

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

TUESDAY, 1ST APRIL, 2025

Afternoon Sitting

3rd County Assembly

4th Session

COUNTY ASSEMBLY OF BUNGOMA

THE DAILY HANSARD

TUESDAY, 1ST APRIL, 2025

The House met at the County Assembly Chamber at 2:30 p.m.

(Mr. Speaker [Hon. Emmanuel Situma] in the Chair)

PRAYER

PAPERS

1. Address by the Governor

Mr. Speaker: Leader of the Majority, it's your duty to do the necessary.

Hon. Joseph Nyongesa (Leader of Majority): Thank you, Speaker. I rise to table the address by His Excellency the Governor on the floor of this House.

(Applause)

Mr. Speaker: Honourable Members the address by His Excellency the Governor to this House is hereby tabled by the Leader of the Majority and formally it becomes part of our records of the House.

2. Report by Budget and Appropriations Committee

Mr. Speaker: Yes, Hon. Charles Nangulu.

Hon. Charles Nangulu (Vice Chairperson Budget): Thank you, Hon. Speaker. I have just been consulting the Leader of Majority. Therefore, I request that you give us more time so that we can table tomorrow.

Mr. Speaker: It is okay, Hon. Charles Nangulu. Using my powers Under Standing Order no. 1, item number 2, under order 5, is hereby expunged from the Order Paper.

(Loud consultations)

Yes, Hon. Makari.

Hon. George Makari: Mr. Speaker having given the Budget and Appropriations Committee almost one full month why aren't they tabling this budget? We are eagerly waiting for this supplementary budget. What is the problem? Because the Vice-Chair has not even explained, he is just requesting for additional time. One month down the line, which time are we going again to allocate for them to give us the supplementary?

Mr. Speaker: Honourable Members when such a request is made they must have reasons and I don't want to pre-empt why they are doing so. Honourable Members, you understand the issue of the supplementary budget doesn't have a timeline. So let us just allow them because I am equally waiting for the same. I want to be part of the history.

Hon. Nangulu you are allowed, unfortunately, if you are not aware from our HBC sittings, we don't have Thursday sitting, we only have a sitting tomorrow. That means I will take you to next week as per the HBC plan because you are not in a hurry. You are just taking your time as a committee. Let's proceed.

3. Report by Public Accounts and Investments Committee.

Mr. Speaker: Yes, Hon. CPA.

Hon. Everton Nganga (Chairperson, PAIC): Thank you, Hon. Speaker. I rise to table a report of the Public Accounts and Investments Committee. Two combined reports of the Auditor General on; the Bungoma County Assembly Honourable Members' Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2023 and two, report of the Auditor General on the financial statements of Bungoma County Assembly for the year ended 30th June, 2023. Thank you.

Mr. Speaker: Now that you have been staying so long... you are forgetting the procedure. Bring it forward kindly. You don't retain it. Honourable Members, report by the Public Accounts and Investments Committee on the Bungoma County Assembly Honourable Members' Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2023 and the report of the Auditor General on the financial statements of Bungoma County Assembly for the year ended 30th June, 2023 is hereby tabled and formally it becomes the property of the House.

4. Report by Budget and Appropriations Committee on the Medium Term Debt Management Strategy Paper.

Mr. Speaker: Yes, Hon. Charles Nangulu.

Hon. Charles Nangulu (Vice Chairperson, Budget): Thank you, Hon. Speaker. I rise to table a report by Budget and Appropriations Committee on the Medium Term Debt Management Strategy Paper for financial year 2025-2026 to 2027-2028.

Mr. Speaker: Honourable Members the report by the Budget and Appropriations Committee on the Medium Term Debt Management Strategy Paper for financial year 2025-2026 to 2027-2028 is hereby tabled and formally becomes the property of the House.

NOTICE OF MOTION

- 1. That the Thanks of the County Assembly be recorded for the exposition of public policy contained in the address of the Governor delivered on Thursday 27th March 2025**

Mr. Speaker: Leader of the Majority, kindly proceed and issue a notice.

