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Rt. Hon. Speaker
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J. M. Nyegenye, C.B.S.,
Clerk of the Senate/secretary, PSC
Date: 29/07/24

29/07/2024

THIRTEENTH PARLIAMENT - THIRD SESSION

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STANDING COMMITTEE ON FINANCE AND BUDGET

REPORT ON THE CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS ON THE EQUALISATION FUND APPROPRIATION (NO.2) BILL, 2023 (SENATE BILLS NO.30 OF 2023)

| PAPERS LAID | |
|--------------------|-------------------------|
| DATE | 30/7/2024 |
| TABLED BY | Chair, Finance & Budget |
| COMMITTEE | - |
| CLERK AT THE TABLE | Angela |

Clerk's Chambers,
Parliament Buildings,
NAIROBI.

July 2024

Mr. Hon. Speaker
Your very obedient servant,
J. M. [Name]
Clerk of the [Organization] FSC

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LIST OF ABBREVIATIONS/ACRONYMS

| | |
|-----|----------------------------------|
| CRA | Commission on Revenue Allocation |
| FY | Financial Year |
| KSH | Kenya Shillings |
| PFM | Public Finance Management Act |

PREFACE
ESTABLISHMENT AND MANDATE OF THE COMMITTEE

Article 124 (1) of the Constitution of Kenya provides that each House of Parliament may establish committees and shall make Standing Orders for the orderly conduct of its proceedings, including the proceedings of its committees.

Parliamentary committees consider policy issues, scrutinize the workings and expenditures of the National and County Governments, and examine proposals for legislation. The end result of any process in Committees is a report, which is tabled in the House for consideration.

The Senate Standing Committee on Finance and Budget is established under Section 8(1) of the Public Finance Management (PFM) Act, 2012 and standing order 228 of the Senate Standing Orders and is mandated to-

- a) investigate, inquire into, and report on all matters relating to coordination, control, and monitoring of the county budgets and examine -
 - i. the Budget Policy Statement presented to the Senate;
 - ii. the report on the budget allocated to constitutional Commissions and independent offices;
 - iii. the Division of Revenue Bill, the County Allocation of Revenue Bill, the County Governments Additional Allocations Bill, and the cash disbursement schedules for county governments;
 - iv. all matters related to resolutions and Bills for appropriations, the share of national revenue amongst the counties, matters concerning the national budget, including public finance and monetary policies and public debt, planning, and development policy; and
- b) Pursuant to Article 228 (6) of the Constitution, to examine the report of the Controller of Budget on the implementation of the budgets of county governments.

MEMBERSHIP OF THE COMMITTEE

Following the constitution of the Standing Committees of the Senate of the Thirteenth (13th) Parliament on Thursday, 13th October, 2022, the Senate Standing Committee on Finance and Budget as currently constituted comprises the following Members-

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

CHAIRPERSON'S FOREWORD

The Equalisation Fund Appropriation (No.2) Bill, 2023 (Senate Bills No.30 of 2023) was published on 20th July, 2023 and introduced in the Senate. The Senate considered the Bill, and passed it with amendments on 21st February, 2024. Consequently, the Bill was referred to the National Assembly for concurrence, in line with Article 110(4) of the Constitution and standing order 161 of the Senate Standing Orders.

The National Assembly considered and passed the Bill on 13th June, 2024 with an amendment to reduce the total amount to be appropriated by **Ksh.790,000,000**; from **Ksh.10,867,400,000** to **Ksh.10,077,400,000**. This budgetary reduction was effected during the Supplementary Estimates I of FY 2023/24, due to a significant delay in the passage of the Equalisation Fund Appropriation Bill into law. The National Assembly posits that this amount cannot be reinstated at the moment due to resource constraints on account of revenue underperformance.

At the sitting of the Senate held on 3rd July, 2024, the Speaker of the Senate made a communication regarding the National Assembly amendments to the Equalisation Fund Appropriation (No.2) Bill, 2023. Consequently, the Speaker referred the amendments to the Standing Committee on Finance and Budget for consideration and subsequent reporting to the Senate.

During consideration of the National Assembly amendments to the Bill, the Committee held two (2) meetings (*Annex 1- Minutes of the Committee*). The Committee in considering the decision of the National Assembly on the Bill made several observations including-

- a) There is a tendency to routinely reduce allocations to the Equalisation Fund during the supplementary budget process, even though this Fund is established by the Constitution and its resource entitlements are enshrined in law.
- b) The total allocation to the Fund since inception is **Ksh. 22.5 billion** against a total entitlement of **Ksh. 62.4 billion**. Thus, there are arrears amounting to **Ksh. 39.9 billion**. However, the actual disbursement to the fund to date is **Ksh. 13.6**

billion. As such, it can be argued that the actual arrears to the fund is **Ksh. 48.8 billion.** The National Treasury has not honoured its commitment to the Senate to conclusively address the issue of arrears.

- c) The Equalisation Fund Appropriation Act, 2023 (allocation for FY 2021/22 and FY 2022/23) is in place but it does not have any resource allocation. Notably, the National Treasury committed to the Committee that this amount would be allocated in the supplementary budget for 2023/2024 but it was not done.
- d) The Equalisation Fund Appropriation (No. 2) Bill was meant for Financial Year 2023/24 which had since lapsed.

Committee Recommendation

Having considered the above matters, the Committee therefore recommends That, the Senate **rejects** the amendments of the National Assembly on the Equalisation Fund Appropriation (No.2) Bill, 2023 (Senate Bill No. 30 of 2023).

Acknowledgement

I appreciate the Members of the Finance and Budget Committee for their commitment and dedication which enabled the Committee to fulfil its mandate of consideration of reviewing the National Assembly amendments on the Equalisation Fund Appropriation (No.2) Bill, 2023.

I would also like to extend my gratitude to the offices of the Speaker and the Clerk of the Senate for the support accorded to the Committee during this important assignment.



It is now my pleasant duty and privilege, pursuant to standing order 148 (1) of the Senate Standing Orders, to present the Report of the Standing Committee on Finance and Budget on the consideration of the National Assembly Amendments to the Equalisation Fund Appropriation (No.2) Bill, 2023

Signature..........Date.....16/07/2024

SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP,
CHAIRPERSON,
STANDING COMMITTEE ON FINANCE AND BUDGET

**ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON
FINANCE AND BUDGET ON THE NATIONAL ASSEMBLY AMENDMENTS
TO THE EQUALISATION FUND APPROPRIATION (NO.2) BILL, 2023
(SENATE BILLS NO.30 OF 2023)**

We, the undersigned Members of the Senate Standing Committee on Finance and Budget, do hereby append our signatures to adopt this Report-

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

I. INTRODUCTION

1. The Equalisation Fund is established under Article 204(1) of the Constitution, which requires that one-half per cent (0.5%) of all the revenue collected by the National government each year be paid into the fund. The amount is calculated on the basis of the most recent audited accounts of revenue received, as approved by the National Assembly.
2. Article 204 (2) of the Constitution provides that the National Government shall use the Equalisation Fund only to provide basic services including water, roads, health facilities and electricity to marginalised areas to the extent necessary to bring the quality of those services in those areas to the level generally enjoyed by the rest of the nation, so far as possible.
3. Allocations from the Equalisation fund to marginalized areas are undertaken in line with a predetermined policy developed by the Commission of Revenue Allocation (CRA), as mandated in Article 216 (4) of the Constitution. The Second Marginalization Policy, which identifies 1,424 marginalized areas across thirty-four (34) counties, is under implementation. Each marginalized area is allocated a share of funds based on an allocation factor, as determined by the CRA.

II. PROCESSING OF THE EQUALISATION FUND APPROPRIATION (NO.2) BILL, 2023 (SENATE BILLS NO.30 OF 2023)

4. The Equalisation Fund Appropriation (No.2) Bill, 2023 (Senate Bills No.30 of 2023) was approved by the Senate with amendments on 21st February, 2024. Thereafter, the Bill was referred to the National Assembly for concurrence.
5. The National Assembly considered and approved the Bill with amendments on 13th June, 2024.
6. At the sitting of the Senate held on 3rd July, 2024, the Speaker of the Senate made a communication regarding the National Assembly amendments to the Equalisation Fund Appropriation (No.2) Bill, 2023 (*Annex 2- Communication from the Speaker of the Senate*).

7. Consequently, the Speaker referred the National Assembly amendments to the Standing Committee on Finance and Budget for consideration and subsequent tabling a report in the Senate.

