

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

WEDNESDAY, 28TH FEBRUARY, 2024

Morning Sitting

COUNTY ASSEMBLY OF BUNGOMA

THE DAILY HANSARD

WEDNESDAY 28TH FEBRUARY, 2024

The House met at 9:30 a.m.

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

PRAYER

PAPERS

REPORT BY THE SECTORIAL COMMITTEE ON HEALTH SERVICES ON THE MANAGEMENT OF LEVEL FOUR HOSPITALS IN BUNGOMA COUNTY

Mr. Deputy Speaker: Chair Health and Sanitation, Hon. Wasike Makari!

Hon. George Makari: Thank you, Hon. Speaker. I rise to table a report by the sectoral Committee on Health Services on the Management of Level Four Hospitals in Bungoma County.

(Hon. George Makari laid the Paper)

Mr. Deputy Speaker: Thank you, Hon. Wasike Makari. Hon. Members, a report by the Committee on Health having been laid, it's now the property of this House. Thank you so much.

REPORT BY THE SECTORIAL COMMITTEE ON PUBLIC ADMINISTRATION AND ICT ON THE STATUS OF THE DEVOLVED UNITS IN BUNGOMA COUNTY

Mr. Deputy Speaker: Hon. Jack Kawa, Member for Bokoli! Sorry, Hon. Kawa was being mischievous. Hon. Sudi Busolo, our Deputy Minority Whip.

Hon. Isaiah Sudi: Thank you, Hon. Speaker. On behalf of my chair Public Administration and ICT, I rise to table a report on the sectoral Committee on Public Administration and ICT on the status of devolved unit in Bungoma County.

(Hon. Isaiah Sudi Paper laid the paper)

Mr. Deputy Speaker: Thank you Hon. Sudi Isaiah, Member for South Bukusu, Deputy Minority Whip.

Hon. Members, a report by the Committee on Administration and ICT on the status of the devolved units in Bungoma County having been laid, it's now the property of this House.

NOTICES OF MOTION

REPORT BY THE SECTORIAL COMMITTEE ON HEALTH SERVICES ON THE MANAGEMENT OF LEVEL FOUR HOSPITALS IN BUNGOMA COUNTY

Mr. Deputy Speaker: Hon. Wasike Makari, Member for Musikoma ward.

Hon. George Makari: Thank you, Hon. Speaker. I rise to issue a notice of motion that this House adopts a report by sectorial Committee on Health Services on the Management of Level Four Hospitals in Bungoma County.

Mr. Deputy Speaker: Thank you, Hon. Wasike Makari. Hon. Members, a notice of motion having been issued in a procedural manner, I therefore direct that the same is circulated to members so that they can acquaint themselves with it, as it will form part of business that shall be considered by this House after being scheduled by the House Business Committee.

REPORT BY THE SECTORIAL COMMITTEE ON PUBLIC ADMINISTRATION AND ICT ON THE STATUS OF THE DEVOLVED UNITS IN BUNGOMA COUNTY

Mr. Deputy Speaker: Hon. Isaiah Sudi, Member for South Bukusu.

Hon. Isaiah Sudi: Hon. Speaker, I rise to give a notice of motion that this House adopts the report by the sectorial Committee on Public Administration and ICT on the Status of Devolved Units in Bungoma County.

Mr. Deputy Speaker: Thank you, Hon. Sudi. Hon. Members, a notice of motion having been issued in a procedural manner, I direct therefore that the same be circulated to Honourable members for their in-depth consumption and it will form part of business to be considered by this House after being scheduled by the House Business Committee.

MOTIONS

REPORT BY THE SECTORIAL COMMITTEE ON GENDER, CULTURE AND SOCIAL WELFARE ON THE BUNGOMA COUNTY GOVERNMENT FOURTH QUARTER FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30TH JUNE, 2023

Mr. Deputy Speaker: Hon. Kawa Jack, Member for Bokoli, Chairman Gender, Culture and Social Welfare Committee. Proceed!

Hon. Jack Kawa: Thank you, Hon. Speaker. On behalf of the Committee on Gender, Culture and Social Welfare....

I request to skip Chapter one with your permission.

