

COUNTY GOVERNMENT OF BUNGOMA



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COUNTY ASSEMBLY OF BUNGOMA

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By:

THIRD ASSEMBLY, SECOND SESSION

REPORT BY THE COMMITTEE ON YOUTH AFFAIRS AND SPORTS

ON

THE 4TH QUARTER FINANCIAL STATEMENTS FOR THE PERIOD
ENDED 30TH JUNE 2023,

IN RESPECT TO THE DEPARTMENT OF YOUTH AND SPORTS

COUNTY ASSEMBLY OF BUNGOMA
(LPCS)
21 FEB
NOTICE ISSUED
By: *Mrs. Catherine Kibuyi*

COUNTY ASSEMBLY OF BUNGOMA
(LPCS)
21 FEB 2024
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Clerk's Chambers
County Assembly Buildings
PO BOX 1886,
BUNGOMA, KENYA

NOVEMBER, 2023

CHAPTER ONE

1.0 Preamble

Mr. Speaker,

It is my duty to present the report by the Committee on Youth Affairs and Sports on the 4th Quarter Financial Statements for the Financial Year 2022/2023 for period ended 30th June, 2023. The Quarterly Financial Statements was tabled in this County Assembly of Bungoma on 26th October 2023 and stood committed to all Sectoral Committees for their interrogation, input and recommendation through a report to this Honorable House.

1.1 The Mandate of the Committee

Mr. Speaker,

The Committee on Youth Affairs and Sports falls under Sectoral Committees whose mandate is derived from Standing Order 217 (5) and matters assigned under the Second Schedule which shall be exercised within the limits contemplated under Part 2 of the Fourth Schedule to the Constitution.

The functions of a Sectoral Committee shall be to; -

- (a) Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- (b) Study the program and policy objectives of departments and the effectiveness of the implementation;
- (c) Study and review all county legislation referred to it;
- (d) Study, access and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- (e) Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- (f) To vet and report on all appointments where the constitution or any law requires the County Assembly to approve, except those under Standing Order 185 (Committee on Appointments); and

- (g) Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

One of the most important features of our Constitutional framework is the requirement of the County Assemblies having the mandate to exercise oversight over their respective County Executives and their organs/departments. Article 185(3) of the Constitution of Kenya, 2010 on legislative authority of County Assemblies state inter-alia that, 'A County Assembly, while respecting the principle of the separation of powers, may exercise oversight over the County Executive Committee and any other County Executive organs.

1.2 COMMITTEE MEMBERSHIP

Mr. Speaker,

The Committee comprises of the following members;

- | | | |
|-----|------------------------|---------------|
| 1. | Hon. Violet Makhanu | Chairperson |
| 2. | Hon. Grace Sundukwa | V/Chairperson |
| 3. | Hon. Timothy Chikati | Member |
| 4. | Hon. Metrine Wilson | Member |
| 5. | Hon. Cornelius Makhanu | Member |
| 6. | Hon. Charles Nangulu | Member |
| 7. | Hon. Allan Nyongesa | Member |
| 8. | Hon. Caleb Wanjala | Member |
| 9. | Hon. Idd Owongo | Member |
| 10. | Hon. Catherine Kituyi | Member |
| 11. | Hon. Dorcas Ndasaba | Member |
| 12. | Hon. Everlyne Anyango | Member |
| 13. | Hon. Abraham Obama | Member |
| 14. | Hon. Martin Chemorion | Member |
| 15. | Hon. Florence Juma | Member |

1.3 Guiding principles in the Examination of the Bungoma County Government Quarterly Reports and Financial statements

Mr. Speaker,

In the execution of its mandate, the Committee on Youth Affairs and Sports is given a legal backing under the Constitution of Kenya 2010, Public Finance Management Act, 2012, and County Governments Act, 2012. These statutory provisions include:

1. Constitutional Principles on Public Finance

Article 201 of the Constitution of Kenya, 2010 enacts fundamental principles that “...**shall guide all aspects of public finance in the Republic...**” These principles include, *inter alia*, that: **201(a)** *There shall be openness and accountability, including public participation in financial matters;* **201(d)** *Public money shall be used in a prudent and responsible way;* and **201(e)** *Financial management shall be responsible, and fiscal reporting shall be clear.*

Section 149(1) (a) and (b) of the PFM Act 2012 provides as follows...“*an accounting officer is accountable to the County Assembly for ensuring that the resources of the entity for which the officer is designated are used in a way that is;*

- a) Lawful and authorized*
- b) Effective, efficient, economical and transparent*

2. Direct Personal Liability

Article 226(5) of the Constitution of Kenya, 2010 is emphatic that “*If the holder of a public office, including a political office, directs or approves the use of public funds contrary to law or instructions, the person is liable for any loss arising from that use and shall make good the loss, whether the person remains the holder of the office or not*”.

