

# **COUNTY ASSEMBLY OF BUNGOMA**

## **COUNTY ASSEMBLY DEBATES**

### **DAILY HANSARD**

**THURSDAY 3<sup>RD</sup> FEBRUARY, 2022**

**Afternoon Sitting**

## COUNTY ASSEMBLY OF BUNGOMA

### HANSARD OFFICIAL REPORT

THURSDAY 3<sup>RD</sup> FEBRUARY, 2022

The house met at 2:30 p.m.

(Mr. Deputy Speaker [Hon. Stephen Wamalwa] in the Chair)

### PRAYER

### COMMUNICATION FROM THE CHAIR

I have a communication to make; I have a communication to the Office of the Speaker. This is in regard to Hon. Luke Opwora. Following the suspension of Hon. Luke Opwora on Thursday 31<sup>st</sup> January, 2022 at 2:30 p.m. and it is directed that he be present today at 2:30 p.m. flanked by the Whips of the party.

I write to inform that the office of the Party leadership through consultations has resolved that Hon. Luke Opwora will be presented on Wednesday 9<sup>th</sup> February at 2:30 p.m. for him to offer an apology to the House.

### PAPERS

#### REPORT ON THE FACT FINDING EXERCISE ON THE STATUS OF LOCAL REVENUE COLLECTION FOR BUNGOMA COUNTY GOVERNMENT FOR THE PERIOD ENDING 31<sup>ST</sup> DECEMBER 2021

**Hon. Isaiah Sudi (Member, Finance Committee):** Thank you, Mr. Speaker. I wish to table a report on the fact finding exercise on the status of local revenue collection for Bungoma County Government for the period ending 31<sup>st</sup> December, 2021.

**Mr. Deputy Speaker:** Thank you, Honorable Members. A report by the Committee on Finance having been properly laid in this House is now the property of this Honourable Assembly.

### NOTICE OF MOTION

#### REPORT ON THE FACT FINDING EXERCISE ON THE STATUS OF LOCAL REVENUE COLLECTION FOR BUNGOMA COUNTY GOVERNMENT FOR THE PERIOD ENDING 31<sup>ST</sup> DECEMBER 2021

**Hon. Isaiah Sudi:** I once again wish to give a notice of Motion that this House adopts the report by sectoral Committee on Finance and Economic Planning on the fact finding exercise

on the status of local revenue collection for Bungoma County Government for the period ending 31<sup>st</sup> December, 2021.

**Mr. Deputy Speaker:** Very well, a notice of Motion having been issued, I therefore direct that it be circulated for Honorable Members of this Assembly for their critical perusal and depth consumption, as it will form part of the Business that will be considered by this House.

## **MOTIONS**

### **REPORT BY GENDER AND CULTURE COMMITTEE ON THE BUNGOMA COUNTY GOVERNMENT QUARTERLY REPORT AND FINANCIAL STATEMENTS FOR THE PERIOD ENDED JUNE 30TH 2021 IN RESPECT TO THE DEPARTMENT OF GENDER AND CULTURE**

**Hon. Godfrey Mukhwana:** Thank you. This is a report by Gender and Culture Committee on the Bungoma County Government quarterly report and financial statements for the period ended June 30<sup>th</sup> 2021 in respect to the department of Gender and Culture.

#### **Preamble**

Mr. Speaker Sir, it is my pleasant duty to present the Bungoma County quarterly report and financial statements for the period ended June 30<sup>th</sup> 2021 in respect to the department of Gender and Culture. This document was tabled in Bungoma County Assembly on 31<sup>st</sup> August 2021 and committed to each of the Sectorial Committee for interrogation, input and recommendations through a report to this Hon. House.

#### **Mandate of the Committee**

The Committee on Gender and Culture is constituted pursuant to the provisions of Standing Order number 186 of the County Assembly of Bungoma and has executed its Mandate in accordance of the aforementioned provisions of the Standing Order in particular Standing Order 196(5).