Hon. Joseph Nyongesa (Leader of Majority): Thank you Speaker. I give notice that the Thanks of the County Assembly be recorded for the exposition of the Public Policy contained in the Address of the Governor delivered on Thursday 27th March, 2025. I give a notice.

Mr. Speaker: Honourable Members, a notice having been issued by the Leader of the Majority that the Thanks of the County Assembly be recorded for the Exposition of the Public Policy contained in the Address of the Governor delivered on Thursday 27th March, 2025, I direct the same be shared with MCA's on their gadgets as it will form part of our debate tomorrow.

- 2. That this House adopts a report by the Budget and Appropriations Committee on the Medium Term Debt Management Strategy Paper.**

Mr. Speaker: Hon. Charles, kindly proceed and issue a notice.

Hon. Charles Nangulu: Thank you, Hon. Speaker. I rise to give a notice of motion that this House adopts a report by the Budget and Appropriations Committee on the medium term debt management strategy paper for the period 2025-2026 to the financial year 2027-2028.

Mr. Speaker: Honourable Members, a notice has been issued by the Budget and Appropriations Committee on the medium term debt management strategy paper for the period 2025-2026 to the financial year 2027-2028, I do urge the Clerks at the Table to share the same with the MCA's. It is going to come up as a motion on the Order Paper.

- 3. That this House adopts a report by the Public Accounts and investments Committee.**

Mr. Speaker: Hon. Nganga, proceed.

Hon. Everton Nganga (Chairperson, PAIC): Thank you, Hon. Speaker. I rise to give a notice of motion that this House adopts the report of the Public Accounts and Investments Committee on the Bungoma County Assembly Honourable Members' Car Loan and Mortgage Scheme Fund for the year ended 30th June 2023 and the report of the Auditor General on the financial statements of Bungoma County Assembly for the year ended 30th June, 2023. Thank you.

Mr. Speaker: Honourable Members, a notice of motion has been issued by the Committee on Public Accounts and Investments Committee on the Bungoma County Assembly Honourable Members car loan and mortgage scheme fund for the year ended 30th June, 2023 and the report of the Auditor General on the financial statements of Bungoma County Assembly for the year ended 30th June, 2023. The same report will be shared with MCA's on their gadgets. It is going to form part of our business on the Order Paper in the course of the week or once scheduled by HBC. Next.

QUESTIONS AND STATEMENTS

1. Weekly business of the House

Mr. Speaker: Hon. Cornelius, I see you have the honour again of sharing the Order Paper of the week.

Hon. Cornelius Makhanu: Thank you, Hon. Speaker. I rise to present the tentative weekly programme of the Business of the County Assembly week commencing Tuesday 1st to Thursday 3rd April, 2025.

Tuesday 1st April, 2025 at 2.30 p.m.

Papers

- i. The address by the Governor.
- ii. Report by the Budget and Appropriation Committee on the Bungoma County Government First Supplementary Budget for the Year, Financial Year 2024-2025
- iii. Report by the Budget and Appropriation Committee on Medium-Term Debt Management Strategy Paper for the Period 2025-2026 and 2027-2028.

- iv. Report by the Public Accounts and Investments Committee on the Bungoma County Assembly Honourable Members' Car Loan and Mortgage Scheme Fund for the Year ended 30th June, 2023 and the Report of the Auditor General on the Financial Statements of the Bungoma County Assembly for the Year ended 30th June, 2023.

Notices of Motion

For all the above papers

On Wednesday, 2nd April, 2025 at 9.30 a.m.

Motion

- i. Debate of the Governor's Address, 1st Allotted Day
- ii. Report by the Budget and Appropriations Committee on the Bungoma County Government First Supplementary Budget for the Financial Year 2024-2025.

On Wednesday afternoon, 2.30 p.m.