III. CONSIDERATION OF THE BILL BY THE SENATE

8. The Equalisation Fund Appropriation Bill, 2023, was published on 20th July, 2023, and introduced in the Senate. The Senate considered the Bill, and passed it with amendments on 21st February, 2024. These amendments entailed the following-
 - a) The insertion of the expression “(No. 2)” immediately after the words ‘Equalisation Fund Appropriation’ on the short title of the Bill. This was meant to differentiate the Act from the Equalisation Fund Appropriation Act, 2023 for FY 2021/22 and 2022/23, which was enacted in June 2023.
 - b) The introduction of a new clause 7 to safeguard the monies in the fund from lapsing until the identified projects are completed. This means that the Act shall be sufficient authority for the Controller of Budget to authorize the withdrawal of funds from the Equalisation Fund even after the lapse of the FY 2023/24.
 - c) Amendment to the Schedule to include Ksh.326 million for the expenses of the Board, as this had been omitted in the published Bill, as well as capture correctly the names of the wards.
9. Consequently, the Bill was referred to the National Assembly for concurrence, as per Article 110(4) of the Constitution and standing order 161 of the Senate Standing Orders.

IV. CONSIDERATION OF THE BILL BY THE NATIONAL ASSEMBLY

10. The National Assembly considered and passed the Bill on 13th June, 2024 with amendments. These amendments entailed a reduction of the total amount to be appropriated by **Ksh.790,000,000**; from **Ksh.10,867,400,000** to **Ksh.10,077,400,000**. Consequently, the amount allocated to cater for board expenses of **Ksh.326,022,000** was reduced to **Ksh.302,322,000** (equivalent to 3% of the new total proposed allocation of Ksh.10.077 billion). Thus, the amount allocated to equalisation fund development projects is **Ksh. 9,775,078,000** (*Annex 3*).
11. The National Assembly submitted that this budgetary reduction was effected during the Supplementary Estimates I of FY 2023/24, due to a significant delay in the passage of the Equalisation Fund Appropriation Bill into law. The National Assembly posits that this amount cannot be reinstated at the moment due to resource constraints on account of revenue underperformance.
12. Following the passage of the Bill with amendments by the National Assembly, the National Assembly Speaker, forwarded a Message to the Senate informing on the passage of the Bill with amendments (*Annex 3- Message from the Speaker of the National Assembly*).

V. COMMITTEE CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS ON THE BILL

13. The Committee considered the Amendments on the Bill from the National Assembly and made the following observations-
- a) There is a tendency to routinely reduce allocations to the Equalisation Fund during the supplementary budget process, even though this Fund is established by the Constitution and its resource entitlements are enshrined in law.
 - b) The total allocation to the Fund since inception is **Ksh. 22.5 billion** against a total entitlement of **Ksh. 62.4 billion**. Thus, there are arrears amounting to **Ksh.**

39.9 billion. However, the actual disbursement to the fund to date is **Ksh. 13.6 billion.** As such, it can be argued that the actual arrears to the fund is **Ksh. 48.8 billion.** The National Treasury has not honoured its commitment to the Senate to conclusively address the issue of arrears.

- c) The Equalisation Fund Appropriation Act, 2023 (allocation for FY 2021/22 and FY 2022/23) was in place but the National Treasury had not availed/ allocated resources to the Fund for utilization. Additionally, the National Treasury had committed to the Committee that the appropriated monies would be allocated in the Supplementary Estimates No. 1 of FY 2023/2024 but it was not done.
- d) The timeline for enactment of the Equalisation Fund Appropriation (No. 2) Bill has lapsed.
- e) The Equalisation Fund Appropriation (No. 2) Bill, 2023 was meant for Financial Year 2023/24 which had since lapsed.

VI. RECOMMENDATION

14. Having considered the amendments and following the above observations, the Committee resolved to recommend-

That, the Senate **rejects** the amendments of the National Assembly on the Equalisation Fund Appropriation (No.2) Bill, 2023 (Senate Bill No. 30 of 2023).

Annexes

Annex 1- Minutes of the Committee

Annex 2- Communication from the Speaker of the Senate

Annex 3 – Message from the Speaker of the National Assembly

**Annex 1- Minutes of
the Committee**



MINUTES OF HUNDRED AND FORTY-EIGHTH (148TH) MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON THURSDAY 11TH JULY, 2024 IN GROUND FLOOR BOARDROOM, COUNTY HALL AT 9:00 A.M.

PRESENT

- | | | |
|---|---|-------------------------|
| 1. Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson |
| 2. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 3. Sen. (Dr.) Boni Khalwale, CBS, MP | - | Member |
| 4. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - | Member |
| 5. Sen. Richard Momoima Onyonka, MP | - | Member |
| 6. Sen. Eddy Oketch Gicheru, MP | - | Member |

ABSENT WITH APOLOGY

- | | | |
|--|---|--------|
| 1. Sen. Tabitha Karanja Keroche, MGH, MP | - | Member |
| 2. Sen. Joyce Chepkoech Korir, MP | - | Member |
| 3. Sen. Shakila Abdalla Mohamed, MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|------------------|
| 1. Mr. Christopher Gitonga | - | Clerk Assistant |
| 2. Ms. Beverlyne Chivadika | - | Clerk Assistant |
| 3. Ms. Lucy Radoli | - | Legal Counsel |
| 4. Ms. Millicent Makina | - | Fiscal Analyst |
| 5. Mr. Kiminza Kioko | - | Fiscal Analyst |
| 6. Mr. Constant Wamayuyi | - | Research officer |
| 7. Mr. Ian Otieno | - | Audio Officer |
| 8. Mr. Kelvin Kimeu | - | Attachee |
| 9. Ms. Lucian Tipilda | - | Attachee |

MIN/SEN/SCF&B/855/2024 **PRELIMINARIES**

The Chairperson called the meeting to order at 9:13 a.m. This was followed by a word of prayer and a round of introduction.

MIN/SEN/SCF&B/856/2024 **ADPTION OF THE AGENDA**

The agenda was adopted after being proposed by Sen. Mohamed Mwinyihaji Faki, CBS, MP and seconded by Sen. Maureen Tabitha Mutinda, MP, as listed below-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes of the 144th Sitting;
4. Matters Arising from the Minutes of the Previous Sitting;
5. Consideration of responses to the following Statements
 - a) Statement sought by Sen. Okong'o Mogeni, SC, MP, regarding utilization of conditional grants for financial year 2020/2021 in Nyamira County;
 - b) Statement sought by Sen. Samson Cherarkey, MP, regarding the closure of bank accounts of SMEs by Standard Chartered Bank. (*Committee Paper No. 102*)
6. Consideration of a legislative proposal: The Public Procurement and Asset Disposal (Amendment) Bill, 2024 (*Committee Paper 103*);
7. Consideration of National Assembly amendments to the Equalization Fund Appropriation (No.2) Bill (Senate Bill No.30 of 2023) (*Committee Paper No. 104*)
8. Any Other Business; and
9. Adjournment and Date of the Next Meeting

MIN/SEN/SCF&B/857/2024 **CONFIRMATION OF MINUTES OF THE PREVIOUS SITTINGS**

The Minutes of Hundred and Forty-Fourth (144th) meeting held on Thursday 4th July, 2024 at 9:00 a.m. were confirmed as a true record of the proceedings of Committee having been proposed by Sen. Mohamed Mwinyihaji Faki, CBS, MP, and seconded Sen. Maureen Tabitha Mutinda, MP.

MIN/SEN/SCF&B/858/2024 **CONSIDERATION OF RESPONSES TO STATEMENTS (COMMITTEE PAPER NO. 102)**

Sen. Okong'o Mogeni, SC, MP, and Sen. Samson Cherarkey, MP, were unable to attend Committee's meeting and therefore, consideration of the responses to the following Statements was deferred to the subsequent meeting-

- a) Utilization of conditional grants for Financial Year 2020/2021 in Nyamira County.
- b) closure of bank accounts of SMEs by Standard Chartered Bank Statement sought.

MIN/SEN/SCF&B/859/2024 **CONSIDERATION OF A LEGISLATIVE PROPOSAL: THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) BILL, 2024 (COMMITTEE PAPER NO. 103)**

- a) The Committee considered Paper No.103 on a legislative proposal on the Public Procurement and Asset Disposal (Amendment) Bill, 2024, and noted the contents thereof.
- b) The legislative proposal is sponsored by Sen. Veronicah Maina, MP, and is intended to amend section 136 of the Public Procurement and Asset Disposal Act, Cap 412C, to provide for the procedure to be followed when a successful bidder fails to sign an award contract within the notification period.
- c) The proposal provides that when notification period lapses, the contract will stand cancelled and a fresh notification will be issued to the next successful bidder.
- d) The proposal obligates the accounting officer to, within 7 days, issue a notice of cancellation to the successful bidder.
- e) clause 136(1)(b) of the proposed Bill provided that if the person submitting successful tender refuses to enter into a contract within specified time, the person shall forfeit their tender security; and the procurement process shall proceed with the next lowest evaluated tenderer.
- f) The Committee recommended the clause be amended to provide that the procurement shall proceed with the next successful best rated tender using evaluation criteria set forth in the tender documents.
- g) The Committee resolved to submit its Comments to the Speaker with the suggested variation to improve the legislative proposal.

