



COUNTY GOVERNMENT OF BUNGOMA



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COUNTY ASSEMBLY OF BUNGOMA

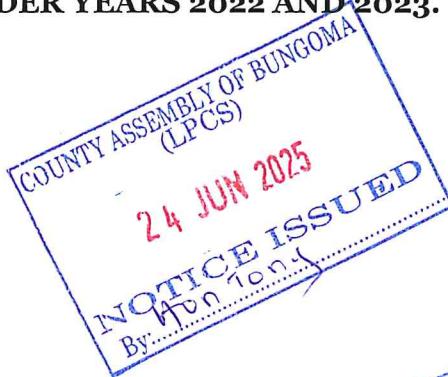
OFFICE OF THE CLERK

THIRD ASSEMBLY

FOURTH SESSION

**SECTORAL COMMITTEE ON PUBLIC ADMINISTRATION AND ICT
REPORT ON STATUS OF IMPLEMENTATION OF HOUSE RESOLUTIONS
FOR CALENDAR YEARS 2022 AND 2023.**

**Clerks Chambers
County Assembly Buildings
P.O BOX 1886 - 50200
BUNGOMA, KENYA**



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EXECUTIVE SUMMARY

Honorable Speaker,

Since the advent of the third Assembly, the County Assembly has enacted several pieces of legislation, given policy guidelines and directions through Sector Committee reports for effective functioning of the County Government. It is worth noting that after the adoption and communication of the House resolutions to the relevant County Executive Departments, implementation reports have not been forthcoming despite various attempts by the relevant Committees to request for them from the Executive.

Pursuant to Standing Order No. 205(2) of the County Assembly of Bungoma Standing Orders, the relevant County Executive Committee Member under whose portfolio the implementation of the resolution falls, is mandated to provide a report, within sixty days of a resolution of the House or adoption of a report of a Select Committee, to the relevant Committee of the County Assembly in accordance with Article 183 (3) of the Constitution.

It is upon this premise that the County Assembly through the Liaison committee requested for implementation status of House resolutions for sector committees for 2022 and 2023 calendar years from the respective Departments. The reports were to clearly outline actions taken, progress achieved, challenges encountered and timelines for full implementation of both the resolutions and recommendations contained in the adopted reports, as well as the provisions of the enacted County legislations relevant to the Department. Written submissions were brought through the Office of the Clerk to facilitate interrogation and reporting by the respective Committees on 13th and 16th May, 2025.

Further, this decision sought to enhance the oversight role of Assembly Committees through the Implementation Committee by pushing for implementation of the House resolutions as provided for in the County Assembly Standing Order no. 212.

Finally, the Committee has comprehensively considered the implementation of one report and three Acts and hereby presents this report for consideration by the House.

CHAPTER ONE

1.1 PREAMBLE

Honorable Speaker,

I am pleased to present this report on the status of implementation of House resolutions for 2022 and 2023 calendar years. The information and insights contained in this report have been gathered through oral submissions and analysis of documents submitted by the County Executive Department of Public Service Management and Administration.

1.2 COMMITTEE MEMBERSHIP

Honorable Speaker,

The following are the current Members of the Committee on Public Administration and ICT:

- | | |
|---------------------------|------------------|
| 1. Hon. Tony Barasa | Chairperson |
| 2. Hon. Caleb Wanjala | Vice chairperson |
| 3. Hon. Joseph Nyongesa | Member |
| 4. Hon. Jackson Wambulwa | Member |
| 5. Hon. Busolo Sudi | Member |
| 6. Hon. Francis Chemion | Member |
| 7. Hon. Johnston Ipara | Member |
| 8. Hon. Grace Sundukwa | Member |
| 9. Hon. Cornelius Makhanu | Member |
| 10. Hon. Timothy Chikati | Member |
| 11. Hon. Stephen Kaiser | Member |
| 12. Hon. Job Mukoyandali | Member |
| 13. Hon. Dorcas Ndasaba | Member |
| 14. Hon. Brigid Katasi | Member |
| 15. Hon. Florence Juma | Member |

1.3 MANDATE OF THE COMMITTEE

Honorable Speaker,

The Sectoral Committee on Public Administration & ICT was established on 26th October, 2022 in accordance with Standing Order No.179.