Mr. Deputy Speaker: You are allowed but you can make references that chapter one is about this therefore.

Hon. Jack Kawa: Thank you Mr. Speaker for your guidance.

Preface

The 4th quarter financial statements for the period ended 30th June, 2023

Mr. Deputy Speaker: Hon. Kawa, You can resume your seat for a moment, so that we allow Hon. Anthony Luseneka our Leader of Minority has something.

Hon. Anthony Lusenaka: Thank you, Hon. Speaker. I feel Hon. Kawa should just read the whole report. It's just a small report and it's too early. We are not tired, we have just come in.

Mr. Deputy Speaker: Very well.

Hon. Anthony Lusenaka: I just request that he reads the whole report.

(Laughter)

Mr. Deputy Speaker: Members, Hon. Namunyu has requested but the Chair had made a request and I had directed that that he skips but cites reference on chapter one. We proceed but I know Hon. Namunyu is very strong and energetic this morning because the weather is good. Proceed Hon. Kawa!

Hon. Jack Kawa: Thank you, Hon. Speaker and before that I may request that the Seargent at Arms can bring chairs around here, so that when the mover of the motion is on his feet and there is a point of order he/she can just have a rest around here.

Mr. Deputy Speaker: Hon. Kawa, I want to advise because what you have pronounced is on HANSARD. It's not procedural for chairs to be brought anywhere else; it will be against the rules and procedures of the House. It is official and in accordance with the Standing Orders and procedures of this House that when a point of order or information is raised, a member resumes his seat. Proceed!

Hon. Jack Kawa: Thank you, Hon. Speaker.

Chapter One

The Fourth Quarter Financial Statements for the period ended 30th June, 2023 was tabled on 26th October 2023 and committed to all sector committees for interrogation and reporting back to the House. The committee interrogated the department of Gender and Culture on 8th November, 2023 and thus submits its report herein below.

The report analyses expenditure of exchequer releases during the stipulated periods as well as the budget absorption rate in relation to the annual budget. It gives the legal background and objectives that informed the committee to analyze the financial statements as submitted and further through an interrogation process. The report also contains observations and recommendations unanimously adopted by the Committee.

Mandate of the Committee

It is as stipulated in Standing Order 217(5)

Page 4 we have the committee membership.

Mr. Deputy Speaker: You can read that one for HANSARD purposes.

Hon. Jack Kawa: Committee Membership

The current composition of the Committee on Gender, Culture and Social Welfare is as follows:

- | | |
|----------------------------|------------------|
| 1. Hon. Jack Kawa | Chairperson |
| 2. Hon. Abraham Obama | Vice/Chairperson |
| 3. Hon. Hon. George Kwemoi | Member |
| 4. Hon. Hon. Sheila Sifuma | Member |
| 5. Hon. Mildred Barasa | Member |
| 6. Hon. John Wanyama | Member |
| 7. Hon. Florence Juma | Member |
| 8. Hon. Maureen Wafula | Member |
| 9. Hon. Metrine Nangalama | Member |
| 10. Hon. Alfred Mukhanya | Member |
| 11. Hon. Jeremiah Kuloba | Member |
| 12. Hon. Godfrey Wanyama | Member |
| 13. Hon. Joseph Nyongesa | Member |
| 14. Hon. James Mukhongo | Member |
| 15. Hon. Eunice Kirui | Member |

Fiscal and Legal Framework

Article 226(2) of the Constitution of Kenya, 2010 states that *the Accounting Officer of the National Public entity is accountable to the National Assembly, while the Accounting Officer of a County Government entity is accountable to the County Assembly for its financial management.*

The County Assembly discharges its oversight function on the executive through the Committee system. According to section 116 of the Public Finance Management Act, 2012, an Accounting officer for a County Government entity shall prepare a report for each quarter of the financial

year in respect of the entity. Further, the section requires the accounting officer of the County Government entity to ensure that the quarterly report;

- Contains information on the financial and non-financial performance of the entity, and
- Is in a form that complies with the standards prescribed and published by the Public Sector Accounting Standards Board.