Additionally, the Committee noted the challenges in disposal procedures within public institutions. The Committee tasked the secretariat to prepare a brief on this matter for consideration in the subsequent meeting with a view of proposing amendments to the Principal Act.

MIN/SEN/SCF&B/860/2024

**CONSIDERATION OF NATIONAL ASSEMBLY
AMENDMENTS TO THE EQUALIZATION
FUND APPROPRIATION (NO.2) BILL (SENATE
BILL NO.30 OF 2023) (COMMITTEE PAPER NO.
104)**

- a) The Committee considered the National Assembly amendments to the Equalization Fund (Appropriation) (No.2) Bill (Senate Bill No.30 of 2023).
- b) Clause 3 of the Bill was amended by reducing the total amount to be appropriated by Ksh.790,000,000 from Ksh.10,867,400,000 to Ksh.10,077,400,000.
- c) Subsequently, the amount allocated to cater for board expenses of Ksh. 326,022,000 was reduced to Ksh.302,322,000 (equivalent to 3% of the new total proposed allocation of Ksh. 10.077 billion). Thus, the amount allocated to equalisation fund development projects stood at Ksh. 9,775,078,000.
- d) The National Assembly amendments were informed by the following factors-

- i. In the approved Supplementary Estimates I of FY 2023/24, the amount allocated to the equalisation fund was Ksh.10.077 billion.
 - ii. Owing to resource constraints on account of revenue underperformance, it will be a challenge to reinstate this amount in the budget.
- c) The Committee observed that the Equalisation Fund continues to face several challenges-
 - i. There was no allocation in the Supplementary II for the budget of the Ksh.10.33 billion appropriated by the Equalisation Fund Appropriation Act, 2023 (allocation for FY 2021/22 and FY 2022/23) even though the Act is already in place. This is despite a commitment from the National Treasury after the allocation was revised to zero in Supplementary II of FY 2022/23 to allocate this amount in the supplementary budget for 2023/2024.
 - ii. The total allocation to the Fund (approved by Parliament) since inception is Ksh.22.7 billion against a total entitlement to the Fund of Ksh.62.4 billion. Thus, there are arrears amounting to Kshs.39.7 billion. The National Treasury committed to the Senate that it would clear the arrears in four financial years beginning FY 2024/25, with an allocation of Ksh.9.98 billion in each financial year. However, this plan hasn't been adhered to.
 - iii. In FY 2024/25, the National Treasury allocated Ksh.3.5 billion as arrears to the Fund and not the Ksh.9.98 billion as earlier committed. In light of the current developments, there is a need to revisit the plan with the National Treasury to come up with a more feasible and actionable plan.
 - iv. The Equalization Fund Appropriation Act, 2023, and the allocation in the Equalization Fund Appropriation (No. 2) Bill, 2023 for FY 2023/24 will be utilized to implement the Second Marginalization Policy. However, the Second Policy lapsed in June 2021, and the third policy was yet to be submitted to Parliament by the Commission on revenue Allocation (CRA).
- f) The Committee further noted that the Bill provided for appropriation of funds to the Equalization Fund for the FY 2023/2024 that ended on 30th June, 2024, and that there was no clause allowing for retrospective application of the law.
- g) Following deliberations, the Committee resolved-
 - i. To reject the National Assembly's amendments to the Bill.
 - ii. To consider and adopt the report on the National Assembly's amendments to the Bill in the subsequent meeting for tabling in the Senate.
 - iii. That, the Chairperson to issue a Statement relating to implementation of Equalization Fund in the Senate pursuant to standing order 56(1)(a) of the Senate Standing Orders.
 - iv. To invite the Cabinet Secretary for National Treasury and the Equalization Fund Board to a meeting to deliberate on matters relating to implementation of Equalization Fund.

MIN/SEN/SCF&B/861/2024


ANY OTHER BUSINESS

1. Due to a delay in publishing the shortlisted candidates for the position of a member of the Salaries and Remuneration Commission under Article 230(2)(b)(vii) of the Constitution, as well as the requirement of a seven-day notice, the date for the interviews of the shortlisted candidates be rescheduled to Friday, 19th July, 2024.
2. Following the County Government of Isiolo's failure to respond to a number of Statements requesting for information concerning the County, the Committee resolved to summon the Governor of Isiolo County to a meeting.

MIN/SEN/SCF&B/862/2024

ADJOURNMENT AND THE DATE OF THE NEXT MEETING

The meeting was adjourned at 10:43 a.m. The next meeting will be by notice.

SIGNATURE.......... DATE.....16/07/2024.....

SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP

(CHAIRPERSON)



MINUTES OF HUNDRED AND FORTY-NINTH (149TH) MEETING OF THE SENATE STANDING COMMITTEE ON FINANCE AND BUDGET HELD ON TUESDAY, 16TH JULY, 2024 IN GROUND FLOOR BOARDROOM, COUNTY HALL AT 9:00 A.M.

PRESENT

- | | | |
|---|---|-------------------------|
| 1. Sen. (Capt.) Ali Ibrahim Roba, EGH, MP | - | Chairperson |
| 2. Sen. Maureen Tabitha Mutinda, MP | - | Vice-Chairperson |
| 3. Sen. (Dr.) Boni Khalwale, CBS, MP | - | Member |
| 4. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - | Member |
| 5. Sen. Richard Momoima Onyonka, MP | - | Member |
| 6. Sen. Eddy Oketch Gicheru, MP | - | Member |

ABSENT WITH APOLOGY

- | | | |
|--|---|--------|
| 1. Sen. Tabitha Karanja Keroche, MGH, MP | - | Member |
| 2. Sen. Joyce Chepkoech Korir, MP | - | Member |
| 3. Sen. Shakila Abdalla Mohamed, MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|------------------|
| 1. Mr. Christopher Gitonga | - | Clerk Assistant |
| 2. Ms. Beverlyne Chivadika | - | Clerk Assistant |
| 3. Ms. Lucy Radoli | - | Legal Counsel |
| 4. Ms. Millicent Makina | - | Fiscal Analyst |
| 5. Mr. Kiminza Kioko | - | Fiscal Analyst |
| 6. Mr. Ian Otieno | - | Audio Officer |
| 7. Mr. Godana Mamo | - | Sergeant-At-Arms |

MIN/SEN/SCF&B/863/2024

PRELIMINARIES

The Chairperson called the meeting to order at 9:30 a.m. This was followed by a word of prayer and a round of introduction.

MIN/SEN/SCF&B/864/2024

ADPOTION OF THE AGENDA

The agenda was adopted after being proposed by Sen. Maureen Tabitha Mutinda, MP, and seconded by Sen. Mohamed Mwinyihaji Faki, CBS, MP, as listed below-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes of the 147th and 148th Sittings;
4. Matters Arising from the Minutes of the Previous Sitting;
5. Consideration and adoption of the Committee report on the National Assembly amendments to the Equalization Fund Appropriation (No. 2) Bill (Senate Bills No.30 of 2023) (*Committee Paper No.104A*);
6. Consideration of the Presidential memorandum on the County Allocation of Revenue Bill, 2024 (Senate Bills No.25 of 2024) (*Committee Paper No.105*);
7. Consideration of supplementary information submitted by the Central Bank of Kenya on the following Statements (*Committee Paper No.86A*);
 - a) claims of fraudulent activities involving various banks sought by Sen. Maureen Tabitha Mutinda, MP;
 - b) re-introduction of bank charges on mobile wallets sought by Sen. Samson Cherarkey, MP.
 - c) high interest charged on loans offered by Momentum Credit Company Limited sought by Sen. Samson Cherarkey, MP; and
 - d) concerning predatory asset-based lending by micro-finance lending companies in Kenya sought by Sen. Eddy Gicheru Oketch, MP.
8. Any Other Business; and
9. Adjournment and Date of the Next Meeting.