3. Obligations of Accounting Officers

The Public Finance Management Act, 2012 section 166 states as follows;

- 1. An accounting officer for a county government entity shall prepare a report for each quarter of the financial year in respect of the entity.*
- 2. In preparing a quarterly report for a county government entity, the accounting officer shall ensure that the report—*
 - (a) contains information on the financial and nonfinancial performance of the*

entity; and

(b) is in a form determined by the Accounting Standards Board.

3. Not later, than fifteen days after the end of each quarter, the accounting officer shall submit the quarterly report to the County Treasury.

4. Not later than one month after the end of each quarter, the County Treasury shall—

(a) consolidate the quarterly reports and submit them to the county assembly;

(b) deliver copies to the Controller of Budget, National Treasury and the Commission on Revenue Allocation; and

(c) publish and publicize them

1.4 Acknowledgment

Mr. Speaker,

I take this opportunity to thank all Hon members of the Committee for dedicating their time to interrogate the Youth and Sports department Financial Statements for the period ended 30th June, 2023. The Committee would also like to appreciate the Secretariat who worked with us for their commitment. Lastly, the Committee is grateful to the offices of the Speaker and the office of the Clerk to the County Assembly of Bungoma for logistical support received as it discharged its mandate.

It is therefore my privilege, on behalf of the Committee on Youth Affairs and Sports, to table the Report on the 4th Quarter Financial Statements of the department of Youth and Sports in Bungoma County for the Financial Year 2022/2023 for the period ended 30th June 2023.

Signed.....  Date..... 5/12/2023

Hon. Violet Makhanu

MCA. Mihuu Ward.

Chairperson, Sectoral Committee on Youth Affairs and Sports.

CHAPTER TWO

2.0 KEY HIGHLIGHTS ON THE 4th QUARTER FINANCIAL STATEMENTS FOR THE FINANCIAL YEAR 2022/2023

Mr. Speaker,

The total budget for the County in the financial year 2022/23 is Kshs. **14,824,138,618** as per the approved 2nd supplementary budget with the breakdown of the sources as indicated below:

- Equitable share Kshs. 10,659,435,192
- Equitable share brought forward Kshs. 867,288,525
- Retention Kshs. 293,425,903
- Conditional grants development partners Kshs. 1,543,377,938
- Conditional grants National government Kshs. 113,228,200
- Local revenue Kshs. 500,000,000
- AIA Kshs. 847,382,860

The financial statement submitted gives an expenditure outlay of Kshs. 14,158,652,597 i.e Kshs. 665,486,021 less the approved amounts. The difference relates to AIA in the ministry of health for facilities which has been excluded.

2.1 REVENUE

Mr. Speaker,

In the period under review, the County transferred from CRF account to respective operational accounts a sum of Kshs. 11,863,518,430. Kshs. 27,120,967 was received from AIA which translates to 15% of the expected amount of Kshs. 181,896,840.

Exchequer Releases

Total Exchequer releases:

- 1) Quarter 1 Kshs. 1,664,556,086
- 2) Quarter 2 Kshs. 2,409,398,463
- 3) Quarter 3 Kshs. 2,229,202,353

4) Quarter 4 Kshs. 5,560,361,528

Total 11,863,518,430

The department of Youth and Sports had an annual approved budget of Kshs. 234,154,628, made up of Kshs. 109,476,000 developments, Kshs. 45,086,444 recurrent expenditure and Kshs. 79,592,184 under supplier of credit.

2.2 EXPENDITURE

Receipts and payments for the period ended 30th June 2023

Of the Kshs. 11,890,639,396 received during the period under review, Kshs. 11,863,518,430 was from equitable share while Kshs. 27,120,967 was from AIA.

Included in the equitable share were grants received from World Bank-NARIGP Kshs. 180,705,535, Agriculture Sector Development Support Program II Kshs. 5,344,642, Kenya Urban support program Kshs. 3,534,475 and Financing Locally Led Climate Action Program Kshs. 11,169,750

Kshs. 2,788,109,602 was utilized on development while Kshs. 9,058,422,012 on recurrent expenditures. Social security benefits relate to gratuity for chief officers, CEC Members paid to provident fund to be paid on expiry of contracts

Kshs. 1,256,268,326 was transferred to the County Assembly

The department of Youth and Sports had a total of Kshs. 37,709,354 absorbed under recurrent expenditure during the period.