The section also requires that not later than fifteen (15) days after the end of each quarter, the Accounting Officer shall submit the quarterly report to the County Treasury. It also requires the County Treasury to consolidate the financial statements within one month following the end of the quarter and to submit to County Assembly with a copy to National Treasury, Controller of Budget and the Commission on Revenue Allocation.

Obligations of Accounting Officers

Section 149(1) of the PFM Act 2012, states that;

An accounting officer is accountable to the County Assembly for ensuring that resources of the entity for which the officer is designated are used in a way that is;

- *Lawful and authorized*
- *Effective, efficient, economical and transparent.*

Accounting officers will be accountable to County Assembly for;

- *Ensuring the most effective means of achieving desired programme outcomes are used.*
- *Maintaining effective systems of internal control and the measures taken to ensure that they are effective.*
- *Measures taken to prepare the financial reports that reflect a true and fair view of the financial position of the department.*

It is in the interest of the Committee that the Accounting Officer in the department observed the Principles of Public Finance as laid down in **Article 201 of the CoK, 2010** in managing the finances of the entity in the period under review.

Terms of Reference

During the Committee sitting and as had been directed by Hon. Speaker, on the floor of the House, the committee resolved to interrogate the fourth quarter report for the period ending 30th June, 2023 with the following guiding documents:-

- i. The departmental exchequer releases for the fourth quarter for both recurrent and development expenditure

- ii. The Budget implementation reports; projects implemented as per the approved PBB and activity costing
- iii. The personnel expenditures in the period under review
- iv. The CEF project implementation status in the department for FY 2022/23
- v. The outstanding Imprest and pending accounts payable

Acknowledgement

I take this opportunity to thank the Office of the Speaker and the Clerk of the County Assembly for the logistical support accorded to the Committee as it executed its mandate. My gratitude also goes to all members of the Committee for dedicating their time to examine the Bungoma County Government Quarterly reports and Financial Statements of the department of Gender, Culture and Social Welfare for the period ending 30th June 2023.

It is therefore my pleasant duty and privilege, on behalf of the Sectoral Committee on Gender, Culture and Social Welfare, to table this report to the Assembly for deliberation and adoption.

Signed by Hon. Jack Kawa Chairperson Committee on Gender, Culture and Social Welfare

Key Highlights

The total budget of Bungoma County Government for the Financial Year under review was Kshs. 14,824,738,616. The amount was after approval of the Second Supplementary Budget in the F/Y 2022/23. The department of Gender and Culture was allocated Kshs. 108,160,533 where the recurrent vote had an allocation of Kshs. 97,056,213 and development vote had Kshs. 11,104,320

Actual Revenue Received

In the Financial Year 2022/2023, the County had projected revenues of Kshs. 14,824,738,616 as at 30th June, 2023 out of which Kshs. 665,486,021 was a projection for level 4 and 5 Hospitals, leaving a balance of Kshs. 14,159,252,597. The total actual amount received by the County was Kshs. 11,863,518,430.

As at the 30th June, 2023, the department of Gender and Culture had received Kshs. 98,112,676 for recurrent and Kshs. 1,040,695 (9.34%) for development with the approved allocation of Kshs. 97,056,213 and 11,140,320 respectively.

The total exchequer release for 4th quarter in the Financial Year 2022/2023 for Bungoma County was Kshs. 5,560,361,528 out of which Kshs. 108, 160,533 was received by the department of Gender and Culture

County Own Generated Revenue

The report indicates that the County managed to collect Kshs. 379,716,358 cumulatively in all the 4 quarters from local generated revenue out of the targeted amount of Kshs. 500,000,000 translating to 76% hence a deficit of Kshs. 120,283,642.

The department of Gender and Culture does not have any own source of revenue earmarked for collection.

Conditional Grants

In the FY 2022/23, the County had projected to receive total conditional grants of Kshs.1, 656,728,137 out of which Kshs.1, 543,977,937 was development partners while Kshs. 113,228,200 from National government.

The department of Gender and Culture was not entitled to any conditional grant.

Departmental Expenditure Analysis

The department of Gender and Culture had an annual approved budget of Kshs. 108,196,533 comprising of Kshs. 97,056,213 recurrent and Kshs. 11,140,320 for Development expenditure programmes.