MIN/SEN/SCF&B/865/2024

CONFIRMATION OF MINUTES OF THE PREVIOUS SITTINGS

- a) The Minutes of Hundred and Forty-Seventh (147th) meeting held on Wednesday, 10th July, 2024 at 8:00 a.m. were confirmed as a true record of the proceedings of Committee having been proposed by Sen. Maureen Tabitha Mutinda, MP, and seconded by Sen. Mohamed Mwinyihaji Faki, CBS, MP.
- b) The Minutes of Hundred and Forty-Eighth (148th) meeting held on Thursday, 11th July, 2024 at 9:00 a.m. were confirmed as a true record of the proceedings of Committee having been proposed by Sen. Richard Momoima Onyonka, MP, and seconded Sen. Mohamed Mwinyihaji Faki, CBS, MP.

MIN/SEN/SCF&B/866/2024

CONSIDERATION AND ADOPTION OF THE COMMITTEE REPORT ON THE NATIONAL ASSEMBLY AMENDMENTS TO THE EQUALIZATION FUND APPROPRIATION (NO. 2) BILL (SENATE BILLS NO.30 OF 2023) (COMMITTEE PAPER NO.104A)

- a) The Committee considered the report on the National Assembly Amendments to the Equalization Fund Appropriation (No. 2) Bill (Senate Bills No.30 of 2023).
- b) The Committee unanimously adopted the report on the National Assembly Amendments to the Equalization Fund Appropriation (No. 2) Bill (Senate Bills No.30 Of 2023), having been proposed with Sen. Mohamed Mwinyihaji Faki, CBS, MP, and seconded by Sen. (Dr.) Boni Khalwale, CBS, MP, with the recommendation that, the Senate rejects the National Assembly's amendments to the Equalisation Fund Appropriation (No.2) Bill (Senate Bill No. 30 of 2023).

MIN/SEN/SCF&B/867/2024

**CONSIDERATION OF THE PRESIDENTIAL
MEMORANDUM ON THE COUNTY
ALLOCATION OF REVENUE BILL, 2024
(SENATE BILLS NO.25 OF 2024) (COMMITTEE
PAPER NO.105)**

- a) The Committee considered Paper No.105 consideration of the Presidential Memorandum of Referral of the County Allocation of Revenue Bill (CARB), 2024 (Senate Bills No.25 of 2024), and noted the contents thereof. Thereafter the Committee considered the draft Report on the presidential memorandum.
- b) The memorandum stated
 - i. Presentation of CARB, 2024 for assent was preceded by referral of Finance Bill, 2024 to the National Assembly for reconsideration and recommended deletion of all clauses thereof;
 - ii. The move in (i) above necessitated reorganization of Government's financial arrangements for the FY 2024/25 including CARB, 2024; and
 - iii. The President did not assent to CARB, 2024, consequently, referred it back to the Senate for reconsideration, and recommended deletion of the First Schedule of the Bill and replacement with a new Schedule which proposes an allocation of Ksh. 380,000,002,218 as county equitable share.
- c) The Committee, after considering the presidential memorandum, made the following observations-
 - i. that the allocation of revenue to the two levels of government is a two-step process. The first is the vertical division of nationally raised revenue between the national government and the county government as described by Article 218(1)(a) of the Constitution through Division of Revenue, Act. The second step is the horizontal allocation of revenue between the forty-seven counties through the County Allocation of Revenue Bill which is described under Article 218(1)(b) of the Constitution. Therefore, the Division of Revenue Act and the County Allocation of Revenue Bill are inextricably linked. The latter is based upon the provisions of the former as to the share of nationally raised revenue allocated to the county level of government.

- ii. at the time of the receipt of the memorandum containing the President's reservations on the CARB, 2024, the Division of Revenue Act No. 5 of 2024 was in force and provides for the county governments' share of nationally raised revenue as Ksh. 400,112,787,146. The First Schedule to the CARB 2024 as passed by Parliament and forwarded to the President for assent provides for each county government's share of the Ksh. 400,112,787,146 contained in the Division of Revenue Act 2024. The recommendation proposed by the President therefore has no basis in law as it proposes to divide Ksh. 380 billion among the forty-seven counties contrary to the provisions of the Division of Revenue Act No. 5 of 2024 which is in force.
- d) Rejection of the the president's recommendations contained in the memorandum, or approval of the President's recommendations with amendments would require a vote supported by two-third of Members of each House.
- e) After deliberating and noting the intricacies in considering the presidential memorandum, the Committee unanimously agreed to defer adoption of the Presidential Memorandum on the County Allocation of Revenue Bill, 2024 (Senate Bills No.25 of 2024) to allow for further consultation before recommending a way forward.

MIN/SEN/SCF&B/869/2024


CONSIDERATION OF SUPPLEMENTARY INFORMATION SUBMITTED BY THE CENTRAL BANK OF KENYA ON THE FOLLOWING STATEMENTS (COMMITTEE PAPER NO.86A)

The agenda item was deferred to the subsequent meeting.

MIN/SEN/SCF&B/870/2024

ADJOURNMENT AND THE DATE OF THE NEXT MEETING

The meeting was adjourned at 11:02 a.m. The next meeting will be by notice.

SIGNATURE.......... DATE.....18/07/2024.....

SEN. (CAPT.) ALI IBRAHIM ROBA, EGH, MP
(CHAIRPERSON)

Annex 2-
Communication from
the Speaker of the
Senate

REPUBLIC OF KENYA



THIRTEENTH PARLIAMENT- THIRD SESSION

[No. 028 of 2024]

COMMUNICATION FROM THE CHAIR

**ON CONSIDERATION OF NATIONAL ASSEMBLY AMENDMENTS
TO THE EQUALISATION FUND APPROPRIATION (NO. 2) BILL
(SENATE BILL NO. 30 OF 2023)**

Honourable Senators,

1. At the morning sitting of the Senate held on Wednesday, 26th June, 2024, I conveyed a Message from the National Assembly, on the passage, with amendments, by the National Assembly, of the Equalization Fund Appropriation (No. 2) Bill (Senate Bill No. 30 of 2023).
2. Pursuant to Standing Order 165 (2), the Senate is required to make a determination on the National Assembly amendments to the Bill, upon a Motion that *“the Amendments by the National Assembly to the Equalization Fund Appropriation (No. 2) Bill (Senate Bill No. 30 of 2023), be now considered”*.

Honourable Senators,

3. As a matter of procedure, I hereby commit the National Assembly amendments to the Bill, to the Standing Committee on Finance and Budget. The Standing Committee will be required to consider the amendments and make a report to the Senate, with recommendation on whether the Senate adopts the National Assembly amendments to the Bill or otherwise. The report of the Committee will facilitate the Senate in deciding on the Motion referred to above.
4. In this respect, the Standing Committee is hereby directed to table its report by Wednesday, 10th July, 2024.

I thank you.

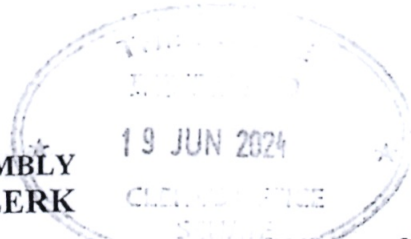
**RT. HON. AMASON J. KINGI, EGH, MP,
SPEAKER OF THE SENATE.**

Date: Tuesday, 2nd July, 2024

**Annex 3 – Message
from the National
Assembly**



**THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK**

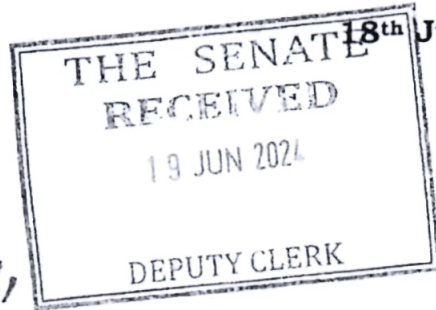


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Email: cna@parliament.go.ke
www.parliament.go.ke/the-national-assembly

When replying, please quote reference

NA/DLP/TBO/MTS/2024 (017)



18th June, 2024

Mr. Jeremiah Nyegenye, CBS
Clerk of the Senate
Parliament Buildings
NAIROBI

Dear *Director General* *Uguzo,*

**RE: PASSAGE OF THE EQUALISATION FUND APPROPRIATION (NO.2)
BILL (SENATE BILL NO. 30 OF 2023)**

The above-captioned matter refers.

Attached herewith, please find a Message in respect of the **passage** by the National Assembly of the **Equalisation Fund Appropriation (No.2) Bill (Senate No. 30 of 2023)** on Thursday, 13th June 2024.

