resolved to properly establish the Fund under the provisions of the Public Finance Management Act (Cap. 412A) and to provide it with appropriate resources of funds.

2.4 Summary of the Public Finance Management (Sports, Arts, and Social Development Fund) (Amendment) Regulations, 2025 (L.N. No. 106 of 2025)

11. The Regulations are in four (4) parts: Part I is on preliminary provisions; Part II is on the establishment of the Fund; Part III is on the administration and management of the Fund; Part IV is on miscellaneous provisions.

12. **Regulations 1 and 2** are preliminary provisions which include the citation and amendment to the citation of the Public Finance Management (Sports, Arts, and Social Development Fund) Regulations, 2018.
13. **Regulation 3** amends the definitions of “Board”, “Fund” and “Government implementing agency”.
14. **Regulation 4** amends Regulation 3 of the Principal Regulations by deleting the words “Arts and Social Development”.
15. **Regulation 5** amends Regulation 4 of the Principal Regulations to introduce a new formula for apportionment of the Fund.
16. **Regulation 6** deletes and substitutes Regulation 7 of the Principal Regulations on the objects and purpose of the Fund.
17. **Regulation 7** amends Regulation 8 of the Principal Regulations in the marginal note, 8(2), 10(5), 10(6) and inserts a new sub-regulation (3A).
18. **Regulation 8** amends Regulation 9(b) of the Principal Regulations.
19. **Regulation 9** amends Regulation 10(1)(b), 10(2) and 10(3)(c).
20. **Regulation 10** amends Regulation 11(1) by deleting the words “accounting officer responsible for matters relating to sports” and substituting therefor with the words “Chief Executive Officer”.
21. **Regulation 11** amends Regulation 12(3) of the Principal Regulations by deleting the word “Administrator” and substituting therefor with the word “Board”.
22. **Regulation 12** amends Regulation 13(c) of the Principal Regulations by deleting subparagraph (i).
23. **Regulation 13** amends Regulation 15(2) of the Principal Regulations by inserting new paragraph (c).

2.5 Scrutiny of the Instrument

24. The Committee examined the Public Finance Management (Sports, Arts, and Social Development Fund) (Amendment) Regulations, 2025 (*LN. No. 106 of 2025*) against the Constitution, the Interpretation and General Provisions Act (*Cap 2*), the Public Finance Management Act (*Cap. 412A*) and the Statutory Instruments Act (*Cap. 2A*).
25. The scrutiny was undertaken following the tabling of the Regulations before the House on 22nd July, 2025 and their subsequent referral to the Committee on Delegated Legislation. The Committee held a meeting with the National Treasury and Economic Planning on Thursday, 13th November, 2025, at Room 21, 5th Floor, Bunge Tower, Parliament Buildings, to deliberate on the Regulations.

3.0 COMMITTEE OBSERVATIONS

26. Having examined the Public Finance Management (Sports, Arts, and Social Development Fund) (Amendment) Regulations, 2025 (*LN. No. 106 of 2025*) against the Constitution, the Public Finance Management Act (*Cap. 412A*) and the Statutory Instruments Act (*Cap. 2A*), the Interpretation and General Provisions Act (*Cap. 2*), the Committee observed **THAT**: -

3.1 Statutory Timelines

27. The Regulations were published in the gazette on 12th June, 2025 vide *Legal Notice No. 106 of 2025*, submitted to the Clerk of the National Assembly on 18th June, 2025 and laid on the table of the House on 22nd July, 2025, being within the requisite statutory timelines under section 11(1) of the Statutory Instruments Act (*Cap. 2A*).

3.2 Consultations/Public Participation

28. Articles 10 and 118 of the Constitution and section 5 of the Statutory Instruments Act require that the regulation-making authority conduct public participation and sufficient consultation with the stakeholders and persons likely to be affected by the regulations.

29. The Taskforce responsible for the preparation and development of the Regulations held targeted consultations with key stakeholders, and their input was considered before finalization of the Regulations. The Taskforce comprised the National Treasury and Economic Planning, the State Department for Sports, the State Department for Culture, The Arts and Heritage, Sports, Arts and Social Development Fund, and the Office of the Attorney General and State Department of Justice.

30. In line with section 5 of the Statutory Instruments Act (*Cap. 2A*), the National Treasury, together with the State Department for Sports, State Department for Culture, The Arts and Heritage and Sports, Arts and Social Development Fund, undertook public participation before publication of the Regulations. The mode of public participation included an invitation of key stakeholders via an advertisement posted on the National Treasury website and published in the My Gov section of Nation and Standard Newspapers on 3rd December, 2024, and written submissions received vide psnt@treasury.go.ke and jona.wala@treasury.go.ke.

3.3 Regulatory Impact Statement

31. The Committee was satisfied with the explanation and the demonstration that a regulatory impact assessment need not to have been prepared for the statutory instrument as it falls within the exceptions provided under section 9 of the Statutory Instruments Act (*Cap. 2A*) to the effect that the nature of the Regulations are such that they do not occasion any significant effect to the community or part of the community.