The following are programmes and sub-programmes under Budget execution in the department;

Recurrent Expenditure

General Administration

From the document tabled;

- Compensation to employees, the approved allocation was Kshs. 46,089,943 the department absorbed Kshs. 45,977,791 representing 100% this for both Gender and Youth departments.
- Administration supports services had approved allocation of Kshs. 63,893,034 the department absorbed Kshs. 63,199,825 representing 99% for both Gender and Culture and Youth and Sports departments.

Departmental submissions

The department submitted that out of the approved allocation Kshs. 46,089,943 on personnel for Gender, Culture, Youth and Sports, Kshs. 30,589,943 was in respect to the department of Gender and Culture and as at 30th June, 2023 they had utilized Kshs. 28,497,592 hence a balance of Kshs. 2,092,351 that was meant for promotion of staff that did not take place.

Administration support services for Gender and Culture had an allocation of Kshs. 26,405,769 and the actual expenditure as at 30th June, 2023 was Kshs. 25,215,788 translating to 95% absorption rate. Below are the sub-programmes implemented by the department;

NO.	SUB-PROGRAMME	APPROVED ALLOCATION	ACTUAL EXPENDITURE AS AT 30 TH JUNE, 2023	ABSORPTION RATE
1	Staff training	2,400,000	2,334,160	97.3
2	Policy formulation and review	10,000,000	9,999,996	100
3	Planning and Budget	3,200,000	3,199,332	100
4	Utility for office operations	500,000	380,000	76
5	Administrative services management (boards and Committees, travel costs, catering services)	10,305,769	9,302,300	90.3
	TOTAL	26,405,769	25,215,788	95%

Cultural development and management

From the tabled document, cultural development and management had the following sub-programmes;

- Cultural heritage preservation had an approved allocation of Kshs. 18,000,000 the department absorbed Kshs. 18,000,000 representing 100%.
- Promotion of community's culture had approved allocation of Kshs. 700,000 the department absorbed Kshs. 700,000 at 100%.

- Liquor and Licensing approved allocation of Kshs. 2,000,000; the department utilized Kshs. 1,800,000 at 90% absorption rate.

Departmental Submissions

The department submitted that on cultural development and management, it implemented the following programs;

- Construction of Sang’alo multipurpose hall had an approved budget of Kshs. 2,200,300 and Kshs. 1,040,095 was utilized
- KICOSCA Games had allocation of Kshs. 31,447,096 and the whole amount was spent.
- Kenya national music festival had an allocation of Kshs. 1,500,000 and its actual expenditure was Kshs. 1,040,095
- Liquor and licensing enforcement exercise had an initial allocation of Kshs. 3,000,000 and during the supplementary budget it was reduced by Kshs. 2,500,000.

Gender development and management

- Gender equality framework had approved allocation of Kshs. 1,000,000 and the department utilized Kshs. 990,000, 99% absorption.
- Gender empowerment fund; women fund had an allocation of Ksh. 5,000,000 and Disability Fund had an allocation of Kshs. 2,000,000. The utilization on the funds was 0%
- Gender mainstreaming had approved allocation of Kshs. 1,000,000 and the whole amount was spent

Departmental submissions

On gender equality framework with an allocation of Kshs. 1,000,000, the committee was informed that the funds were spent on the celebrating the International Women day and Kshs. 1,000,000 on gender mainstreaming was used for celebrating the international disability day.

On women and disability funds, the funds were not operationalized because the review of the regulations had not been completed. The Chief Officer confirmed to the Committee that the cabinet had approved the Regulations and the funds will be operationalized in the current financial year.

Pending staff receivables (outstanding imprest)

The total County outstanding imprest as at 30th June, 2023 was Kshs. 288, 712,420 out of this Kshs. 8,708,800 was in respect to the department of Gender and Culture.

Departmental submissions

The department only submitted evidence for imprest surrender for one imprest of Kshs. 599,000 therefore the rest were still pending.

The imprest register submitted also indicate that the rest of the imprest were still outstanding.