I have also enclosed copies of the Schedule of amendments, Order Papers, the Votes and Proceedings and the Hansard Reports for the Sitting days, for your reference.

Yours *Sincerely,*

Samuel Njoroge, CBS
CLERK OF THE NATIONAL ASSEMBLY

//Encls.

(2) DOLPS(LA)
Please process the
Message -
D. Chandra
19/06/2024

(1) DC HA
Kindly deal

19/06/2024



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – THIRD SESSION

THE NATIONAL ASSEMBLY

MESSAGES

MESSAGE TO THE SENATE

_____ (No. 017 of 2024) _____

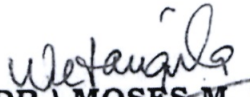
**SUBJECT: PASSAGE OF THE EQUALISATION FUND APPROPRIATION
(NO.2) BILL (SENATE BILL NO. 30 OF 2023)**

PURSUANT to the provisions of Standing Order 41(1) and 144 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –

WHEREAS, the Equalisation Fund Appropriation (No.2) Bill (Senate Bill No. 30 of 2023) was passed by the Senate on Wednesday, 21st February, 2024 **with amendments** and referred to the National Assembly for consideration;

AND WHEREAS, the National Assembly considered and passed the said Bill on Thursday, 13th June, 2024 **with further amendments** in the form attached hereto;

NOW THEREFORE, in accordance with the provisions of Article 110 of the Constitution and Standing Orders 41(1) and 144 of the National Assembly Standing Orders, I hereby convey the decision of the National Assembly to the Senate.


THE RT. HON. (DR.) MOSES M. WETANG'ULA, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Tuesday, 18th June, 2024

**THE EQUALISATION FUND APPROPRIATION (NO.2) BILL
(SENATE BILL NO. 30 OF 2023)**

Bill also passed by the National Assembly on Thursday, 13th June, 2024

SCHEDULE OF AMENDMENTS MADE TO THE BILL BY THE NATIONAL
ASSEMBLY

CLAUSE 3

THAT clause 3 of the Bill be amended—

- (a) by deleting the words “ten billion eight hundred and sixty-seven million four hundred thousand” appearing in the opening statement and substituting therefor the words “ten billion seventy-seven million four hundred thousand,”;
- (b) in paragraph (a) by deleting the words “three hundred and twenty-six million, twenty-two thousand” and substituting therefor the words “three hundred and two million, three hundred and twenty-two thousand”; and
- (c) in paragraph (b) by deleting the words “ten billion, five hundred and forty-one million, three hundred and seventy-eight thousand” and substituting therefor the words “nine billion, seven hundred and seventy-five million, seventy-eight thousand”.

SCHEDULE

THAT, the Schedule to the Bill be deleted and replaced with the following new Schedule—

| SCHEDULE | | | |
|-------------------------------|--|-----|----------------------|
| (A) | (B) | (C) | (D) |
| | <i>Recurrent Expenditure</i> | | KSh |
| Equalization Fund Secretariat | The amount required in the year ending 30 th June 2024 for Equalization Fund Secretariat expenses | | 302,322,000 |
| | <i>Sub-class total</i> | | 302,322,000 |
| | <i>Development Expenditure</i> | | 9,775,078,000 |

| COUNTY | CONSTITUENCY | WARD | FY 2023/24 |
|---------------------------|---|---------------------------|-------------------|
| BARINGO | The amount required in the year ending 30 th June, 2024 in Baringo County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 580,459,036 |
| | BARINGO NORTH | BARTABWA | 22,360,538 |
| | | BARWESSA | 23,350,755 |
| | | SAIMO/SOI | 6,208,165 |
| | | Constituency Total | 51,919,458 |
| | BARINGO SOUTH | ILCHAMUS | 23,521,820 |
| | | MOCHONGOI | 21,777,942 |
| | | MUKUTANI | 35,300,813 |
| | | Constituency Total | 80,600,575 |
| | MOGOTIO | EMINING | 10,492,591 |
| | | KISANANA | 88,021,830 |
| | | Constituency Total | 98,514,420 |
| | TIATY | CHURO/AMAYA | 43,483,548 |
| | | KOLOWA | 49,109,117 |
| | | LOIYAMOROCK | 34,053,511 |
| | | RIBKWO | 42,835,459 |
| | | SILALE | 41,073,009 |
| TANGULBEI/KOROSSI | | 70,235,060 | |
| Constituency Total | | 349,424,582 | |
| BOMET | The amount required in the year ending 30 th June, 2024 in Bomet County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 18,744,729 |
| | CHEPALUNGU | CHEBUNYO | 6,292,231 |
| | | NYANGORES | 6,226,738 |
| | | SIGOR | 6,225,760 |
| | | Constituency Total | 18,744,729 |
| BUNGOMA | The amount required in the year ending 30 th June, 2024 in Bungoma County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 57,340,728 |
| | MT ELGON | CHEPYUK | 20,176,781 |
| | | ELGON | 12,291,209 |
| | | KAPKATENY | 18,436,813 |

| | | | |
|------------------------|---|---------------------------|--------------------|
| | | KAPTAMA | 6,435,925 |
| | | Constituency Total | 57,340,728 |
| | | | |
| BUSIA | The amount required in the year ending 30 th June, 2024 in Busia County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 17,539,459 |
| | BUDALANGI | BUNYALA SOUTH | 5,824,981 |
| | | Constituency Total | 5,824,981 |
| | TESO NORTH | ANG'URAI SOUTH | 5,625,569 |
| | | MALABA NORTH | 6,088,909 |
| | | Constituency Total | 11,714,478 |
| | | | |
| ELGEYO MARAKWET | The amount required in the year ending 30 th June, 2024 in Elgeyo Marakwet County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 63,520,545 |
| | KEIYO SOUTH | METKEI | 5,422,247 |
| | | Constituency Total | 5,422,247 |
| | MARAKWET EAST | EMBOBUT/EMBULOT | 30,450,409 |
| | | ENDO | 10,120,160 |
| | | KAPYEGO | 6,277,568 |
| | | SAMBIRIR | 5,644,142 |
| | | Constituency Total | 52,492,279 |
| | MARAKWET WEST | LELAN | 5,606,019 |
| | | Constituency Total | 5,606,019 |
| | | | |
| GARISSA | The amount required in the year ending 30 th June, 2024 in Garissa County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 615,465,619 |
| | BALAMBALA | BALAMBALA | 32,439,642 |
| | | DANYERE | 47,962,498 |
| | | JARA JARA | 15,833,705 |
| | | SAKA | 22,226,619 |
| | | SANKURI | 35,402,474 |
| | | Constituency Total | 153,864,938 |
| | DADAAB | ABAKAILE | 15,598,125 |
| | | DADAAB | 8,420,270 |
| | | DAMAJALE | 21,885,468 |
| | | DERTU | 15,473,003 |

| | | | | |
|---------------|--|---------------------------|---------------------------|--------------------|
| | | LABISIGALE | 8,538,549 | |
| | | LIBOI | 21,390,848 | |
| | | Constituency Total | 91,306,263 | |
| | FAFI | | BURA | 19,477,861 |
| | | | DEKAHARIA | 21,895,243 |
| | | | FAFI | 13,846,427 |
| | | | JARAJILA | 16,514,051 |
| | | | NANIGHI | 14,919,733 |
| | | | Constituency Total | 86,653,316 |
| | | | GARISSA TOWNSHIP | |
| | Constituency Total | 14,361,575 | | |
| | IJARA | | HULUGHO | 38,622,392 |
| | | | IJARA | 65,115,841 |
| | | | MASALANI | 33,047,653 |
| | | | SANGAILU | 35,583,314 |
| | | | Constituency Total | 172,369,200 |
| | LAGDERA | | BARAKI | 15,386,005 |
| | | | BENANE | 16,548,264 |
| | | | GOREALE | 7,854,292 |
| | | | MAALIMIN | 16,494,501 |
| | | | MODOGASHE | 17,659,693 |
| | | | SABENA | 22,967,572 |
| | | | Constituency Total | 96,910,327 |
| | The amount required in the year ending 30 th June, 2024 in Homa Bay County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | | 128,381,257 |
| HOMA BAY TOWN | | HOMA BAY WEST | 6,262,906 | |
| | | Constituency Total | 6,262,906 | |
| NDHIWA | | KABUOCH NORTH | 6,020,483 | |
| | | KABUOCH SOUTH/PALA | 14,042,907 | |
| | | KANYADOTO | 6,505,328 | |
| | | KANYAMWA KOSEWE | 13,377,222 | |
| | | KWABWAI | 32,218,725 | |
| | | Constituency Total | 72,164,665 | |
| SUBA NORTH | | GEMBE | 12,584,462 | |
| | | MFANGANO ISLAND | 5,259,981 | |
| | | Constituency Total | 17,844,442 | |