4.0 COMMITTEE RECOMMENDATIONS


32. Having examined the Public Finance Management (Sports, Arts, and Social Development Fund) (Amendment) Regulations, 2025 (LN. No. 106 of 2025) in accordance with the Constitution, the Statutory Instruments Act (Cap. 2A), the Public Finance Management Act (Cap. 412A), the Interpretation and General Provisions Act (Cap. 2), the **Committee recommends that the House APPROVES the Public Finance Management (Sports, Arts, and Social Development Fund) (Amendment) Regulations, 2025 (LN. No. 106 of 2025) in accordance with section 24(4) the Public Finance Management Act (Cap. 412A).**

Signed 

Date *25th November 2025*

**THE HON. CHEPKONG’A SAMUEL KIPRONO, CBS, MP
(CHAIRPERSON)**

COMMITTEE ON DELEGATED LEGISLATION

 THE NATIONAL ASSEMBLY PAPERS LAID			
DATE: 26 NOV 2025			
<table border="1"><tr><td style="text-align: center;">DAY.</td></tr><tr><td style="text-align: center;"><i>WED</i></td></tr></table>		DAY.	<i>WED</i>
DAY.			
<i>WED</i>			
TABLED BY:	<i>Hon. Samuel Chepkong'o, MP Chairperson</i>		
CLERK-AT THE-TABLE:	<i>David Mcharo</i>		



REPUBLIC OF KENYA

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Ref: AG.13/87 Vol. II (91)

Date: 18th June 2025

Mr. Samuel Njoroge
Clerk of the National Assembly
P.O Box 441842 – 00100
Parliament Buildings
NAIROBI

Dear

clerc

THE PUBLIC FINANCE MANAGEMENT (SPORTS, ARTS AND SOCIAL DEVELOPMENT FUND) AMENDMENT REGULATIONS, 2025

As required by Section 11 (1) of the Statutory Instruments Act, 2013, enclosed please find a copy of published Public Finance Management (Sports, Arts, and Social Development Fund) Amendment Regulations, 2025 as published in the Legal Notice No. 106 of 2025 dated 12th June 2025 for tabling before the National Assembly.

Yours

Sincerely

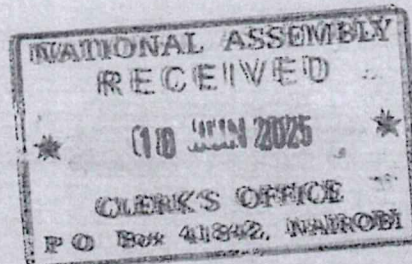
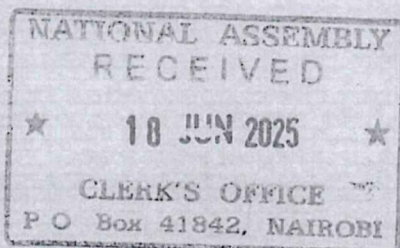
[Signature]

HON. FCPA JOHN MBADI NG'ONGO, EGH
CABINET SECRETARY


Copy to: Hon. Salim Mvurya, EGH
Cabinet Secretary
Ministry of Youth Affairs, Creative Economy and Sports
NAIROBI

*① Dps
To acknowledge receipt,
incl request, case
tabling, and refer
to committee
for*

*② Vivian
Please action as per
① above
mm 9/07
19/6/25*





 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 22 JUL 2025	DAY. TUESDAY
TABLED BY:	LEADER OF THE MAJORITY 12th June, 2025
CLERK AT THE DESK:	MIZOFO MWALE

SPECIAL ISSUE

Kenya Gazette Supplement No. 83

(Legislative Supplement No. 49)

LEGAL NOTICE NO. 106

THE PUBLIC FINANCE MANAGEMENT ACT

(Cap. 412B)

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

THE PUBLIC FINANCE MANAGEMENT (SPORTS, ARTS AND SOCIAL DEVELOPMENT FUND) (AMENDMENT) REGULATIONS, 2025

1. These Regulations may be cited as the Sports, Arts and Social Development Fund (Amendment) Regulations, 2025.

2. Regulation 1 of the Public Finance Management (Sports, Arts, and Social Development Fund) Regulations, 2018, hereinafter referred to as the “principal Regulations” is amended by deleting the words “Arts and Social Development” appearing immediately after the word “Sports” and substituting therefor the words “and Arts”.

LN 194/2018

3. Regulation 2 of the principal Regulations is amended—

- (a) in the definition of the word “Board” by deleting the words “Sports, Arts and Social Development Fund Oversight Board” and substituting therefor the words “Sports and Arts Fund Board”;
- (b) in the definition of the word “Fund” by deleting the words “Sports, Arts and Social Development” and substituting therefor the words “Sports and Arts”;
- (c) in the definition of “Government implementing agency” by inserting the words “or any other enabling instrument” immediately after the word “legislation”.

4. Regulation 3 of the principal Regulations is amended by deleting the words “Arts and Social Development” appearing immediately after the word “Sports” and substituting, therefor the words “and Arts”.

5. Regulation 4 of the principal Regulations is amended by deleting subregulation (2) and substituting therefor the following new subregulation—

- (2) The proceeds of the Fund shall be apportioned as follows—
 - (a) an amount not exceeding sixty percent to sports;

- (b) an amount not exceeding thirty-five percent to the promotion and development of the arts;
- (c) an amount not exceeding two percent to research and innovation in sports and arts; and
- (d) an amount not exceeding three percent to administrative functions.

6. The principal Regulations are amended by deleting regulation 7 and substituting therefor the following new regulation—

Objects and purpose of the Fund. 7. (1) The object and purpose of the Fund is to provide funding to support the development and promotion of sports and arts.

- (a) financing the development of sports and recreation arts facilities, including stadia, gymnasiums, buildings, theatres, studios, and tracks;
- (b) enhancing support and access to funding for sportspersons and sports organizations to enable their participation in sporting events and competitions;
- (c) facilitation for the acquisition and provision of equipment for sports and arts;
- (d) support for the identification, nurturing, and development of talent in sports and arts;
- (e) facilitate training and capacity-building programmes for persons involved in sports and arts;
- (f) facilitation for the identification, development, and capacity building of technical personnel involved in sports and arts;
- (g) facilitation for the development, promotion, marketing, exhibition, and linkages with domestic and international markets on matters of sports and arts;
- (h) facilitate innovation, research, and documentation in sports and arts;
- (i) support linkages with domestic, regional, and international markets for sports, artistic productions, and contemporary or cultural goods and services;
- (j) facilitation for exhibition and promotion of contemporary or cultural artistic production of goods and services for national identity and pride;
- (k) financing the acquisition, development, and

preservation of, among others, heritage sites, cultural centers, national monuments, tangible and intangible heritage, and culture and heritage equipment and tools; and

- (l) facilitate innovation, research, and documentation in arts, culture, and the creative industry, sports, and social development.