Motion

- i. Debate of the Governor's Address, 2nd Allotted Day
- ii. Report by the Budget and Appropriations Committee on the Medium-Term Debt Management Strategy Paper for the Period 2025-2026 and 2027-2028.

Bills.

- i. Bungoma County First Supplementary Appropriations Bill, Financial Year 2024-2025.

Committee of the Whole House

- i. Committee on Supply on the Bungoma County First Supplementary Appropriations Bill, Financial Year 2024-2025.

Bill

- i. The Bungoma County First Supplementary Appropriations Bill, Financial Year 2024-2025. It will be the 3rd Reading.

Motion

We shall have a motion on adjournment of the House. That is our tentative weekly Order Paper. I table.

Mr. Speaker: Honorable Members that is the tentative Order Paper of the week. From what you have heard, it is going to have adjustments having withdrawn the budget from being tabled. Next Item!

MOTION

REPORT BY THE COMMITTEE ON POWERS AND PRIVILEGES ON CONFLICT OF INTEREST

Mr. Speaker: Yes, Hon. Tony!

Hon. Tony Barasa: Thank you Hon. Speaker. Report on conflict of interest by Powers and Privileges Committee.

Committee Membership

Hon. Speaker,

Section 15 (1) of the County Assemblies Powers and Privileges Act, 2017 provides that:-

There is established for each County Assembly, a Committee known as the Committee of Powers and Privileges consisting of:

- a) The Speaker, who shall be the Chairperson of the Committee; and
- b) Such other members of the County Assembly as may be provided in the Standing Orders of the County Assembly.

The Committee of Powers and Privileges as currently constituted comprises of the following Members:

Name	Designation
1. The Hon. Emmanuel Situma	Speaker /Chairperson
2. The Hon. Ali Machani	Member

3. The Hon. James Mukhongo	Member
4. The Hon. Miliyah Masungu	Member
5. The Hon. Vitalis Wangila	Member
6. The Hon. Tony Barasa	Member
7. The Hon. Edwin Opwora	Member
8. The Hon. Jack Kawa	Member
9. The Hon. Caleb Wanjala	Member
10. The Hon. Orize Kundu	Member
11. The Hon. Benard Kikechi	Member

Mandate of the Committee

The committee can in the execution of its function derives its mandate from the parliamentary dictates derived from the longstanding practice and procedures

Acknowledgement

Hon. Speaker,

The Chairperson of the Committee takes this opportunity to thank all the Members of the Committee for their invaluable contribution towards the production of this report. The Committee wishes to also thank the Offices of the Hon. Speaker and the Clerk of the County Assembly for the necessary support extended to it in the execution of its mandate. On behalf of the Committee of Powers and Privileges, I have the honor and pleasure to table this report pursuant to the provisions of Standing Order 202 (7).

It is signed by Hon. Emanuel Situma, Speaker of the County Assembly/Chairperson

CHAPTER TWO

Introduction

A conflict of interest refers to a situation where there exists a conflict between the private interests and the official responsibilities of a person in a position of trust. It has the potential to undermine ones impartiality in decision making due to a clash between professional interest or the public interest and personal interest.

A conflict of interest occurs when an individual or organization has multiple interests, one of which could corrupt the motivation or decision-making of that person or entity. Conflicts of interest can arise in various situations, such as in business, politics, law, and other fields, and typically occur when personal interests, financial interests, or relationships interfere with

professional duties or responsibilities. Conflict of interest might occur if a state or public officer makes a decision that benefits a company they have a financial stake in.

In many cases, conflicts of interest are addressed by disclosure, recusal from decision-making, or by setting up independent oversight to ensure transparency and fairness.