| | | | | |
|---------|---|---------------------------|--------------------|--|
| | SUBA SOUTH | GWASSI NORTH | 18,969,556 | |
| | | KAPSINGRI WEST | 13,139,687 | |
| | | Constituency Total | 32,109,244 | |
| | | | | |
| ISIOLO | The amount required in the year ending 30 th June, 2024 in Isiolo County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 162,089,706 | |
| | ISIOLO NORTH | BURAT | 14,116,220 | |
| | | CHARI | 5,161,252 | |
| | | CHERAB | 40,584,254 | |
| | | NGARE MARA | 6,526,833 | |
| | | OLDO/NYIRO | 31,041,803 | |
| | | Constituency Total | 97,430,362 | |
| | ISIOLO SOUTH | GARBATULLA | 26,715,344 | |
| | | KINNA | 19,616,668 | |
| | | SERICHO | 18,327,332 | |
| | | Constituency Total | 64,659,344 | |
| | | | | |
| KAJIADO | The amount required in the year ending 30 th June, 2024 in Kajiado County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 404,610,878 | |
| | KAJIADO CENTRAL | DALALEKUTUK | 46,610,602 | |
| | | MATAPATO NORTH | 45,899,953 | |
| | | MATAPATO SOUTH | 32,168,872 | |
| | | PURKO | 15,636,248 | |
| | | Constituency Total | 140,315,674 | |
| | KAJIADO SOUTH | ENTONET/LENKISIM | 26,023,267 | |
| | | MBIRIKANI/ESSELENKEI | 13,437,828 | |
| | | KUKU | 15,014,551 | |
| | | ROMBO | 7,117,249 | |
| | | Constituency Total | 61,592,896 | |
| | KAJIADO WEST | EWUASO OONKIDONG'I | 32,054,503 | |
| | | KEEKONYOKIE | 19,200,249 | |
| | | MAGADI | 81,100,082 | |
| | | MOSIRO | 21,135,718 | |
| | | ILOODOKILANI | 49,211,756 | |
| | | Constituency Total | 202,702,308 | |
| | | | | |

| | | | |
|--------------|---|--|--------------------|
| KERICHO | The amount required in the year ending 30 th June, 2024 in Kericho County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 59,391,544 |
| | BURETI | CHEPLANGET | 6,485,778 |
| | | Constituency Total | 6,485,778 |
| | KIPKELION WEST | CHILCHILA | 6,229,670 |
| | | Constituency Total | 6,229,670 |
| | SIGOWET/SOIN | SOIN | 18,695,853 |
| | | SOLIAT | 27,980,242 |
| | | Constituency Total | 46,676,095 |
| | KILIFI | The amount required in the year ending 30 th June, 2024 in Kilifi County for development expenses (provision of basic services including water, roads, health facilities and electricity) | |
| GANZE | | BAMBA | 84,178,261 |
| | | GANZE | 26,241,252 |
| | | JARIBUNI | 32,725,075 |
| | | SOKOKE | 45,124,787 |
| | | Constituency Total | 188,269,375 |
| KALOLENI | | KALOLENI | 40,649,747 |
| | | KAYAFUNGO | 35,828,669 |
| | | MARIAKANI | 7,369,447 |
| | | Constituency Total | 105,530,986 |
| KILIFI NORTH | | MATSANGONI | 6,949,118 |
| | | Constituency Total | 6,949,118 |
| MAGARINI | | ADU | 56,341,713 |
| | | GARASHI | 59,545,013 |
| | | GONGONI | 20,908,936 |
| | | MAGARINI | 22,643,038 |
| | | Constituency Total | 180,033,855 |
| MALINDI | | GANDA | 6,666,617 |
| | | JILORE | 6,193,502 |
| | | KAKUYUNI | 19,517,939 |
| | | Constituency Total | 32,378,059 |
| RABAI | | MWAWESA | 6,610,899 |
| | | RURUMA | 6,910,995 |

| | | | |
|--------|--|---------------------------|--------------------|
| | | Constituency Total | 13,521,894 |
| | | | |
| KISUMU | The amount required in the year ending 30 th June, 2024 in Kisumu County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 23,737,849 |
| | MUHORONI | CHEMILIL | 5,681,287 |
| | | OMBEYI | 6,416,375 |
| | | Constituency Total | 12,097,662 |
| | NYANDO | AWASI/ONJIKO | 5,995,068 |
| | | KABONYO/KANYAGWAL | 5,645,119 |
| | | Constituency Total | 11,640,187 |
| | | | |
| KITUI | The amount required in the year ending 30 th June, 2024 in Kitui County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 387,745,901 |
| | KITUI EAST | CHULUNI | 6,310,804 |
| | | ENDAU/MALALANI | 42,617,475 |
| | | MUTITO/KALIKU | 5,939,350 |
| | | VOO/KYAMATU | 44,063,212 |
| | | ZOMBE/MWITIKA | 30,603,878 |
| | | Constituency Total | 129,534,718 |
| | KITUI SOUTH | ATHI | 6,831,816 |
| | | IKANGA/KYATUNE | 18,377,185 |
| | | KANZIKO | 40,834,497 |
| | | MUTHA | 23,905,981 |
| | | Constituency Total | 89,949,479 |
| | MWINGI CENTRAL | NGUNI | 37,835,496 |
| | | NUU | 13,528,736 |
| | | WAITA | 5,867,014 |
| | | Constituency Total | 57,231,247 |
| | MWINGI NORTH | KYUSO | 24,006,664 |
| | | MUMONI | 18,238,379 |
| | | NGOMENI | 25,277,427 |
| | | THARAKA | 5,910,025 |
| | | TSEIKURU | 37,597,961 |
| | | Constituency Total | 111,030,457 |
| | | | |

| | | | |
|---------------------------|--|---------------------------|--------------------|
| KWALE | The amount required in the year ending 30 th June, 2024 in Kwale County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 285,427,012 |
| | KINANGO | CHENGONI/SAMBURU | 29,072,121 |
| | | KASEMENI | 27,074,090 |
| | | KINANGO | 14,688,063 |
| | | MACKINNON ROAD | 21,645,001 |
| | | MWAVUMBO | 14,164,118 |
| | | NDAVAYA | 30,191,369 |
| | | PUMA | 22,284,292 |
| | | Constituency Total | 159,119,054 |
| | LUNGA LUNGA | DZOMBO | 8,441,775 |
| | | MWERENI | 24,329,243 |
| | | PONGWE/KIKONENI | 22,888,393 |
| | | VANGA | 22,653,791 |
| | | Constituency Total | 78,313,202 |
| | MATUGA | MKONGANI | 21,906,973 |
| | | TSIMBA GOLINI | 7,503,366 |
| | | WAA | 6,226,738 |
| | | Constituency Total | 35,637,077 |
| | MSAMBWENI | RAMISI | 12,357,680 |
| | | Constituency Total | 12,357,680 |
| | | | |
| LAIKIPIA | The amount required in the year ending 30 th June, 2024 in Laikipia County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 116,382,323 |
| | LAIKIPIA NORTH | MUGOGODO EAST | 36,293,963 |
| | | MUGOGODO WEST | 26,004,695 |
| | | SEGERA | 12,472,048 |
| | | SOSIAN | 34,485,570 |
| | | Constituency Total | 109,256,276 |
| | LAIKIPIA WEST | SALAMA | 7,126,047 |
| Constituency Total | | 7,126,047 | |
| | | | |
| LAMU | The amount required in the year ending 30 th June, 2024 in Lamu County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 56,203,884 |
| | LAMU EAST | BASUBA | 13,888,460 |

| | | | |
|-----------------|--|---------------------------|--------------------|
| | | FAZA | 5,123,129 |
| | | KIUNGA | 6,014,618 |
| | | Constituency Total | 25,026,207 |
| | LAMU WEST | HINDI | 6,052,741 |
| | | MKUNUMBI | 6,750,683 |
| | | SHELLA | 5,501,425 |
| | | WITU | 12,872,827 |
| | | Constituency Total | 31,177,677 |
| | | | |
| MACHAKOS | The amount required in the year ending 30 th June, 2024 in Machakos County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 12,606,945 |
| | MASINGA | KIVAA | 6,002,888 |
| | | MUTHESYA | 6,604,057 |
| | | Constituency Total | 12,606,945 |
| | | | |
| | The amount required in the year ending 30 th June, 2024 in Mandera County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 734,963,266 |
| | BANISSA | BANISSA | 17,228,611 |
| | | DERKHALE | 17,507,201 |
| | | GUBA | 16,520,894 |
| | | KILIWEHIRI | 18,036,034 |
| | | MALKAMARI | 25,348,786 |
| | | Constituency Total | 94,641,526 |
| | LAFEY | ALANGO GOF | 8,123,107 |
| | | FINO | 15,786,784 |
| | | LAFEY | 23,321,430 |
| | | SALA | 7,756,541 |
| | | WARANQARA | 35,958,677 |
| | | Constituency Total | 90,946,539 |
| | MANDERA EAST | ARABIA | 30,752,460 |
| | | LIBEHIA | 57,629,093 |
| | | KHALALIO | 38,318,386 |
| | | NEBOI | 17,961,744 |
| | | TOWNSHIP | 38,362,374 |
| | | Constituency Total | 183,024,057 |
| | MANDERA NORTH | ASHABITO | 37,867,754 |