7. Regulation 8 of the principal Regulations is amended—

- (a) in the marginal note, by deleting the words “Arts and Social Development” appearing immediately after the word “Sports” and substituting therefor the words “and Arts”;
- (b) in subregulation (1), by deleting the word “Oversight”;
- (c) in subregulation (2)—
 - (i) by deleting paragraph (d);
 - (ii) by deleting paragraph (e);
 - (iii) by deleting paragraph (f) and substituting therefor the following new paragraph—
- (f) two persons not being public officers with competence in matters relating to sports nominated by the Cabinet Secretary responsible for sports;
 - (iv) by deleting paragraph (g) and substituting therefor the following new paragraph—
- (g) two persons not being public officers, each nominated by the Paralympics and National Olympic Committee of Kenya;
 - (v) by deleting the word “finance” appearing in paragraph (h) and substituting therefor the word “Arts”;
 - (vi) by adding the following new paragraph immediately after paragraph (h)—
 - (i) one representative being a public officer from the Office of the Attorney-General.
- (vii) in subregulation (5) by deleting the expression “paragraph (2)(a) to (e)” and substituting therefor the expression “paragraph (2)(a) to (c)”;
- (viii) in subregulation (6) by deleting the expression “paragraph (2)(a) to (e)” and substituting therefor the expression “paragraph (2)(a) to (c)”;
- (d) by inserting the following new subregulation immediately after subregulation (3)—

(3A) The nomination of board members shall take into account the principles of equality, non-discrimination, youth representation, and regional balance, and in so doing shall ensure that not more than two-thirds of the members of the Board shall be of the same gender.

8. Regulation 9 of the principal Regulations is amended in paragraph (b)—

- (a) by deleting the word “knowledge and”.
- (b) by deleting subparagraph (vi) and substituting therefor the following new subparagraph—
 - (vi) arts;

9. Regulation 10 of the principal Regulations is amended—

- (a) in paragraph (b), by deleting the words “Arts and Social Development” appearing immediately after the word “Sports” and substituting therefor the words “and Arts”.
- (b) by deleting subregulation (2) and substituting therefor the following new subregulation —
 - (2) The Board shall prepare and submit a quarterly report on the Fund's performance to the Cabinet Secretary responsible for finance.
- (c) deleting subregulation (3).

10. Regulation 11 of the principal Regulations is amended in subregulation (1) by deleting the words “accounting officer responsible for matters relating to sports” and substituting therefor the words “Chief Executive Officer”.

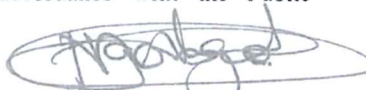
11. Regulation 12 of the principal Regulations is amended in subregulation (3) by deleting the word “Administrator” and substituting therefor the word “Board”.

12. Regulation 13 of the principal Regulations is amended in paragraph (c) by deleting subparagraph (i).

13. Regulation 15 of the principal Regulations is amended in subregulation (2) by inserting the following new paragraph immediately after paragraph (b)—

- (c) prepare and submit annual financial statements to the office of the Auditor-General in accordance with the Public Finance Management Act.

Made on the 2nd April, 2025.



JOHN MBADI NG'ONGO,
*Cabinet Secretary for
the National Treasury and Economic Planning.*

EXPLANATORY MEMORANDUM

EXPLANATORY MEMORANDUM FOR THE PUBLIC FINANCE MANAGEMENT (SPORTS, ARTS AND SOCIAL DEVELOPMENT FUND) (AMENDMENT) REGULATIONS, 2025

PART I

Name of instrument	: Public Finance Management (The Public Finance Management (Sports, Arts and Social Development Fund) (Amendment) Regulations, 2025)
Name of Parent Act	: The Public Finance Management Act (<i>No. 18 of 2012</i>).
Enacted Pursuant to	: Section 24(4) of the Public Finance Management Act, 2012
Name of Ministry	: The National Treasury & Economic Planning
Gazetted on	: To be advised by the Hon. Attorney-General
Tabled on	: To be advised by the Clerk National Assembly

PART II

1. Purpose of the Statutory Instrument

The purpose of this Statutory Instrument is to amend the **Public Finance Management (Sports and Arts Fund) Regulations, 2025** whose objects and purpose shall be to provide funds to support the development and promotion of sports and arts.

2. Legislative Context

The National Assembly delegated the duty to establish national public funds to the Cabinet Secretary responsible for finance with the approval of the National Assembly. This is provided for under Section 24 (4) of the Public Finance Management Act, 2012.

The Regulations are therefore developed within the meaning of Section 24 (4) of the Public Finance Management Act 2012 and the procedure for public participation provided under the Statutory Instrument Act, 2013.

3. Policy Background

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

3.2 The Government therefore saw the need to amend the scope of the Fund to include the Sports and Arts. The Government also resolved to properly establish the Fund under the provisions of PFM Act, 2012 and to provide it with appropriate sources of funds.

4. Guidance

The National Treasury and Economic Planning, the State Department for Sports, the State Department for Culture, The Arts and Heritage and Sports, Arts and Social Development Fund shall sensitize the National Assembly, the general public, and various stakeholders on the objectives of the Sports, Arts and Social Development Fund.

5. Stakeholder Consultations

The Task force responsible for the preparation and development of the Regulations held targeted consultations with key stakeholders and their input was taken into account before the finalization of these Regulations.

These included The National Treasury and Economic Planning, the State Department for Sports, the State Department for Culture, The Arts and Heritage, Sports, Arts and Social Development Fund and the Office of the Attorney-General and Department of Justice.