Such conflicts pose significant consequences as a result of compromised decision making. It could also leave one vulnerable to allegations of impropriety. Some of the key consequences include:

- a) Compromised decision-making
- b) Loss of trust
- c) Legal implications
- d) Inequitable outcomes in decision making
- e) Decreased organizational effectiveness
- f) Strained relationships
- g) Unfair competitive advantage
- h) Inefficiency in allocation of resources
- i) Undermining fairness and equity

Prioritizing matters of conflict of interest is crucial to any public entity for the following:

- a) Upholding public trust
- b) Preventing corruption
- c) Ensuring impartial decision-making
- d) Promoting accountability and good governance
- e) Protecting the public interest
- f) Setting ethical standards
- g) Enhancing transparency

By addressing conflicts of interest, governments promote transparency in how decisions are made. This deters secrecy and hidden agendas, ensuring that state officers' actions can be scrutinized and understood by the public and other oversight bodies.

Types of interests

- a) **Pecuniary interests**

A pecuniary interest refers to a financial interest that an individual or entity has in a particular matter or transaction. This interest can involve the potential for financial gain or loss. They may also result from close associates such as friends, relatives etc.

b) Proprietary interests

A proprietary interest refers to a situation where an individual (or entity) has a vested ownership or financial stake in a business, asset, or venture, which could influence their professional judgment, decisions, or actions.

c) Personal relationships

A personal relationship refers to a close, non-professional connection between an individual and another person (such as family members, friends, or romantic partners) that could influence the individual's professional judgment, decisions, or actions. This type of relationship can create a conflict if the individual is in a position where their personal loyalty or attachment could bias their decisions in ways that are not aligned with their professional responsibilities.

General Situations which could represent conflicts of interest include:

- Lobbying Members of the legislature on matters related to your area of work.
- Using your position as an employee of the House to lobby Members of Parliament for private purposes.
- Instances where your work activities could be used for private purposes or gain, such as using information obtained at work to invest in particular companies
- Acceptance of gifts and hospitality which might reasonably be seen as designed to influence you in the performance of your duties; for details of restrictions and registration of offers, see section
- Buying goods or services in an official capacity from a company with which you have personal, family or financial interests or connections.
- Involvement in any procurement process with suppliers, contractors or clients with whom you have personal, family or financial interests or connections
- A personal or family relationship with colleagues where there is a potential to collude or to grant favours, for example if you authorize transactions for, line manage or report to someone with whom you have such a relationship

- Influencing or deciding upon the appointment, employment terms or conditions of anyone with whom you have a personal or family relationship. Conflict of interest Legal Framework

The Constitution of Kenya (2010)

Chapter Six: Leadership and Integrity

Public officers are required to adhere to the principles of integrity and avoid situations that may give rise to a conflict of interest.

Article 73: Responsibilities of leadership

The Article emphasizes that public officers must act in a manner that brings honour and dignity to the office and avoids personal interests conflicting with official duties.

73 (2) (C) (ii):

One of the principles of leadership and integrity spelt out in chapter six is:-

- (c) Selfless service based solely on the public interest demonstrated by:-
- (ii) The declaration of any personal interest that may conflict with public duties

Article 75: Conduct of state officers

It prohibits public officers from engaging in any activity that conflicts with their public duties or compromising the dignity of their office.

Article 75 (1) states that a state officer shall behave, whether in public and official life, in private life, or in association with other persons in a manner that avoids-

- (a) Any conflict between personal interests and public or official duties;
- (b) Compromising any public or official interest in favour of a personal interest

The Public Officer Ethics Act, 2003

Section 12 (1) of the Act provides that a public officer shall use his best efforts to avoid being in a position in which his personal interests conflict with his official duties.

(2) Without limiting the generality of subsection (1), a public officer shall not hold shares or have any other interest in a corporation, partnership or other body, directly or through another person, if holding those shares or having that interest would result in the public officer's personal interests conflicting with his official duties.

(3) A public officer whose personal interests conflict with his official duties shall-

(a) declare the personal interests to his superior or other appropriate body and comply with any directions to avoid the conflict; and

(b) refrain from participating in any deliberations with respect to the matter.

(4) Notwithstanding any directions to the contrary under subsection (3)(a), a public officer shall not award a contract, or influence the award of a contract, to-

(a) himself;

(b) a spouse or relative;

(c) a business associate; or

(d) a corporation, partnership or other body in which the officer has an interest.