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|----------|--|---------------------------|--------------------|
| | | GUTICHA | 33,993,883 |
| | | MAROTHILE | 15,515,036 |
| | | RHAMU | 14,463,236 |
| | | RHAMU-DIMTU | 37,288,091 |
| | | Constituency Total | 139,128,000 |
| | MANDERA SOUTH | ELWAK NORTH | 14,878,677 |
| | | ELWAK SOUTH | 15,758,436 |
| | | KUTULO | 53,874,478 |
| | | SHIMBIR FATUMA | 35,832,579 |
| | | WARGADUD | 15,936,343 |
| | | Constituency Total | 136,280,514 |
| | MANDERA WEST | DANDU | 24,590,238 |
| | | GITHER | 25,693,846 |
| | | LAGSURE | 8,352,822 |
| | | TAKABA | 8,223,790 |
| | | TAKABA SOUTH | 24,081,933 |
| | | Constituency Total | 90,942,629 |
| | | | |
| MARSABIT | The amount required in the year ending 30 th June, 2024 in Marsabit County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 458,146,160 |
| | LAISAMIS | KARGI/SOUTH HERR | 33,934,255 |
| | | KORR/NGURUNIT | 44,334,959 |
| | | LAISAMIS | 38,730,895 |
| | | LOGO LOGO | 11,804,409 |
| | | LOIYANGALANI | 52,798,240 |
| | | Constituency Total | 181,602,758 |
| | MOYALE | BUTIYE | 18,612,765 |
| | | GOLBO | 49,742,544 |
| | | HEILLU/MANYATTA | 14,036,064 |
| | | OBBU | 6,661,730 |
| | | URAN | 16,479,839 |
| | | Constituency Total | 105,532,941 |
| | NORTH HERR | DUKANA | 32,260,758 |
| | | ILLERET | 9,010,686 |
| | | MAIKONA | 41,122,862 |
| | | NORTH HERR | 36,432,770 |
| | | TURBI | 24,906,951 |

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| | | Constituency Total | 143,734,026 |
| | SAKU | KARARE | 18,673,371 |
| | | MARSABIT CENTRAL | 3,956,960 |
| | | SAGANTE/JALDESA | 4,646,104 |
| | | Constituency Total | 27,276,435 |
| | | | |
| MERU | The amount required in the year ending 30 th June, 2024 in Meru County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 29,194,309 |
| | IGEMBE SOUTH | AKACHIU | 11,716,433 |
| | | Constituency Total | 11,716,433 |
| | SOUTH IMENTI | ABOGETA EAST | 5,934,462 |
| | | Constituency Total | 5,934,462 |
| | TIGANIA EAST | KARAMA | 5,447,662 |
| | | MUTHARA | 6,095,751 |
| | | Constituency Total | 11,543,414 |
| | | | |
| MIGORI | The amount required in the year ending 30 th June, 2024 in Migori County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 173,412,203 |
| | KURIA WEST | NYAMONSENSE/KOMOSOKO | 6,954,983 |
| | | Constituency Total | 6,954,983 |
| | NYATIKE | GOT KACHOLA | 12,952,006 |
| | | KALER | 13,608,892 |
| | | MACALDER/KANYARUAND A | 18,592,237 |
| | | MUHURU | 29,661,559 |
| | | NORTH KADEM | 32,117,064 |
| | | Constituency Total | 106,931,758 |
| | SUNA WEST | WASIMBETE | 26,392,766 |
| | | WIGA | 20,345,890 |
| | | Constituency Total | 46,738,656 |
| | URIRI | NORTH KANYAMKAGO | 12,786,806 |
| | | Constituency Total | 12,786,806 |
| | | | |
| MURANG'A | The amount required in the year ending 30 th June, 2024 in Murang'a County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 5,540,526 |

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|---------------|--|---------------------------|--------------------|
| | GATANGA | ITHANGA | 5,540,526 |
| | | Constituency Total | 5,540,526 |
| NAKURU | The amount required in the year ending 30 th June, 2024 in Nakuru County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 6,277,568 |
| | RONGAI | SOIN | 6,277,568 |
| | | Constituency Total | 6,277,568 |
| NANDI | The amount required in the year ending 30 th June, 2024 in Nandi County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 113,886,740 |
| | NANDI HILLS | KAPCHORUA | 12,092,774 |
| | | Constituency Total | 12,092,774 |
| | TINDERET | CHEMILIL/CHEMASE | 11,465,213 |
| | | SONGHOR/SOBA | 78,951,516 |
| | | TINDERET | 11,377,237 |
| | | Constituency Total | 101,793,966 |
| NAROK | The amount required in the year ending 30 th June, 2024 in Narok County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 752,777,405 |
| | EMURUA DIKIRR | ILKERIN | 7,520,961 |
| | | KAPSASIAN | 7,111,384 |
| | | MOGONDO | 7,156,350 |
| | | Constituency Total | 21,788,695 |
| | KILGORIS | ANGATA BARIKOI | 37,595,029 |
| | | KEYIAN | 24,554,070 |
| | | KILGORIS CENTRAL | 36,467,960 |
| | | KIMENTET | 39,554,936 |
| | | LOLGORIAN | 59,796,233 |
| | | SHANKOE | 12,009,686 |
| | | Constituency Total | 209,977,914 |
| | NAROK EAST | ILDAMAT | 24,182,616 |
| | | KEEKONYOKIE | 13,010,656 |
| | | MOSIRO | 51,786,517 |
| | | Constituency Total | 88,979,789 |
| | NAROK NORTH | MELILI | 32,663,492 |

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|---------------------------|---|---------------------------|--------------------|
| | | NAROK TOWN | 6,784,896 |
| | | NKARETA | 14,163,140 |
| | | OLOKURTO | 40,504,098 |
| | | OLORROPIL | 20,395,743 |
| | | OLPUSIMORU | 33,379,029 |
| | | Constituency Total | 147,890,398 |
| | NAROK SOUTH | LOITA | 62,878,321 |
| | | MAJI MOTO/NAROOSURA | 83,148,943 |
| | | MELELO | 7,493,591 |
| | | OLOLULUNG'A | 13,381,132 |
| | | Constituency Total | 166,901,987 |
| | NAROK WEST | ILMOTIOK | 7,526,826 |
| | | MARA | 21,695,831 |
| | | NAIKARRA | 37,874,597 |
| | | SIANA | 50,141,368 |
| Constituency Total | | 117,238,622 | |
| | | | |
| SAMBURU | The amount required in the year ending 30 th June, 2024 in Samburu County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 633,780,243 |
| | SAMBURU EAST | WAMBA EAST | 33,100,439 |
| | | WAMBA NORTH | 43,062,242 |
| | | WAMBA WEST | 67,957,462 |
| | | WASO | 40,953,753 |
| | | Constituency Total | 185,073,895 |
| | SAMBURU NORTH | ANGATA NANYOKIE | 40,129,712 |
| | | BAAWA | 49,039,714 |
| | | EL BARTA | 39,093,552 |
| | | NACHOLA | 41,767,041 |
| | | NDOTO | 54,221,494 |
| | | NYIRO | 74,725,741 |
| | | Constituency Total | 298,977,254 |
| | SAMBURU WEST | LODOKEJEK | 37,254,856 |
| | | LOOSUK | 26,022,290 |
| | | MARALAL | 19,100,543 |
| | | PORO | 47,752,334 |
| | | SUGUTA MARMAR | 19,599,073 |
| | | Constituency Total | 149,729,094 |