In line with the provisions of Section 5 of the Statutory Instruments Act, 2013, the National Treasury together with the State Department for Sports, and State Department for Culture, The Arts and Heritage and Sports, Arts and Social Development Fund undertook public participation before publication of these Regulations.

The mode of public participation included the invitation of key stakeholders via an advertisement posted on the National Treasury website and published in the **My Gov** section of Nation and Standard Newspapers on 3rd December 2024. Written responses/submissions on the Regulations were sent to psnt@treasury.go.ke and jona.wala@treasury.go.ke

6. Review

The National Treasury shall monitor the application of the Regulations. This shall be done through the quarterly and annual reports prepared by the Fund and forwarded to the National Treasury.

7. Contact

The contact person shall be the Cabinet Secretary or Principal Secretary, The National Treasury & Economic Planning.

Made on the....., 2025

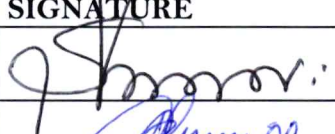
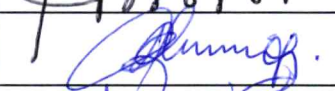
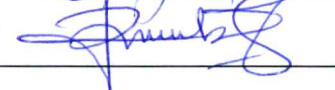

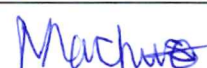
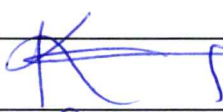


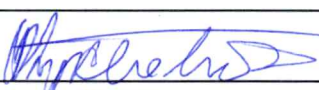




HON. FCPA JOHN MBADI NG'ONGO, EGH
Cabinet Secretary for the National Treasury & Economic Planning

COMMITTEE ON DELEGATED LEGISLATION.

DATE 25/11/25 VENUE BUNGE TOWER 5TH FLOOR TIME 10:00 AM

ADOPTION OF THE COMMITTEES' REPORT ON ITS CONSIDERATION OF THE PUBLIC FINANCE MANAGEMENT (SPORTS, ARTS, AND SOCIAL DEVELOPMENT FUND) (AMENDMENT) REGULATIONS, 2025 (LN. NO. 106 OF 2025)

	NAME	SIGNATURE
1.	The Hon. Chepkonga Kiprono Samuel, CBS, M.P, Chairperson	
2.	The Hon. Githinji, Robert Gichumi, M.P. Vice-Chairperson	
3.	The Hon. Mbui, Robert, CBS, M.P.	
4.	The Hon. Sunkuli Julius Lekakeny, EGH,EBS, M.P.	
5.	The Hon. Maj. (Rtd) Abdullahi Bashir Sheikh, M.P.	
6.	The Hon. Mwirigi, John Paul, M.P.	
7.	The Hon. Kamene, Joyce, M.P.	
8.	The Hon. Mwale, Nicholas S. Tindi, M.P.	
9.	The Hon. Odoyo, Jared Okello, M.P.	
10.	The Hon. Waithaka, John Machua, M.P.	
11.	The Hon. Maj. (Rtd.) Dekow Barrow Mohamed, M.P.	
12.	The Hon. Munyoro, Joseph Kamau, M.P.	
13.	The Hon, Kimaiyo, Gideon Kipkoech, M.P.	
14.	The Hon. Oluoch Anthony, M.P.	
15.	The Hon. Chepkorir, Linet, M.P.	
16.	The Hon. Chebor, Paul, M.P.	
17.	The Hon. Lenguris, Pauline, M.P.	
18.	The Hon. Mamwacha Onchoke Charles, M.P.	
19.	The Hon. Yakub, Adow Kuno, M.P.	
20.	The Hon. Mnyazi, Amina Laura, M.P.	
21.	The Hon. Mugabe, Innocent Maino, M.P.	

MINUTES OF THE 40TH SITTING OF THE COMMITTEE ON DELEGATED LEGISLATION HELD ON THURSDAY, 13TH NOVEMBER, 2025, IN COMMITTEE ROOM 21, 5TH FLOOR, BUNGE TOWER, AT 10.00 A.M

PRESENT

1. The Hon. Samuel Kiprono Chepkong'a, CBS, M.P. - Chairperson
2. The Hon. Robert Gichimu Githinji, M.P. - Vice-Chairperson
3. The Hon. Robert Mbui, CBS, M.P
4. The Hon. Julius Lekakeny Ole Sunkuli, EGH, EBS M.P
5. The Hon. Waithaka, John Machua, M.P.
6. The Hon. Jared Okello Odoyo, M.P
7. The Hon. (Dr.) Charles Mamwacha Onchoke, M.P.
8. The Hon. Joseph Kamau Munyoro, M.P.
9. The Hon. (Dr.) Gideon Kipkoech Kimaiyo, M.P.
10. The Hon. Pauline Lenguris, M.P.
11. The Hon. Linet Chepkorir M.P.
12. The Hon. Paul Chebor, M.P.

APOLOGIES

1. The Hon. Nicholas S. Tindi Mwale, M.P.
2. The Hon. Maj. (Rtd). Abdullahi Bashir Sheikh, M.P.
3. The Hon. Joyce Kamene, M.P.
4. The Hon. Anthony Oluoch, M.P.
5. The Hon. John Paul Mwirigi, M.P.
6. The Hon. Maj. (Rtd). Dekow Barrow Mohamed, M.P
7. The Hon. Innocent Mugabe, M.P.
8. The Hon. Laura Amina Mnyazi, M.P.
9. The Hon. Yakub Adow Kuno, M.P.