(5) The regulations may govern when the personal interests of a public officer conflict with his official duties for the purposes of this section.

(6) In this section, “personal interest” includes the interest of a spouse, relative or business associate.

The Leadership and Integrity Act, 2012

The Act gives effect to Chapter Six of the Constitution on leadership and integrity.

Section 16 (1) of the Act states that a State officer or a public officer shall use the best efforts to avoid being in a situation where personal interests conflict or appear to conflict with the State officer’s or public officer’s official duties.

(2) Without limiting the generality of subsection (1), a State officer or a public officer shall not hold shares or have any other interest in a corporation, partnership or other body, directly or through another person, if holding those shares or having that interest would result in a conflict of the State officer’s or public officer’s personal interests and the officer’s official duties.

(3) A State officer or a public officer whose personal interests conflict with their official duties shall declare the personal interests to the public entity or the Commission.

(4) The Commission or a public entity may give direction on the appropriate action to be taken by the State officer or public officer to avoid the conflict of interest and the State officer or public officer shall—

(a) comply with the directions; and

(b) refrain from participating in any deliberations with respect to the matter.

(5) Notwithstanding any directions to the contrary under subsection (4), a State officer or a public officer shall not award or influence the award of a contract to—

(a) himself or herself;

(b) the State officer's or public officer's spouse or child;

(c) a business associate or agent; or

(d) a corporation, private company, partnership or other body in which the officer has a substantial or controlling interest.

(6) In this section, "personal interest" includes the interest of a spouse, child, business associate or agent or any other matter in which the State officer or public officer has a direct or indirect pecuniary or non-pecuniary interest.

(7) Where a State officer or a public officer is present at a meeting, where an issue which is likely to result in a conflict of interest is to be discussed, the State officer or public officer shall declare the interest at the beginning of the meeting or before the issue is deliberated upon.

(8) A declaration of a conflict of interest under subsection (7) shall be recorded in the minutes of that meeting.

(9) Subject to Article 116(3) and (4) of the Constitution, a member of Parliament or a member of a County Assembly shall declare any direct pecuniary interest or benefit of whatever nature in any—

(a) debate or proceeding of the body of which he or she is a member;

(b) debate or proceeding in any committee of that body; and

(c) transaction or communication which the State officer may have

with other members of the body, State officers, public officers or government officers.

(10) For purposes of subsection (9), the Clerk of the Senate, the National Assembly or a county assembly shall maintain a register of conflicts of interest, which shall be open to the public for inspection.

(11) Every public entity shall maintain an open register of conflicts of interest in the prescribed form in which an affected State officer or public officer shall register the particulars of registrable interests, stating the nature and extent of the conflict.

(12) For purposes of subsection (11), the registrable interests include the interests set out in the Second Schedule.

(13) A public entity shall keep the register of conflicts of interest for five years after the last entry in each volume of the register.

(14) It shall be the responsibility of the State officer or public officer to ensure that an entry of registrable interests is updated and to notify the public entity or the Commission of any changes in the registrable interests, within one month of each change occurring.

The Anti-Corruption and Economic Crimes Act (2003)

The Act criminalizes corruption and economic crimes, including the abuse of office for personal gain.

Section 42: Conflicts of interest

(1) If an agent has a direct or indirect private interest in a decision that his principal is to make the agent is guilty of an offence if—

(a) the agent knows or has reason to believe that the principal is unaware of the interest and the agent fails to disclose the interest; and

(b) the agent votes or participates in the proceedings of his principal in relation to the decision.

(2) A private body may authorize its agent to vote or participate in the proceedings of the private body and the voting or participation of an agent as so authorized is not a contravention of subsection (1).

(3) An agent of a public body who knowingly acquires or holds, directly or indirectly, a private interest in any contract, agreement or investment emanating from or connected with the public body is guilty of an offence.