Pending accounts payables (pending bills)

The pending bills for the department of Gender and Culture were reported together with the ones for Youth and Sports amounting to Kshs. 102,000,547 in the financial year under review out of which Kshs. 92,798,188 was paid leaving a balance of Kshs. 9,202,359.

During the 1st supplementary budget 2022/2023, the department was allocated Kshs. 2,200,320 for pending bills, comprising of Kshs. 849,845 for recurrent and Kshs. 1,350,475 for development. The report from the county treasury indicates that only development pending bill was paid

Departmental submissions

The department submitted a list of pending bills totaling to Kshs. 7, 216,320 as shown below;

S/ No	Supplier /Contractor Name	Date of the Contract	Details of Work Performed	BALANCE AS AT 30 TH JUNE 2023
1	M/s value partners consulting ltd	2019/20	Development of departmental policies	4,851,196.50
2	Kongasis Investments	2019/20	Construction of Sang'alo Multipurpose Hall	310,154
3	Lusal General Supply Ltd	2020/21	Construction of Sangalo Multipurpose Hall	849,845
4	Besimu General Supplies	2022/23	Purchase of tailoring Machines for Ndalu/Tabani CBO	959,040
5	Fantastic Smart Ltd	2019/2020	Supply and delivery of cleaning materials	103,795
6	Sialo One General Supplies	2022/23	Purchase of office stationery	242,665

Total		7,216,320
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DEVELOPMENT EXPENDITURE

The development expenditure for Gender and Culture had an approved allocation of Kshs. 11,140,320 that was meant for the following sub-programs;

- Ward Based Projects had an allocation of Kshs. 1,940,000 for purchase of sewing machine for Naitiri Kabuyefwe ward.
- Pending Bills with an allocation of Kshs. 2,200,320 where Kshs. 849,845 was meant for construction of multipurpose hall while Kshs. 1,350,475 for fencing Sang’alo
- Women and Disability funds had an allocation of Kshs. 5,000,000 and Kshs. 2,000,000 respectively.

COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

COMMITTEE OBSERVATIONS

The committee observed as follows:

1. The County treasury did not indicate how much each department received as revenue (Exchequer release) to implement their programmes in the period under review.
2. Departmental quarter/ annual work plans and the budget implementation status report we’re not submitted to the committee for comparison purposes with the financial report.
3. The Women Fund and Disability Fund were not utilized because there were no regulations however the regulations have been reviewed and passed by the cabinet.
4. The department had an outstanding imprest of Kshs. 8,708,800 as at 30th June, 2023 but only one evidence of surrender of imprest of Kshs. 599,000 was submitted leaving a balance of outstanding imprest of Kshs. 8,109,800.
5. The department of Gender and Culture had a pending Bill of Kshs. 7,216,320.
6. The expenditure for gender and culture department was report together with the one for youth and sports department.
7. The departmental ceiling is low compared to other departments.

Committee Recommendations

1. **THAT** the County Treasury should indicate how much each department receives as exchequer to execute its programmes in both recurrent and development in the subsequent reporting on financial statements.

2. **THAT** the department should be submitting its quarterly/annual work plans and detailed budget implementation report together with the financial statements for easy comparison and oversight purposes.
3. **THAT**, the department should as soon as practical submit the Women and Disability Funds regulations to the County Assembly for approval for the funds to be operationalized.
4. **THAT** the department should ensure compliance of Regulation 93(5 and 6 of PFM Regulation, 2015 on surrendering imprest and also enhance imprest management system. A holder of a temporary imprest shall account or surrender the imprest within seven working days after returning to duty station.
5. **THAT** the departments should prioritize pending bills, since it is provided in law that pending bills must be given first charge. Section 94 (i) of the (PFM) Act,2012 *states that failure to make any payments as and when they fall due by the public entity may be an indicator of material breach of measures established under law. To ensure pending bills are paid in time, Article 225 of the Constitution and section 96 of the PFM Act give the treasury powers to stop transfer of funds to the concerned public entity.*
6. **THAT** the department must report its expenditures separately from that of Youth and Sports for easy oversight and for better monitoring and evaluation of the planned programmes in the department.
7. **THAT** the department should utilize its funds as approved by the County Assembly and any variation should be regularized in the supplementary Budget

We have the adoption schedule signed by the 15 members, we also have annexures.