Some of the expenses include:

- i. Personnel emoluments Kshs. 15,392,669
- ii. Hospitality Kshs. 5,444,324
- iii. Travel Kshs. 9,824,071
- iv. Other operating expenses Kshs. 13,055,623

The absorption of the Development budget in the period under review was Kshs. 99,637,679, broken down as:

1. Supplier credit with a budgetary allocation of Kshs. 79,592,184 had full absorption which went to Masinde Muliro.
2. Other infrastructure and civil works with an allocation of Kshs.90m had an absorption of Kshs. 44,649,207. The major expense was payment for Masinde Muliro stadium Kshs.37m

2.3 ACCOUNTS PAYABLE

Pending bills had an outstanding amount of Kshs. 97,379,547 at the beginning of the financial year. An allocation of Kshs. 79,592,184 and Kshs. 10,529,973 was made towards supplier credit and pending bills under development vote. Further, Kshs.2.4 M was allocated under recurrent expenditure and was specifically for consultancy services for reviewing of the Bungoma Youth Fund regulations. Kshs. 91,910,726 was utilized during the period leaving a balance of Kshs. 5,468,821.

Pending bills paid during the period include phase 1 of Masinde Muliro stadium Kshs. 79,905,310, Construction of watching stand at Mbakalo stadium Kshs. 2,493,245, supply, installation and commissioning of kitchen equipment at High Altitude training centre Kshs. 1,350,866, retention on contract for construction of High-Altitude Centre phase I Kshs. 4,786,705 and supply of sporting equipment for Ndalu Tabani ward Kshs. 3,374,600.

2.4 BUDGET EXECUTION BY PROGRAMMES AND SUB-PROGRAMMES

Mr. Speaker,

Department of Youth and sports had a budgetary allocation of Kshs. 189,068,184. It had an absorption of Kshs. 134,292,365.

Sports and Talent development with an allocation of Kshs. 19,525,970 had no absorption

Youth Development services with an allocation of Kshs.5m had no absorption during the period.

2.5 ACCOUNTS RECEIVABLES.

Mr. Speaker,

The Youth and Sports department had no unsurrendered imprests as at 30th June, 2023.

CHAPTER THREE

3.0 COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

3.1 Committee General Observations

Mr. Speaker,

The committee made the following observations.

1. Sports and Talent development with an allocation of Kshs. 19,525,970 with no absorption.
2. The allocation towards consultancy services for reviewing Youth Fund regulations was not utilized. The regulations are at cabinet level awaiting submission to Assembly for approval.
3. Youth Development services with an allocation of Kshs.5m had no absorption during the period
4. Supply, installation and commissioning of kitchen equipment at High Altitude training centre had an expenditure Kshs. 1,350,866. Total contract sum was Kshs. 1,847,540. The work was not fully completed, the department paid for work done and terminated the tender. The works to be retendered are worth Kshs. 496,674.
5. The department has concentrated too much on sports and left out the youth that are not in sports.
6. There was a contract variation on the construction of Phase one of the Masinde Muliro Stadium, Kanduyi from 679, 386,376 to Kshs 807,464,800.60 a total of Ksh 128,078,424 translating to 18.8% from the previous contract.

3.2 Committee Recommendations

Mr. Speaker,

The following recommendations were made by the Committee:

1. **THAT**, the Department should ensure that every project they wish to undertake has all the necessary approvals, policies and regulations before including it in the budget.
2. **THAT**, the Department should hasten the approval of policies that are in pipeline to enable them absorb money budgeted.
3. **THAT**, the Department should ensure completion and Operationalise the Chemoge High-Altitude Training Centre as soon as possible to avoid deterioration of the assets already purchased.
4. **THAT**, the Department should plan a project that is beneficial to youth who are not interested in sports eg cyber cafes where they can go and learn computer, browse and access online jobs, businesses etc.
5. **THAT**, the Department of Youth and Sports should ensure completion of the Masinde Muliro Stadium as per the stipulated time- 15th June 2024.

ADOPTION SCHEDULE

We the undersigned members of the Youth and Sports Committee, append our signatures adopting this report with the contents therein.