#### **Acknowledgement**

I take this opportunity to thank the Office of the Speaker and the Clerk of the County of Bungoma for the support the Committee received as it discharged its mandate.

I also appreciate members for dedicating their time examining and analysing the Bungoma County Government quarterly financial statements for the period ended 30th June, 2021.

Further, I would also like to appreciate the Members of the Staff who worked with us for their commitment that made the production of this report a success. It is therefore my pleasant duty and privilege

On behalf of Honourable members of the Gender and Culture committee, I table this report and recommend it to the Assembly for consideration and adoption

Signed by Hon. Godfrey Mukhwana - Chairperson sectoral Committee on Gender and Culture

### **DEPARTMENTAL EXPENDITURE ANALYSIS**

In the financial year 2020/21, the department of Gender and Culture had an annual approved budget of **Kshs.74, 181,788** comprising of **Kshs. 70,049,659** recurrent and **Kshs.4, 132,129** for development expenditure programmes.

#### **Exchequer Releases**

A total of **Kshs. 11,686,080** was released in the fourth quarter of the financial year. An aggregate total annual release of **Kshs. 67,792,688** was released and spent during the entire financial year.

#### **Detailed Personnel Expenditure**

The department spent **Kshs. 8,837,815** to pay salaries for the three months under review broken down as follows:

April: Kshs. 2,930,525

May: Kshs. 2,953,645

June: Kshs. 2,953,645

A breakdown of the payroll is attached to this report.

#### **Pending Staff Receivables (Outstanding Imprests)**

The list submitted by the County Treasury indicated Kshs. 13, 824,100 as outstanding imprests for both Gender and Culture and Youth and Sports. As the time of production of this report, the department had not submitted the list of outstanding imprests specific for Gender and Culture and the IFMIS clearance reports as proof of surrender.

#### **Budget execution by programmes and sub-programmes**

The budget execution by programmes and sub-programmes as submitted by the department is outlined in the table below: as attached in the table

As at 30<sup>th</sup> June 2021, the department had utilized a total of **Kshs. 67,792,688** on recurrent equivalent to 96% of the approved annual budget and none on development. A total of **Kshs. 11,686,080** was spent during the fourth quarter. The department had Kshs. 3,189,099 unspent as at the close of the financial year.

#### **Budget Implementation reports. (Programmes implemented in the period under review as per the approved PBB and activity costing.**

The report gives the expenditures of the programmes implemented below with the activities carried to determine whether funds were spent on approved activities/ work-plans or if there was deviation.

#### **Use of goods & Services constitutes the expenditures below:**

- a) Utilities Supplies and Services; Kshs.75,200
- b) Communication Supplies and Services;Kshs.175,000
- c) Domestic, Travels and Subsistence Kshs. 742,470
- d) Foreign Travel and Subsistence and other transport costs; Kshs. 1,907,000
- e) Printing, advertising and information supplies; Kshs. 292,117
- f) Training expenses ;Kshs. 1,587,816
- g) Hospitality Supplies and Services Kshs. 514,621
- h) Insurance costs; Kshs. 187,980
- i) Office ad general supplies and services ;Kshs. 697,679
- j) Fuel and Lubricants; Kshs.700,000
- k) Other operating expenses;Kshs.366,400
- l) Routine Maintenance –Motor vehicle and other transport; Kshs.0( Non-expenditure)
- m) Routine Maintenance -Other assets; Kshs. 0( cumulative Kshs.394,000)
- n) Purchase of Office Furniture and General Equipment; Kshs.548,000

Notably are votes that remained unspent the entire financial year like routine maintenance of motor vehicle.