IN ATTENDANCE

SECRETARIAT

- | | | |
|-------------------------|---|-----------------------------|
| 1. Ms. Esther Nginyo | - | Senior Clerk Assistant |
| 2. Mr. Wilson Dima Dima | - | Deputy Director-DLS |
| 3. Mr. Silvanus Makau | - | Clerk Assistant III |
| 4. Mr. Brian Langwech | - | Clerk Assistant III |
| 5. Ms. Elsy Jerop | - | Legal Counsel II |
| 6. Mr. Daniel Ominde | - | Research Officer III |
| 7. Mr. Rahab Chepkilim | - | Audio Officer III |
| 8. Mr. Daniel Psirmoi | - | Media Relations Officer III |
| 9. Mr. Valerian Pascal | - | Hansard Officer II |
| 10. Ms. Shirley Safari | - | Attachee |
| 11. Ms. Esther Kerubo | - | Attachee |

THE NATIONAL TREASURY AND ECONOMIC PLANNING

- | | | |
|--------------------------------------|---|--------------------------|
| 1. Hon. FCPA John Mbadi Ng'ongo, EGH | - | Cabinet Secretary |
| 2. Dr. Jonah Wala | - | Director Accounting, TNT |

- | | | |
|-----------------------------|---|------------------------|
| 3. Mr. Jonah Aiyabei | - | CEO, PSSS |
| 4. Ms. Faith Jully | - | PA, CS, TNT |
| 5. Mr. James Achiego | - | Communications |
| 6. Mr. Hezbourne Mackobongo | - | Senior Deputy Director |
| 7. Ms. Elvine Bonareri | - | Accountant |
| 8. Mr. Fidelis Gachoki | - | Accountant |
| 9. Ms. Mildred Kenyan | - | PCO |
| 10. Mr. Milton Birtt | - | PLO |

THE CENTRAL BANK OF KENYA

- | | | |
|------------------------|---|----------------|
| 1. Mr. Reuben Chepngar | - | Senior Manager |
| 2. Mr. Evans Kebabe | - | Legal Counsel |
| 3. Ms. Mary Mende | - | Legal Counsel |

STATE DEPARTMENT FOR SPORTS

- | | | |
|---------------------------|---|---------------------------------|
| 1. Mr. Elijah Mwangi, CBS | - | PS, State Department for Sports |
|---------------------------|---|---------------------------------|

THE GOVERNMENT PRESS

- | | | |
|------------------------|---|--------------------|
| 1. Mr. Abdi Hassan | - | Government Printer |
| 2. Mr. Stephen Mutua | - | Officer |
| 3. Mr. Ibala Chris | - | AAG |
| 4. Mr. Denis Khanchira | - | Officer |

AGENDA

1. Prayers
2. Preliminaries
3. Adoption of the Agenda
4. Confirmation of minutes
5. Matters arising
6. **Meeting with the Cabinet Secretary, the National Treasury and Economic Planning regarding the following Regulations:**
 - I. **The Public Finance Management (Sports, Arts and Social Development Fund) Amendment Regulations, 2025;**
 - II. **The Public Finance Management (Government Press Fund) Regulations, 2025; and**
 - III. **The Banking (Penalties) Regulations, 2025.**
7. Any Other Business; and
8. Adjournment.

MIN. DAA&GPC/CDL/220/2025

PRELIMINARIES

The Chairperson called the Meeting to order at 10.25 a.m., after which he requested the Hon. Robert Gichimu Githinji, M.P. to say a word of prayer. He then welcomed all to the meeting, followed by a round of introductions.

MIN. DAA&GPC/CDL/221/2025

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted, having been proposed by the Hon. (Dr.) Charles Mamwacha Onchoke, M.P. and seconded by the Hon. Julius Lekakeny Ole Sunkuli, EGH, EBS M.P.

MIN. DAA&GPC/CDL/222/2025

CONFIRMATION OF MINUTES

The Minutes of the 39th Sitting held on Tuesday, 11th November, 2025, were confirmed as an accurate record of the proceedings, having been proposed by the Hon. Robert Mbui, CBS, M.P. and seconded by the Hon. Julius Lekakeny Ole Sunkuli, EGH, EBS M.P.

MIN. DAA&GPC/CDL/223/2025

CONSIDERATION OF REGULATIONS FROM THE NATIONAL TREASURY AND ECONOMIC PLANNING

Hon. FCPA John Mbadi Ng’ongo, EGH, Cabinet Secretary for the National Treasury and Economic Planning, appeared before the Committee and made a presentation on two Regulations made pursuant to section 24(4) of the Public Finance Management Act, and one Regulation made pursuant to section 55 of the Banking Act, as outlined below.

I. The Public Finance Management (Sports, Arts and Social Development Fund) Amendment Regulations, 2025 (Legal Notice No. 106 of 2025)

1. Legal Notice 106 of 2025 changes the name of the Fund from the Sports, Arts and Social Development Fund to the Sports and Arts Fund. Consequently, all references to the former name in the principal regulations are replaced, and the oversight body is now called the Sports and Arts Fund Board instead of the Sports, Arts and Social Development Fund Oversight Board.
2. The definition section is also updated to reflect the new name of the Fund and to expand the meaning of “government implementing agency” to include agencies established under an enabling instrument, not just by statute.
3. The Regulations further revise the formula for allocating the proceeds of the Fund. Under the new structure, an amount not exceeding sixty per cent of the resources will go to sports development, an amount not exceeding thirty-five per cent to the promotion and development of the arts, an amount not exceeding two per cent to research and innovation in sports and arts and an amount not exceeding three per cent to administrative functions. This replaces the earlier formula under Legal Notice 194 of 2018, that had included social development as one of the key allocations.
4. The Fund will now be applied to promote and develop sports and arts at all levels of society. It will finance the construction, renovation, and maintenance of sports and arts infrastructure such as stadia, theatres, and cultural facilities; support athletes and artists to participate in both local and international events; provide equipment, training, and technical capacity; and promote research, innovation, and talent development in the sports and arts sectors. It will also preserve and promote Kenya’s cultural and artistic identity. The aspect of “social development” that previously appeared in the Fund’s objectives has been removed.
5. The composition of the Fund’s governing Board is also restructured. The Board now includes two persons nominated by the Cabinet Secretary responsible for sports who are not public

officers, two representatives from the sports sector specifically from the Paralympics and the National Olympic Committee of Kenya and one representative from the Office of the Attorney-General. A new provision, sub regulation (3A), requires that appointments to the Board reflect the principles of equality, non-discrimination, youth representation, regional balance, and the two-thirds gender rule in line with the Constitution.