(4) Subsection (3) does not apply with respect to an employment contract of the agent, or a related or similar contract or agreement or to any prescribed contract, agreement or investment.

The Public Procurement and Asset Disposal Act, 2015

The Public Procurement and Asset Disposal Act, 2015 regulates the public procurement process and asset disposal.

Corrupt, coercive, obstructive, collusive or fraudulent practice, conflicts of interest

Section 66(1) of the Act provides that a person to whom this Act applies shall not be involved in any corrupt, coercive, obstructive, collusive or fraudulent practice; or conflicts of interest in any procurement or asset disposal proceeding.

(2) A person referred to under subsection (1) who contravenes the provisions of that sub-section commits an offence.

(3) Without limiting the generality of the subsection (1) and (2), the person shall be—

(a) disqualified from entering into a contract for a procurement or asset disposal proceeding; or

(b) if a contract has already been entered into with the person, the contract shall be voidable.

(4) The voiding of a contract by the procuring entity under subsection (7) does not limit any legal remedy the procuring entity may have.

(5) An employee or agent of the procuring entity or a member of the Board or committee of the procuring entity who has a conflict of interest with respect to a procurement—

(a) shall not take part in the procurement proceedings;

(b) shall not, after a procurement contract has been entered into, take part in any decision relating to the procurement or contract; and

(c) shall not be a subcontractor for the bidder to whom was awarded contract, or a member of the group of bidders to whom the contract was awarded, but the subcontractor appointed shall meet all the requirements of this Act.

(6) An employee, agent or member described in subsection (1) who refrains from doing anything prohibited under that subsection, but for that subsection, would have been within his or her duties shall disclose the conflict of interest to the procuring entity.

(7) If a person contravenes subsection (1) with respect to a conflict of interest described in subsection (5) (a) and the contract is awarded to the person or his relative or to another person in whom one of them had a direct or indirect pecuniary interest, the contract shall be terminated and all costs incurred by the public entity shall be made good by the awarding officer.

(8) For the purpose of this Section, a person has a conflict of interest with respect to a procurement if the person or a relative of the person—

(a) seeks, or has a direct or indirect pecuniary interest in another person who seeks, a contract for the procurement; or

(b) owns or has a right in any property or has a direct or indirect pecuniary interest that results in the private interest of the person conflicting with his duties with respect to the procurement.

(9) The ownership of, or right in, any property referred to in subsection (8)

(b) shall not include rights arising by virtue of owning shares in publicly listed companies.

(10) For the purpose of subsection (8), the following are persons seeking a contract for a procurement—

- (a) a person submitting a tender, proposal or quotation; or
- (b) if direct procurement is being used, a person with whom the procuring entity is negotiating.

(11) In this section, "relative" means—

- (a) a spouse, child, parent, brother or sister;
- (b) a child, parent, brother or sister of a spouse; or
- (c) any other prescribed persons.

(12) Any person who contravenes the provisions of this section commits an offence.

Bungoma County Assembly Standing Orders

Standing Order 102 on declaration of interest provides that:

- (1) A Member who wishes to speak on any matter in which the Member has a personal interest shall first declare that interest.
- (2) Personal interests include but not limited to pecuniary interest, proprietary interest, personal relationships and business relationships.

2.4 Case Study

In the case of ***Ethics and Anti-Corruption Commission v Moses Kasaine Lenokulal & another [2019] eKLR*** the gist of this matter was the claim that the 1st applicant being the governor Samburu County used his office to influence awards to his business (the 2nd applicant/respondent –oryx petrol station) for the supply of petroleum products to the county government. According to the EACC, this was an illegal act and in conflict with the Public Officer Ethics Act No. 4 of 2003 specifically Section 12(1) of the Public Officer Ethics Act provides that -

“A Public Officer shall use his best efforts to avoid being in a position in which his personal interest conflict with his official duties”.