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| SIAYA | The amount required in the year ending 30 th June, 2024 in Siaya County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 31,190,384 |
| | BONDO | CENTRAL SAKWA | 6,302,984 |
| | | WEST SAKWA | 6,032,213 |
| | | Constituency Total | 12,335,197 |
| | GEM | SOUTH GEM | 6,301,029 |
| | | WEST GEM | 5,629,479 |
| | | Constituency Total | 11,930,508 |
| | RARIEDA | SOUTH UYOMA | 6,924,680 |
| | | Constituency Total | 6,924,680 |
| | | | |
| TAITA TAVETA | The amount required in the year ending 30 th June, 2024 in Taita Taveta County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 13,008,701 |
| | TAVETA | CHALA | 6,181,772 |
| | | Constituency Total | 6,181,772 |
| | VOI | KASIGAU | 6,826,929 |
| | | Constituency Total | 6,826,929 |
| | | | |
| TANA RIVER | The amount required in the year ending 30 th June, 2024 in Tana River County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 431,297,875 |
| | BURA | BANGALE | 29,899,094 |
| | | CHEWELE | 29,688,929 |
| | | HIRIMANI | 26,550,145 |
| | | MADOGO | 44,076,897 |
| | | SALA | 25,438,716 |
| | | Constituency Total | 155,653,781 |
| | GALOLE | CHEWANI | 28,657,656 |
| | | KINAKOMBA | 47,332,005 |
| | | WAYU | 41,881,410 |
| | | Constituency Total | 117,871,071 |
| | GARSEN | GARSEN CENTRAL | 33,749,505 |
| | | GARSEN NORTH | 32,526,640 |
| | | GARSEN SOUTH | 13,612,802 |
| | | GARSEN WEST | 18,973,466 |

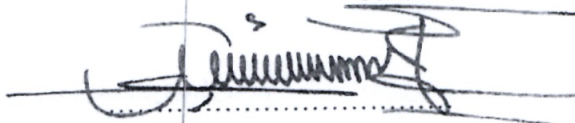
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|----------------------|---|---------------------------|----------------------|
| | | KIPINI EAST | 25,078,015 |
| | | KIPINI WEST | 33,832,594 |
| | | Constituency Total | 157,773,023 |
| | | | |
| THARAKA NITHI | The amount required in the year ending 30 th June, 2024 in Tharaka Nithi County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 42,928,323 |
| | MAARA | MWIMBI | 11,067,367 |
| | | Constituency Total | 11,067,367 |
| | THARAKA | CHIAKARIGA | 12,088,864 |
| | | GATUNGA | 7,004,836 |
| | | MUKOTHIMA | 12,767,256 |
| | | Constituency Total | 31,860,956 |
| | | | |
| TRANS NZOIA | The amount required in the year ending 30 th June, 2024 in Trans Nzoia County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 7,295,156 |
| | ENDEBESS | CHEPCHOINA | 7,295,156 |
| | | Constituency Total | 7,295,156 |
| | | | |
| TURKANA | The amount required in the year ending 30 th June, 2024 in Turkana County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 1,116,080,672 |
| | LOIMA | KOTARUK/LOBEI | 42,454,230 |
| | | LOIMA | 32,390,766 |
| | | LOKIRIAMA/LORENGIPPI | 59,555,765 |
| | | TURKWEL | 69,968,200 |
| | | Constituency Total | 204,368,962 |
| | TURKANA CENTRAL | KALOKOL | 24,048,697 |
| | | KANGATOTHA | 39,350,637 |
| | | KERIO DELTA | 62,954,567 |
| | | Constituency Total | 126,353,901 |
| | TURKANA EAST | KAPEDO/NAPEITOM | 37,940,090 |
| | | KATILIA | 25,071,173 |
| | | LOKORI/KOCHODIN | 51,395,513 |
| | | Constituency Total | 114,406,776 |
| | TURKANA NORTH | KAALENG/KAIKOR | 62,048,415 |
| | | KAERIS | 38,565,696 |

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|---------------------------|---|---------------------------|--------------------|--------------------|
| | | KIBISH | 45,592,037 | |
| | | LAKE ZONE | 68,080,629 | |
| | | LAPUR | 64,999,518 | |
| | | NAKALALE | 30,302,805 | |
| | | Constituency Total | 309,589,100 | |
| | TURKANA SOUTH | KALAPATA | 25,356,606 | |
| | | KAPUTIR | 13,645,060 | |
| | | KATILU | 32,369,261 | |
| | | LOBOKAT | 6,870,917 | |
| | | LOKICHAR | 32,889,297 | |
| | | Constituency Total | 111,131,140 | |
| | TURKANA WEST | KAKUMA | 24,959,737 | |
| | | KALOBYEYI | 45,705,428 | |
| | | LETEA | 58,596,828 | |
| | | LOKICHOGGIO | 29,814,051 | |
| | | LOPUR | 16,091,767 | |
| | | NANAAM | 43,119,915 | |
| | | SONGOT | 31,943,067 | |
| | | Constituency Total | 250,230,792 | |
| | The amount required in the year ending 30 th June, 2024 in Wajir County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | | 712,290,902 |
| | WAJIR | ELDAS | DELLA | 24,755,437 |
| ELDAS | | | 16,331,257 | |
| ELNUR/TULA TULA | | | 38,097,469 | |
| LAKOLEY/BASIR | | | 15,623,540 | |
| Constituency Total | | | 94,807,703 | |
| TARBAJ | | ELBEN | 30,789,605 | |
| | | SARMAN | 24,567,755 | |
| | | TARBAJ | 32,049,616 | |
| | | WARGADUD | 31,051,578 | |
| | | Constituency Total | 118,458,554 | |
| WAJIR EAST | | BARWAGO | 7,590,364 | |
| | | KHOROF/HARAR | 37,567,659 | |
| | | WAGBERI | 7,885,572 | |
| | | Constituency Total | 53,043,595 | |
| WAJIR NORTH | | BATALU | 22,745,677 | |

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|------------|--|---------------------------|--------------------|
| | | BUTE | 22,868,843 |
| | | DANABA | 24,393,758 |
| | | GODOMA | 15,790,694 |
| | | GURAR | 22,688,981 |
| | | KORONDILE | 24,152,313 |
| | | MALKAGUFU | 12,934,410 |
| | | Constituency Total | 145,574,677 |
| | WAJIR SOUTH | BENANE | 54,023,060 |
| | | BUR-DER | 22,616,645 |
| | | DADAJA BULLA | 7,377,267 |
| | | DIFF | 22,751,542 |
| | | HABASSWEIN | 26,324,340 |
| | | IBRAHIM URE | 31,116,094 |
| | | LAGBOGHOL SOUTH | 37,185,452 |
| | Constituency Total | 201,394,400 | |
| | WAJIR WEST | ADEMASAJIDE | 7,596,229 |
| | | ARBAJAHAN | 23,788,680 |
| | | GANYURE | 30,503,195 |
| | | HADADO/ATHIBOHOL | 28,492,457 |
| | | WAGALLA/GANYURE | 8,631,412 |
| | | Constituency Total | 99,011,973 |
| | | | |
| WEST POKOT | The amount required in the year ending 30 th June, 2024 in West Pokot County for development expenses (provision of basic services including water, roads, health facilities and electricity) | | 996,676,866 |
| | KACHELIBA | ALALE | 109,680,516 |
| | | KAPCHOK | 17,433,888 |
| | | KASEI | 61,638,839 |
| | | KIWAWA | 66,224,338 |
| | | KODICH | 43,410,235 |
| | | SUAM | 43,753,341 |
| | | Constituency Total | 342,141,156 |
| | KAPENGURIA | ENDUGH | 77,380,657 |
| | | KAPENGURIA | 17,512,089 |
| | | MNAGEI | 10,173,923 |
| | | RIWO | 103,713,795 |
| | | SOOK | 52,780,645 |
| | | Constituency Total | 261,561,109 |

| | | |
|--------------------------------|---------------------------|-----------------------|
| POKOT SOUTH | BATEI | 46,600,827 |
| | CHEPARERIA | 63,691,609 |
| | LELAN | 6,079,134 |
| | TAPACH | 25,294,045 |
| | Constituency Total | 141,665,615 |
| SIGOR | LOMUT | 82,075,637 |
| | MASOOL | 44,368,195 |
| | SEKERR | 48,589,082 |
| | WEI WEI | 76,276,071 |
| | Constituency Total | 251,308,986 |
| <i>Sub-class total</i> | | 9,775,078,000 |
| Total Equalization Fund | | 10,077,400,000 |

Certified


Clerk of the National Assembly

This ^{18th} day of ^{June}, 2024.