The mandate of the Committee is derived from Standing Order No.217 (5) and matters assigned under the Second Schedule which shall be exercised within the limits contemplated under Part 2 of the Fourth Schedule of the Constitution of Kenya, 2010.

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) Consider quarterly reports of the assigned departments and report to the house within twenty one sitting days upon being laid
- (c) Study the programme and policy objectives of departments and the effectiveness of the implementation;
- (d) Study and review all county legislation referred to it;
- (e) Study, access and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- (f) 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;
- (g) To vet and report on all appointments where the constitution or any law requires the County Assembly to approve, except those under Standing Order 208 (Committee on Appointments); and

- (h) Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.
2. In accordance with the Second schedule of the Bungoma County Assembly Standing Orders, the committee is mandated to deal with all matters related to:

Public Administration including County, Sub-County, Ward and Village Administration, public service; broadcasting of the proceedings of the House; public participation; provision of library, publications and research services in the County Assembly, including improvement of the library and research services; utilization of the facilities provided by the library and research services, including use of information and communication technology; and all matters related to Office of the County Attorney.

1.4 ACKNOWLEDGMENT

Honorable Speaker,

I take this opportunity to thank your Office and that of the Clerk of the County Assembly of Bungoma for the support received as the Committee discharged its mandate. I also appreciate Committee members for dedicating their time to examine and analyze the House Resolutions for 2022 and 2023 calendar year. Further, I would also like to appreciate the secretariat who worked with us for their commitment.

Honorable Speaker,

It is therefore my pleasant duty and privilege, on behalf of the Hon. Members of the Sectoral Committee on Public Administration and ICT, to table this report and recommend it to the Assembly for consideration and adoption.

Signed.....  Date..... 13/06/2025.....

Hon. Tony Khaoya Barasa

MCA, Lwandanyi Ward

Chairperson, Sectoral Committee on Public Administration and ICT

CHAPTER TWO

2.1 GUIDING CONSTITUTIONAL AND STATUTORY PRINCIPLES

Honorable Speaker,

In line with the oversight mandate granted to the County Assembly under Article 185(3) of the Constitution of Kenya, 2010; Section 8(1) (b) of the County Governments Act, 2012 and the County Assembly Standing Orders, the County Assembly requested for implementation status reports of the House resolutions for Sector Committees for Calendar years 2022 and 2023.

The Committee carried out interrogations of the Department focusing on the provisions of the County Assembly of Bungoma Standing Order no. 205(1) and (2) on County Assembly resolutions thus;

- (1) *The Clerk shall, within seven days of a resolution of the House or adoption of a report of a Select Committee, convey the resolution and where applicable, a copy of the report, to the relevant County Executive Committee Member, independent Commission or holder of a Statutory Body under whose portfolio the implementation of the resolution falls.*
- (2) *Within sixty days of a resolution of the House or adoption of a report of a Select Committee, the relevant County Executive Committee Member under whose portfolio the implementation of the resolution falls, shall provide a report to the relevant Committee of the County Assembly in accordance with Article 183 (3) of the Constitution.*

Standing Order 212(4); Committee on Implementation states that;

- (4) The Committee shall scrutinize the resolutions of the House (including adopted Committee reports), Petitions and the undertakings given by the County Executive Committee 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.
- (5) The Committee may propose to the House, sanctions against any Member of the County Executive Committee who fails to report to the relevant Select Committee on implementation status without justifiable reasons.

2.2. ANALYSIS OF THE STATUS OF IMPLEMENTATION OF COMMITTEE REPORTS FOR THE CALENDAR YEARS 2022 AND 2023

Honorable Speaker,

During the Liaison Committee meeting, it was resolved that House resolutions for the Calendar years 2022 and 2023 be considered in terms of how far the relevant Departments had adhered to the implementation of the recommendations of Assembly Committees contained in the adopted reports by the House. During the period under review, the following reports and legislations by the Sectoral Committee on Public Administration and ICT were adopted by the House and conveyed to the CECM Public Service Management and Administration;

- i. Report on the Nine months financial statements for the period ended 31st March, 2023
- ii. The Bungoma County State of the County Address Act, 2023
- iii. The Bungoma County Flag, Emblems and Names Protection Act, 2015
- iv. The Bungoma County Decentralized (Administrative) Units Act, 2015

Subsequently, the County Executive Committee Member was invited for the interrogations via a letter referenced CAB/ADM/6VOL.V (93). The Committee conducted its interrogation on 16th May 2025 at 9:00 a.m. at the County Assembly Precincts.