The court observed that according to Ifmis transactions produced, there was evidence that the county government of Samburu did pay Oryx Petrol huge sums of money for the period 22nd August 2014 to 29th May 2018. This evidence was not disputed. Indeed, there was no distinction between Oryx Petrol Station and the governor. That they are one and the same thing. The money that Oryx received is indirectly money paid to the governor hence suspected to have been obtained through corrupt conduct given the element of conflict of interest alleged.

Since there was already suspicion in the manner in which the award for the supply of petroleum products was made in favour of the Governor, it was the court's finding that there was reasonable suspicion that the money may have been obtained through illegitimate means hence the justification in issuing freezing orders in respect of his account. The court further found that the fact that such money is mixed with some legitimate sources of income like salaries which goes through the same account number does not mean that the account cannot be frozen. The court further held that preservation of the account is necessary pending further proceedings

CHAPTER THREE

3.0 Recommendations and Conclusion

3.1 Recommendations

a) Develop conflict of interest registers

The County Assembly should make use of the conflict of interest registers that should be used during meetings by both state and public officers. This will ensure comprehensive records of conflict-of-interest disclosures and actions taken.

b) Develop Clear Policies

The County Assembly should come up with clear, detailed policies on what constitutes a conflict of interest, covering both personal and professional situations.

c) Regular Training

There is need for regular training, for State officers, employees, board members, and stakeholders to help them recognize conflicts of interest in various situations.

d) Disclosure of Conflicts

- **Mandatory Disclosure:** It requires State officers and public officers to disclose any potential conflicts of interest at regular intervals or when a situation arises.
- **Transparent Reporting:** It ensures that disclosures are easily accessible and reviewed by appropriate parties, such as ethics committees or human resources.

e) Assessment

Evaluate the Conflict: When a potential conflict arises, the Assembly should assess its impact on objectivity, fairness, and decision-making and take appropriate action depending on the severity. The action can include recusal from decisions, restructuring roles, or even separation from certain activities or positions.

f) **Recusal and Avoidance**

- **Recuse from Decision-Making:** If someone with a conflict of interest is involved in a decision, they should recuse themselves from participating in the discussion or decision-making process.
- **Alternative Oversight:** Appoint neutral third parties to make decisions or provide oversight when conflicts are present.

g) **Regular Monitoring**

- **Ongoing Review:** The Assembly should conduct regular monitoring and evaluation of activities and decisions to identify any new or ongoing conflicts of interest.
- **Audit and Compliance:** The Assembly should have independent audits or reviews to ensure compliance with conflict-of-interest policies.

h) **Promote a Culture of Integrity**

- **Lead by Example:** The top management should model transparency and ethical behavior, setting the tone for everyone involved.
- **Encourage Open Communication:** The Assembly should create an environment where individuals feel comfortable reporting potential conflicts without fear of retaliation.

3.2 Conclusion

Managing conflicts of interest is essential to ensure fairness, transparency, and ethical decision-making in the County Assembly. Addressing conflicts of interest can foster an environment of integrity and accountability.

Overall, addressing conflicts of interest is crucial to maintain fairness, trust, and integrity in any setting.

Then we have the adoption schedule, we the under-assigned members of the Committee of Powers and Privileges affix our signatures adopting this report with the contents therein.

I want to call Hon. Ali Machani to second the motion.

Hon. Ali Machani: Thank you Hon. Speaker. I want to thank the mover of our report Hon. Tony representing Lwandanyi. Without taking more time, I second the report and we appeal to this House to approve the report without amendments. Thank you.

Mr. Speaker: Honourable members, as you heard from the seconder of the motion, he is saving time for members to go and consult, allow me be able to propose a motion for debate;

(Question proposed)

(Question put and agreed to)

The Ayes have it. The report plus its recommendations is hereby adopted by the House.

ADJOURNMENT

Honourable Members, I'm informed by my Clerks at the Table that was the only item under motion. We will adjourn our sitting today and resume on Wednesday 2nd April 2025 in our 9.30 a.m. session.

The House rose at 3.30 p.m.