Having reached there, allow me call Hon. Barasa Mukhongo to second this report. We had talked and I proposed that he will second, so I was assuming he is in the House, I am very sorry, let me call Hon. Metrine Nangalama to second the report.

Mr. Deputy Speaker: Thank you Hon. Kawa for taking us through and moving the report very effectively although you should not be planning and not being careful. Next time you will be found alone on the streets so let's take note of that and allow our own Hon. Metrine Nangalama; a specially elected member to second the report.

Hon. Metrine Nangalama: Thank you, Mr. Speaker Sir for giving me this chance, so that I can second this report. First, let me take this time to appreciate the Chairperson of Gender Committee Hon. Jack Kawa for taking us through this report and all members of the committee without forgetting those who are here with us. With that, I second the report.

(Applause)

Mr. Deputy Speaker: Thank you, Hon. Nangalama.

(Motion proposed)

Hon. Jack Wambulwa: Thank you, Hon. Speaker for giving me this opportunity. I want to laud the Committee on Gender led by Hon. Kawa for the report well presented. Looking at the past quarterly reports that have been coming before us, the animal in the house has been imprests. I don't know what measures we can put in place as a House to make sure that these imprests are surrendered on time, because every department is now concentrating in making money through imprests. The law on imprests is very clear that it should be surrendered at most one month and more so you cannot go for another imprest unless you have cleared the previous one. The executive has continued to abuse this and you will find an individual taking 3 imprests which are still not surrendered. We even have causals taking imprests when the law is very clear on who is supposed to take imprests; they are supposed to be people who are on permanent and pensionable terms.

We need as a House to come up with a way to make sure that these staffs who don't surrender are punished for not surrendering on time, so that we can have these funds well utilized. Why do I say that? If you are unable to surrender, did you use that money in a proper way? If it was used in a proper way, why is it that it has not been surrendered? We need money for development and most money is ending up in people's pockets. So I will want to urge this House and especially the sector committees we be tough, penalize the staff who have taken imprest and have not surrendered, so that we can have these funds well utilized within our Wards for development and more so helping the public achieve its development agenda.

Otherwise, I want to appreciate the way the report has been presented although our senior colleague who was to second was doing *biashara mbali mbali* and the motion has already been seconded. He has come back and he wants...

Mr. Deputy Speaker: Hon. Jackson, you should stick to the content and also mind mixing of languages. We don't understand what is meant by *biashara*.

Hon. Jack Wambulwa: Thank you, Mr. Speaker. He is protected but let him reduce doing businesses around the House.

Hon. Johnston Ipara: Thank you, Hon. Speaker. *Biashara* is a Kiswahili word referring to business. Actually as alleged by a member, he was doing businesses outside this House. May be there was someone who wanted to buy an animal somewhere and that is why he was connecting them. We are facing a tough economic time...

Mr. Deputy Speaker: Hon. Okasida, you cannot insinuate that business is going around in this Assembly and animals are being sold. You should make the House aware which type of business and which animals.

Hon. Johnston Ipara: Hon. Speaker, because Hon. Kawa a respected member of this House and had consulted with Hon. Mukhongo who decided to walk out. What does that mean?

Mr. Deputy Speaker: Does it mean he was selling animals.

Hon. Johnston Ipara: Hon. Speaker, maybe I can sit down and you allow him to tell the House what was that important than seconding the motion.

Mr. Deputy Speaker: Proceed Hon. Speaker, your request is disallowed.

Hon. Johnston Ipara: Hon. Speaker, first I applaud Hon. Jack the way he presented the report to the House and for clearly coming up with a report that informs this House what we said yesterday. That most of our departments are taking this House for a ride. The reason I believe this House is being taken for a ride is for two things; one is the committee for implementation has not been doing their work effectively. When we say that some people took some imprest which they have not surrendered then Implementation Committee is supposed to go and find out what they are doing about it. They have never done that. They are waiting for reports so that they can go and study those reports which is a waste of time. This puts into shame this House and not the committee.