6. The Regulations replace the title of Accounting Officer with that of Chief Executive Officer who will be responsible for the day-to-day management of the Fund and for implementing the Board's decisions.
7. For accountability and transparency, the Board is required to prepare and submit quarterly performance reports to the Cabinet Secretary for the National Treasury and Economic Planning and to prepare annual financial statements for audit by the Auditor-General.
8. Administrative expenses of the Fund are limited to an amount not exceeding three per cent of its total resources. The Fund's financial operations must comply with the Public Finance Management Act and the Public Procurement and Asset Disposal Act to ensure prudent use of public resources.
9. Upon deliberation, the Committee made the following observations and recommendations:
 - i. The Public Finance Management (Sports, Arts and Social Development Fund) Amendment Regulations, 2025 (*Legal Notice No. 106 of 2025*) were made by the Cabinet Secretary for the National Treasury and Economic Planning in EXERCISE of powers conferred by Section 24 (4) of the Public Finance Management Act.
 - ii. The Committee was informed that the Fund's name had been changed from the Sports, Arts and Social Development Fund to the Sports and Arts Fund to narrow its scope, which had previously been too broad. The amendment was meant to exclude funding for universal health care, as an alternative source of financing for health care was available under the Social Health Authority (SHA).
 - iii. The Committee further noted that the Regulations were in accordance with the Constitution, the Statutory Instruments Act (*Cap 2A*), and Section 24 (4) of the Public Finance Management Act.
10. In view of the findings above, the Committee resolved to recommend to the House to **Approve** the Public Finance Management (Sports, Arts and Social Development Fund) Amendment Regulations, 2025 (*Legal Notice No. 106 of 2025*) having been proposed by the Hon. Robert Mbui, CBS, M.P., and seconded by the Hon. (Dr.) Gideon Kipkoech Kimaiyo, M.P.

II. The Public Finance Management (Government Press Fund) Regulations, 2025 (*Legal Notice No. 142 of 2025*)

1. **Regulation 1:** Provides for citation where the Regulations may be cited as Public Finance Management (Government Press Fund) Regulations, 2025.
2. **Regulation 2:** provides for interpretation of terms as used in the Regulation.
3. **Regulation 3** provides for the establishment of the Government Press Fund.
4. **Regulation 4** provides for the initial capital of the Fund which shall be one billion and five hundred million shillings that is to be appropriated by the National Assembly in the financial year 2025/ 2026.
5. **Regulation 5** provides for the object and purpose of the Fund. The Regulations seek to ensure sustainability of the activities of the Government Press including financing purchase of raw materials for printing and publishing works, maintenance, renewal and replacement of

plant, machinery and equipment used for printing and publishing, provide resources for payment of overheads related in printing and publishing and support any other activities among others.

6. **Regulation 6** provides for the guiding principle that apply in the administration of the Fund.
7. **Regulation 7** provides for the sources of the funds for the Fund.
8. **Regulation 8** provides for payments out of the Fund. This provide for the expenditure of the Fund.
9. **Regulation 9** provides for the selling price of printing and publishing works.
10. **Regulation 10** provides for the establishment of the Board. The regulation provides for the membership of the Board.
11. **Regulation 11** provides for vacancy in the Board.
12. **Regulation 12** provides for the functions of the Board which include advising the Cabinet Secretary on funding requirements, providing oversight on the administration of the Fund and approving opening of bank accounts of the fund among others.
13. **Regulation 13 and 14** provides for designation and responsibilities of the Administrator of the Fund.
14. **Regulation 15 and 16** provides for the secretariat of the Fund and it functions.
15. **Regulation 17** grants the Administrator of the Fund the powers to open, operate and close accounts.
16. **Regulation 18 and 19** provides that no bank account should be overdrawn and that receipts, savings and accruals of the Fund should be retained for the purpose of the Fund.
17. **Regulation 20** provides for the establishment of systems, controls and procedures to ensure that expenditure is controlled and monitored, withdrawals from the Fund are for payment of approved expenditure and that records of expenditure are kept and maintained.
18. **Regulation 21 and 22** provide for administration costs and the requirement for preparation of annual estimates of revenue and expenditure of the Fund.
19. **Regulation 23, 24, 25 and 26** provide for investment of the Fund, the requirement to maintain proper books of accounts, auditing of the Fund and submission of the annual Fund Performance Report.
20. **Regulation 28 and 29** provide for offences and penalties for contravening the provisions of the regulations and winding up of the Fund.
21. **Regulation 30 and 31** provide for revocation of Legal Notice No. 33 of 1989 and the transitional clauses.
22. Upon deliberation, the Committee made the following observations and recommendations:
 - i. The Public Finance Management (Government Press Fund) Regulations, 2025 (*Legal Notice No. 142 of 2025*) were made by the Cabinet Secretary for the National Treasury and Economic Planning in EXERCISE of powers conferred by Section 24 (4) of the Public Finance Management Act.
 - ii. The Committee observed that Regulations 5(2)(d), 9(1), and 12(1)(g) contravened Section 13(m) of the Statutory Instruments Act regarding further delegation of authority.