2.3 INTERROGATION OF THE IMPLEMENTATION STATUS OF THE HOUSE RESOLUTIONS.

Honorable Speaker,

On the requirement to provide an implementation report to the relevant Committee of the County Assembly within sixty days after adoption of a report by the House and in accordance with Article 183 (3) of the Constitution read together with Standing order 205(2) of the County Assembly of Bungoma Standing Orders, the CECM Public Service Management and ICT submitted to the Committee that some of the resolutions had been implemented while some had not due to budgetary constraints and other factors. However, no evidence of implementation had been submitted to the assembly as per the above requirement.

2.4 IMPLEMENTATION STATUS OF COMMITTEE RECOMMENDATIONS

Honorable Speaker, the following are the reports handled by the Committee, Departmental responses, Committee observations and recommendations on their implementation status of the Committee recommendations:

1. REPORT ON THE 9TH MONTH FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31ST MARCH, 2023

OFFICE OF H.E THE GOVERNOR

Honorable Speaker, the report was adopted by this House on **11th October, 2023** with recommendations therein. It was forwarded to the Department of Public Service Management and Administration for action as per the provisions of Standing Order No. 205.

Resolution No. 1

THAT, the County treasury **MUST** ensure correctness of the financial statements by consulting the user Departments before submission to the County Assembly for consideration.

Response from the Department

The Department submitted that it has continuously consulted with the County treasury to ensure the correctness of the financial statements.

Committee observation

The Office of the Governor has had discrepancies in financial reporting. The Committee notes that the office does not follow up on the reports submitted to treasury to ensure they are correctly captured.

Status of Implementation

Not implemented.

Resolution No. 2

THAT, pending bills should be paid by 2nd quarter of each financial year to avoid litigations and also in line with the County treasury circular that put pending bills as first charge.

Response from the Department

The Department submitted that during the period under review, pending bills had an allocation of Ksh.11, 595, 249. Out of this, Ksh. 8,488,970 was paid. The companies paid were Administration police welfare Ksh.1, 500, 000, African Touch Safaries Ksh. 4,092,070 and the Standard group PLC Ksh. 2,896,900 leaving a balance of Ksh. 3,106,279.

Committee observation

As at the time of compiling this report, all pending bills that had been budgeted for during the reporting period had been settled. However, there were delays in payment occasioned by the slow release of funds from the exchequer.

Status of Implementation

Implemented

Resolution No. 3

THAT, the Accounting Officers **MUST** comply with the provisions of Regulation 93(5), (6), (7) and (8) of the Public Finance Management Regulations, 2015 in respect to management of imprests.

Response from the Department

The Department has ensured that there are no multiple imprests issued to an individual and the seven day limit is adhered to. The Department also submitted that standing imprests are regulated by a circular issued by the CECM, Finance and Economic Planning in the year 2022. As a result of the, all the imprests had been surrendered.

Committee observation

The office of the Governor had a total of Ksh. 35,111,650 outstanding imprest for the reporting period. No evidence of surrender of the imprests was submitted to the Committee for verification.

Status of Implementation

Not implemented.

Resolution No. 4

THAT, the Department **MUST** declare an accurate and detailed report on all pending bills to the County Assembly for proper budgeting and scrutiny by the Committee two weeks after adoption of this report.

Response from the Department

In the response, the Department submitted that it has since declared the pending bills and submitted to the County treasury for consideration.

Committee Observation

Pending Bills as provided for in the budget for the period under review were paid. Current status of the pending bills was submitted to the Committee.

Status of Implementation

Implemented

Resolution No. 5

THAT, the Ministries and Departments should desist from attending LREB activities until the LREB Bill is passed.

Response from the Department

The Department submitted a signed agreement that has given it the mandate to participate in the Lake Region Economic Bloc activities.