There is another committee that I want to believe that if they are not compromised they are also confused along the way. PAC is supposed to study audited reports. Secondly, it is to invite the CECM and any government official to give an explanation as to why people are not following regulations and government policies. I want to believe this is the 5th report that is presented here and all of them are raising serious issues of misuse of imprests. I have never heard or whispered to by any person that now PAC has invited the department of Finance to give an explanation as to why for the last three months they were leading in abuse of imprest. This has never happened. What are they waiting for Hon. Speaker? The two committees should not be waiting until the Auditors Report comes; they are supposed to pre-empt some of these things which means we walk away from being reactive to being proactive and the two committees are not proactive. They are reactive because they only wait for those reports, go and study them and report back to the House and this matters that the Auditor reports are happening within our county. Why are we sleeping on duty? Where I come from, if you are found sleeping while on duty, it is a serious disciplinary action and I don't know why we have not taken a disciplinary action against these committees.

Mr. Deputy Speaker: Hon. Okasida, I don't know where you come from, is it South Bukusu, South Korea or where? Make us aware so that we can borrow a leaf from there.

Hon. Johnston Ipara: I was only giving a reference Hon. The other thing I want to request from the Chairperson of Gender Committee that no regulations that have been brought to this House. I don't see why we ask the Budget Committee to set aside money for a programme that is not operational and maybe we shall wait for the regulations until some of us are out of this Assembly. When it finally comes we would not have helped our money and the people living with disabilities within the county. Are we doing a good service to this county? This is a wakening call that all of us must stand and make sure that we identify ourselves as the Members of the County Assembly and not agents of the executive in this House. I submit.

(Applause)

Hon. Jack Kawa: Thank you, Mr. Speaker. I start by thanking all members for supporting this report.

I start by supporting Hon. Okasida; that it is like I have been accused of assaulting Hon. Mutiambu and now up to that point we leave it to the DCI to do investigations.

As we bring reports to this House, let us say from our hearts that we want the Implementation Committee and PAC to take up the matters. From there they are supposed to put the executive on its toes. Ours is to bring reports to this House and they should make sure that the reports from this House must be followed and implemented as passed by the House.

The issue of imprest as mentioned by Hon. Jack Wambulwa, it is disturbing across all the departments.

Secondly, on the issue of pending bills, it appears to be a loophole to siphon public funds. Therefore, we must close this tap.

Otherwise, I appreciate the members. I request that next time when responding, you allow me see the Speaker...

Mr. Deputy Speaker: Noted Hon. Kawa and I am looking at you in the eye.

Hon. Jack Kawa (Chairperson, Gender and Culture): Thank you, Hon. Members. This is a report from the Gender and Culture and it is now in the hands of the Implementation and PAC. Otherwise, I thank the House and request that you approve this report the way it is.

(Applause)

(Question put and agreed to)

The ayes have it and the report is adopted.

(Applause)

Hon. Members, maybe to reinforce the issue around the Committee on Implementation, we have to note in our Standing Order 212 (4) which states; *the committee shall scrutinize the resolutions of the House (including adopted committee reports)*. Members especially those on Implementation, Hon. Jack kindly leave Hon. Maruga to listen to this because he has to understand.

Order members! I repeat; *the committee shall scrutinize the resolutions of the House (including adopted committee reports, petitions and the undertakings given by the County Executive) and examine;*

a) *Whether or not such decisions and undertakings have been implemented and where implemented the extent to which they have been implemented, whether such implementation has taken place within the minimum time necessary and,*

b) *Whether or not legislation passed by the House has been operationalized and where operationalized the extent to which such operationalization has taken place within the minimum time necessary*

Therefore, the members of the Implementation Committee; unfortunately the Chairperson is not in; the Vice Chairperson, who is putting on royal colours, should take his members through the Standing Order 212, so that you get to acquaint yourself with it.

Hon. Members, the report has been adopted together with the recommendations therein which should be submitted to the respective recipients for action.

(Applause)

ADJOURNMENT

Hon. Members, that being our last item on this Order Paper, we adjourn for now and resume today the 28th Day February 2024 at 2:30 p.m.

House rose at 10:30 a.m.