III. The Banking (Penalties) Regulations, 2025 (*Legal Notice No. 116 of 2025*)

1. **PART I (1-4)** contains the preliminary provisions of the Regulations including the citation, the interpretation of terms in the context in which they are used in the Regulations, the application of the regulations to institutions, officers, shareholders of institutions, non-operating holding companies, banks, financial institutions, representative offices, auditors, groups, vehicles of ownership groups, agencies and any other persons and the purpose of the Regulations, which is to provide for what constitutes a violation, the assessment of a violation, the imposition of a penalty for a violation and the review of the decision to impose a penalty for a violation.
2. **PART II (5-70)** provides for violations including conducting banking business without approval, non-payment of annual fees for a licence, the acceptance of deposits with revoked licence, non-maintenance of minimum capital requirements, non-submission of undertaking for assigned capital, opening or change of place of business in Kenya without prior approval from the Central Bank of Kenya, closure of place of business in Kenya without notification, opening or closure of branch outside Kenya without approval, establishment or closure of subsidiary outside Kenya without approval, provision of services outside Kenya without permission, not effecting amalgamation or arrangement, appointment of uncertified person, transfer of significant shareholding to uncertified person, voting by uncertified non-significant shareholder, relating of non-significant shareholder with uncertified person, voting by significant shareholder without certification, shareholding of five percent without certification, holding office without certification and advances exceeding twenty-five percent of core capital
3. **PART III (71-74)** provides for the procedure for assessment of violations including, notice of intended assessment, response to notice of intended assessment, conduct of assessment, and determination of assessment.
4. **PART IV (75-78)** provides for the procedure for imposition of penalties, including, considerations in determining amount of penalty, separate penalty for each violation and each person, commensurate penalty to severity of violation and imposition of penalty upon natural persons.
5. **PART V (79- 81)** provides for the procedure for review of assessments including, the procedure for request for review, procedure for consideration of request for review and the appeal.
6. **PART VI (82-84)** provides for payment of penalties including, the duty to pay penalty, default in payment of penalty and restriction on payment of penalty imposed on a natural person by a corporate body.
7. **PART VII (85-86)** contains the miscellaneous provisions including revocation of the previous Banking (Penalties) Regulations and transitional provisions.
8. Upon deliberation, the Committee made the following observations and recommendations:
 - i. The Banking (Penalties) Regulations, 2025 (*Legal Notice No. 116 of 2025*) were made

by the Central Bank of Kenya in EXERCISE of powers conferred by Section 55 of the Banking Act.

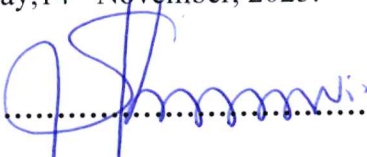
- ii. The committee recommended that the penalties be cross-referenced with the relevant provisions in the Banking Act.
- 9. The Committee observed that the Regulations were intended to impact the banking sector; therefore, it was essential to hear from the relevant stakeholders before making a resolution on the matter. In light of these findings, the Committee resolved to make its determination on the Regulations after engaging with the banking stakeholders, in accordance with Section 47 of the Constitution, which upholds the principle of fair administrative justice.

MIN. DAA&GPC/CDL/224/2025

ADJOURNMENT

The meeting was adjourned at twenty-six minutes past One o'clock. The next meeting will be held on Friday, 14th November, 2025.

SIGNED:



**THE HON. SAMUEL CHEPKONG'A, CBS, M.P.
CHAIRPERSON, COMMITTEE ON DELEGATED LEGISLATION**

DATE: 18th November, 2025

MINUTES OF THE 44TH SITTING OF THE COMMITTEE ON DELEGATED LEGISLATION HELD ON TUESDAY, 25TH NOVEMBER, 2025, IN COMMITTEE ROOM 21, 5TH FLOOR, BUNGE TOWER, AT 10.00 A.M

PRESENT

1. The Hon. Samuel Kiprono Chepkong'a, CBS, M.P. - Chairperson
2. The Hon. Robert Gichimu Githinji, M.P. - Vice-Chairperson
3. The Hon. Robert Mbui, CBS, M.P
4. The Hon. Waithaka, John Machua, M.P.
5. The Hon. Jared Okello Odoyo, M.P
6. The Hon. (Dr.) Charles Mamwacha Onchoke, M.P
7. The Hon. Pauline Lenguris, M.P.
8. The Hon. Joseph Kamau Munyoro, M.P.
9. The Hon. (Dr.) Gideon Kipkoech Kimaiyo, M.P.
10. The Hon. Paul Chebor, M.P.
11. The Hon. Linet Chepkorir M.P.

APOLOGIES

1. The Hon. Nicholas S. Tindi Mwale, M.P.
2. The Hon. Julius Lekakeny Ole Sunkuli, EGH, EBS M.P
3. The Hon. Anthony Oluoch, M.P.
4. The Hon. John Paul Mwirigi, M.P.
5. The Hon. Joyce Kamene, M.P.
6. The Hon. Maj. (Rtd). Dekow Barrow Mohamed, M.P
7. The Hon. Maj. (Rtd). Abdullahi Bashir Sheikh, M.P.
8. The Hon. Yakub Adow Kuno, M.P.
9. The Hon. Linet Chepkorir M.P.
10. The Hon. Laura Amina Mnyazi, M.P.
11. The Hon. Innocent Mugabe, M.P.

IN ATTENDANCE

SECRETARIAT

- | | | |
|------------------------|---|------------------------|
| 1. Ms. Esther Nginyo | - | Senior Clerk Assistant |
| 2. Mr. Silvanus Makau | - | Clerk Assistant III |
| 3. Mr. Brian Langwech | - | Clerk Assistant III |
| 4. Ms. Elzy Jerop | - | Legal Counsel II |
| 5. Mr. Daniel Ominde | - | Research Officer II |
| 6. Ms. Rahab Chepkilim | - | Hansard Officer II |
| 7. Mr. Noah Chemweno | - | Sergeant at Arms |
| 8. Ms. Shirley Safari | - | Attachee |

AGENDA

1. Prayers
2. Preliminaries
3. Adoption of the Agenda
4. Confirmation of minutes
5. Matters arising
6. **Consideration of the draft Reports on the following Regulations-**
 - i. **The Public Finance Management (Sports, Arts and Social Development Fund) Amendment Regulations, 2025, and**
 - ii. **The Public Finance Management (Government Press Fund) Regulations, 2025**
7. Any Other Business; and
8. Adjournment.