1. Hon. Violet Makhanu	Chairperson	
2. Hon. Grace Sundukwa	V/Chairperson	
3. Hon. Metrine Wilson	Member	
4. Hon. Cornelius Makhanu	Member	
5. Hon. Charles Nangulu	Member	
6. Hon. Allan Nyongesa	Member	
7. Hon. Caleb Wanjala	Member	
8. Hon. Idd Owongo	Member	
9. Hon. Catherine Kituyi	Member	
10. Hon. Dorcas Ndasaba	Member	
11. Hon. Everlyne Anyango	Member	
12. Hon. Abraham Obama	Member	
13. Hon. Martin Chemorion	Member	
14. Hon. Florence Juma	Member	
15. Hon. Timothy Chikati	Member

Annexure

- 1. Nine Months Executive Financial Statements FY 2022/23 for the period ended 31st March, 2023.**
- 2. Minutes of the Committee on the adoption of the report.**

MINUTES OF THE YOUTH AFFAIRS AND SPORTS COMMITTEE HELD ON MONDAY 11th DECEMBER, 2023 IN COMMITTEE ROOM ONE FROM 12:00 P.M

MEMBERS PRESENT

1. Hon. Violet Makhanu - Chairperson
2. Hon. Grace Sundukwa - V. Chairperson
3. Hon. Caleb Wanjala - Member
4. Hon. Catherine Kituyi - Member
5. Hon. Cornelius Makhanu - Member
6. Hon. Florence Juma - Member
7. Hon. Metrine Wilson - Member
8. Hon. Martin Chemorion - Member
9. Hon. Charles Nangulu - Member
10. Hon. Allan Wanyama. - Member
11. Hon. Ndasaba Dorcas - Member
12. Hon. Everlyn Anyango - Member

APOLOGIES

1. Hon. Abraham Obama - Member
2. Hon. Timothy Chikati - Member
3. Hon. Idd Owongo - Member

SECRETARIAT

1. Wechuli W. Mike - Committee Clerk
2. Levis Wanjala - Legal Clerk
3. Linda Tubaka - Research Officer
4. John Muchungi - Hansard Officer
5. Mercy Munyolo - Serjeant-at-Arms

Agenda:

1. Preliminaries.
 - i. Prayer.
 - ii. Determination of the quorum
 - iii. Adoption of Agenda
2. Communication from the Chair.
3. Adoption of Report on Chemoge and Maeni Centers
4. Preparation on Report Writing on Status of AJIRY.
5. Adjournment

MIN/YASC/01/11/12/2023: PRELIMINARIES

i. Prayer

The meeting was called to order at 12:06 P.M and the prayer was said by the Chairperson Hon. Violet Makhanu.

ii. Determination of the quorum

The quorum was determined at the beginning of the meeting and that the meeting was properly convened as per the Standing Orders. This was on proposition by Hon Metrine Wilson and secondment by Hon. Allan Nyongesa.

iii. Adoption of the Agenda

On proposal by Hon. Ndasaba Dorcas and secondment by Hon Martin Chemorion. The agenda was adopted without amendments.

MIN/YASC/02/11/12/2023: COMMUNICATION FROM THE CHAIR.

The chairperson thanked the Hon members who had honored the notice and turned up on time.

MIN/YASC/03/11/12/2023: READING AND CONFIRMATION OF THE PREVIOUS MINUTES.

The minutes of the previous meeting were read and confirmed as a true record of what transpired in the meeting. They were confirmed by Hon Charles Nangulu and seconded by Hon. Evelyn Anyango.

MIN/YASC/04/11/12/2023: MATTERS ARISING.

There were no matters that arose from the previous minutes.

MIN/YASC/05/11/12/2023: PREPARATION FOR REPORT WRITING

It was communicated that the Committee, after receiving submission from relevant sources would be proceeding for a report writing exercise in compliance with the liaison schedule.

It was however noted that the Department even after receiving the letter of inquiry had not yet submitted its response for the consumption of the Committee.

It was unanimously agreed that the Committee would be meeting in Kisumu- Devine Homes Resort from 12th December to 14th December 2023.

MIN/YASC/06/11/12/2023: ADJOURNMENT.

There being no other business, the meeting was adjourned at 1:10 P.M and the next meeting would be upon notice.

CONFIRMATION

CONFIRMED BY:

Committee Clerk

Name: Wechuli W. Mike

SIGN..... DATE.....

Chairperson

Name:

SIGN..... DATE.....