### **Pending Bills**

The department submitted a list of pending bills amounting to **Kshs.25, 110,517.50** (Recurrent- Kshs.16, 110,117.50 and Development- Kshs.9M). The department needs to provide a list of the pending bills accrued during the financial year 2020/21 and also indicate the amount allocated for the pending bills for the financial year 2019/20, how much was paid out, to whom and the outstanding balance. During the interrogation the committee noted the following with regard to the pending bills:

- a) The Public Procurement and Disposal Act Section 91(1) to (3) Stipulates as follows:
  - i. *Open tendering shall be the preferred procurement method for procurement of goods, works and services*
  - ii. *The procuring entity may use an alternative procurement procedure only if that procedure is allowed and satisfies the conditions under this Act for use of that method.*
  - iii. *Despite sub-sections (1) and (2) open tendering shall be adopted for procurement of goods, works and services for the threshold prescribed in the respective national and county regulations.*

Section 103 of the Act stipulates the circumstances under which a procuring entity may use direct procurement.

- a) Information on the rationale used in the choice of direct procurement for the preparation of five policies at a cost of Kshs. 14,851,192.50 was not provided to the committee to ascertain whether the department complied to the PPOA 2012. The department was therefore required to give an explanation for the use of the direct procurement method.

- b) The amount of Kshs.3, 150,400 meant for the fencing of Sang'alo Cultural Centre remained outstanding at the end of the financial year. The committee noted the need for a site visit to ascertain the status of the project.
- c) The department was further required to submit a breakdown of the five policies to be prepared giving the specific policies under Gender and Culture.

### **Development**

The department had an allocation of Kshs.932, 129 for development which was not pent by the end of the financial year.

## **COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS**

### **Committee Observations**

The committee made the following observations:

1. The committee applauds the department for absorption of 97% of the funds allocated to it during the financial year 2020/2021. The improvement in the usage of funds will translate to better services to the citizenry.
2. That the department utilized all the funds allocated for gender and disability mainstreaming, the committee therefore need to be seized with the breakdown of the activities implemented under the programs to ascertain their effectiveness.
3. The departments had un-surrendered imprests during the period under review amounting to **Kshs.13, 824,100** which had not been cleared by the County Treasury by the time of production of this report. The committee noted that the imprests remained outstanding contrary to the provisions of PFM Act, 2012 and PFM regulations 2015 on handling of imprests.
4. The department flouted public procurement laws in use of direct procurement for a tender worth **Kshs.14, 851,192.50** which was supposed to be an open tender as per the threshold matrix outlined in the second schedule of the public procurement regulations.

### **Committee Recommendations**

The committee recommends that:

1. That the Accounting Officer to submit the financial and non-financial report on gender and disability mainstreaming within twenty one (21) days of adoption of this report. This will enable the committee to determine if the activities were implemented as per the approved fiscal documents.

2. That the Accounting officer to ensure compliance to the provisions of PFM Act 2012 and PFM Regulations 2015 with regard to timely surrender of imprests.
3. That in subsequent procurement of good, works and services, the Accounting Officer must adhere to the provisions of the Public Procurement and Disposal Act 2015 and Regulations.

We have the adoption well signed by members. Allow me call Hon. Vitalis, MCA - Kabula to second the report.

*(Applause)*

**Hon. Vitalis Wangila:** Thank you, Mr Speaker. First of all, allow me to appreciate my able Chair for Gender. I am on my feet to second this motion.

*(Applause)*

**Mr. Deputy Speaker:** Honorable members, I now propose the question that this House adopts the report by the sectoral Committee on Gender and Culture on the Bungoma County fourth quarter financial statements in respect to the department of Gender and Culture.

*(Question proposed)*

There being no debate about the same means Honorable members were following very keenly and the report sunk very well.

I now put the question that this House adopts the report by the sectoral Committee on Gender and Culture on the Bungoma County Fourth Quarter Financial Statements in respect to the department of Gender and Culture.

*(Question put and agreed to)*

The ayes have it, the report is adopted.

*(Applause)*

That being our last item on the Order Paper, we adjourn to Tuesday 8<sup>th</sup> of February 2022 at 2:30 p.m.

***(House adjourns)***