MIN. DAA&GPC/CDL/241/2025

PRELIMINARIES

The Chairperson called the Meeting to order at 10.25 a.m., after which he requested the Hon. Joseph Kamau Munyoro, M.P. to say a word of prayer. He then welcomed all to the meeting.

MIN. DAA&GPC/CDL/242/2025

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted, having been proposed by the Hon. Joseph Kamau Munyoro, M.P. and seconded by the Hon. (Dr.) Charles Mamwacha Onchoke, M.P.

MIN. DAA&GPC/CDL/243/2025

CONFIRMATION OF MINUTES

The Minutes of the 43rd Sitting held on Tuesday, 18th November, 2025, were confirmed as an accurate record of the proceedings, having been proposed by the Hon. Robert Gichimu Githinji, M.P. and seconded by the Hon. (Dr.) Gideon Kipkoech Kimaiyo, M.P.

MIN. DAA&GPC/CDL/244/2025

CONSIDERATION OF TWO DRAFT REPORTS BEFORE THE COMMITTEE

1. PUBLIC FINANCE MANAGEMENT (SPORTS, ARTS, AND SOCIAL DEVELOPMENT FUND) (AMENDMENT) REGULATIONS, 2025 (LN. NO. 106 OF 2025)

The Committee scrutinized the Public Finance Management (Sports, Arts, and Social Development Fund) (Amendment) Regulations, 2025 (LN. No. 106 of 2025) against the Constitution, the Public Finance Management Act (*Cap. 412A*) and the Statutory Instruments Act (*Cap. 2A*), the Interpretation and General Provisions Act (*Cap. 2*) and observed **THAT**: -

- I. The Regulations were published in the gazette on 12th June, 2025 vide *Legal Notice No. 106 of 2025*, submitted to the Clerk of the National Assembly on 18th June, 2025 and laid on the table of the House on 22nd July, 2025, being within the requisite statutory timelines under section 11(1) of the Statutory Instruments Act (*Cap. 2A*).
- II. In line with section 5 of the Statutory Instruments Act (*Cap. 2A*), the National Treasury, together with the State Department for Sports, State Department for Culture, The Arts and Heritage and Sports, Arts and Social Development Fund, undertook public participation before publication of the Regulations.

- III. The explanatory memorandum demonstrated that a regulatory impact assessment needed not to have been prepared for the statutory instrument as it falls within the exceptions provided under section 9 of the Statutory Instruments Act (*Cap. 2A*) to the effect that the nature of the Regulations are such that they do not occasion any significant effect to the community or part of the community.

Having scrutinized the Public Finance Management (Sports, Arts, and Social Development Fund) (Amendment) Regulations, 2025 (*LN. No. 106 of 2025*) against the Constitution, the Statutory Instruments Act (*Cap. 2A*), the Public Finance Management Act (*Cap. 214A*), and the Interpretation and General Provisions Act (*Cap. 2*), the Committee resolved to recommend that the House **APPROVES** the Public Finance Management (Sports, Arts, and Social Development Fund) (Amendment) Regulations, 2025 (*LN. No. 106 of 2025*) having been proposed by the Hon. (Dr.) Charles Mamwacha Onchoke, M.P and seconded by Hon. Robert Gichimu Githinji, M.P.

2. PUBLIC FINANCE MANAGEMENT (GOVERNMENT PRESS FUND) REGULATIONS, 2025 (LN. NO. 142 OF 2025)

The Committee scrutinized the Public Finance Management (Government Press Fund) Regulations, 2025 (*LN. No. 142 of 2025*) against the Constitution, the Public Finance Management Act (*Cap. 412A*) and the Statutory Instruments Act (*Cap. 2A*), the Interpretation and General Provisions Act (*Cap. 2*) and Committee observed **THAT**: -

- I. The Regulations were published in the gazette on 28th August, 2025 vide Legal Notice No. 142 of 2025, submitted to the Clerk of the National Assembly on 4th September, 2025 and laid on the Table of the House on 24th September, 2025, being within the requisite statutory timelines under section 11(1) of the Statutory Instruments Act (*Cap. 2A*).
- II. In line with section 5 of the Statutory Instruments Act (*Cap. 2A*), the National Treasury, together with the Executive Office of the President, undertook public participation before publication of the Regulations.
- III. The National Treasury and Economic Planning prepared an impact assessment for the statutory instrument in line with Part II of the Statutory Instruments Act (*Cap. 2A*).

Having scrutinized the Public Finance Management (Government Press Fund) Regulations, 2025 (*LN. No. 142 of 2025*) against the Constitution, the Statutory Instruments Act (*Cap. 2A*), the Public Finance Management Act (*Cap. 214A*), and the Interpretation and General Provisions Act (*Cap. 2*), the Committee resolved to recommend that the House **APPROVES** the Public Finance Management (Government Press Fund) Regulations, 2025 (*LN. No. 142 of 2025*) in accordance with section 24(4) the Public Finance Management Act (*Cap. 412A*) subject to **annulling Regulations 5(2)(d), 9(1), and 12(1)(g)** for contravening section 13(m) of the Statutory Instrument Act (*Cap. 2A*), having been proposed by the Hon. (Dr.) Gideon Kipkoech Kimaiyo, M.P. And seconded by the Hon. Robert Gichimu Githinji, M.P.

MIN. DAA&GPC/CDL/245/2025

ADJOURNMENT

There been no any other business, the meeting was adjourned at ten minutes past eleven o'clock.
The next meeting will be held on notice.

SIGNED: 

THE HON. SAMUEL CHEPKONG'A, CBS, M.P.
CHAIRPERSON, COMMITTEE ON DELEGATED LEGISLATION

DATE: 