Committee Observation

The Lake Region Economic Bloc (LREB) Bill was rejected by the Second County Assembly in 2018. Despite this, the Department has continued to allocate funds to facilitate the participation by H.E. the Governor in LREB meetings, in which he serves as the Vice Chairperson. The Committee observes that this expenditure lacks a legal framework and therefore constitutes an irregularity.

Status of Implementation

Not implemented

Resolution No.6

THAT, budgets must be implemented as approved pursuant to PFMA 149(1).

Response from the Department

The Department has adhered to the approved budget.

Committee Observation

The Committee noted that there was no budgetary allocation to cater for Assumption of Office by H.E the Governor.

Status of Implementation

Not implemented.

OFFICE OF THE COUNTY SECRETARY AND HEAD OF PUBLIC SERVICE.

Resolution No. 1

THAT, the County treasury **MUST** ensure correctness of the financial statements by consulting the user Departments before submission to the County Assembly for consideration.

Response from the Department

The Department submitted that it has continuously consulted with the County treasury to ensure the correctness of the financial statements.

Committee observation.

The Department has not undertaken adequate consultations or follow-up with the County Treasury to ensure that the information submitted is accurately captured.

Status of Implementation

Not implemented

Resolution No. 2

THAT, pending bills should be paid by 2nd quarter of each financial year to avoid litigations and also in line with the County treasury circular that put pending bills as first charge.

Response from the Department

The office has done ring fencing of pending bills funds for ease of processing their payments.

Committee observation

Most of the pending bills as budgeted for in the period under review were paid. However, no supporting documents were submitted to the Committee.

Status of Implementation

Not implemented.

Resolution No. 3

THAT, the Accounting Officers **MUST** comply with the provisions of Regulation 93(5), (6), (7) and (8) of the Public Finance Management Regulations, 2015 in respect to management of imprests.

Response from the Department

The Department has ensured that there are no multiple imprests issued to an individual and that the seven day limit is adhered to. The Department also submitted that standing imprests are regulated by a circular issued by the CECM, Finance and Economic Planning in the year 2022. Attachment of unsurrendered imprests to individual salaries has been done and appointment of an accountant made specifically in charge of imprests with the view of ensuring that no individual holds more than two imprests.

Committee observation

No evidence of attachment of unsurrendered imprests to individual salaries was submitted to the Committee as well as supporting documents i.e. the IFMIS print out.

Status of Implementation

Not implemented

Resolution No. 4

THAT, the Department **MUST** declare an accurate and detailed report on all pending bills to the County Assembly for proper budgeting and scrutiny by the Committee two weeks after adoption of this report.

Response from the Department

The Department is ensuring timely update of pending bills list, accuracy and completeness.

Committee Observation

The Department has consistently submitted figures on pending bills that differ from those reported by the County treasury

Status of Implementation

Not implemented.

PUBLIC SERVICE MANAGEMENT, ADMINISTRATION & ICT

Resolution No. 1

THAT, the County treasury **MUST** ensure correctness of the financial statements by consulting the user Departments before submission to the County Assembly for consideration.

Response from the Department

Periodic Meetings on the preparations and submissions of financial statements to the County Assembly have been centralized in the County treasury under the leadership of the Director, Accounting Services to ensure their correctness. This has reduced variance between the County financial reports and those from the Department.

Committee observation

The Department does not follow up on the information submitted to the treasury to ensure it is correctly captured. Minutes of the periodic meetings with the County treasury were not provided.

Status of Implementation

Not implemented.

Resolution No. 2

THAT, pending bills should be paid by 2nd quarter of each financial year to avoid litigations and also in line with the County treasury circular that put pending bills as first charge.

Response from the Department

The department ensures timely processing of pending bills for payment in accordance with the available budget allocations and exchequer_releases. As a result, 16% of the current (FY 2024/2025) pending bills amounting to Kshs.12.8 Million out of 82.1 Million have been paid in the 2nd quarter of the financial year.

Committee observation

Out of the Ksh. 18 million allocated for the settlement of pending bills, only Ksh. 12 million was utilized, leaving an unspent balance of Ksh. 6 million. The underutilization was attributed to delays in the release of funds by the National Treasury.

Status of Implementation

Not implemented

Resolution No. 3

THAT, The Accounting Officers **MUST** comply with the provisions of Regulation 93(5), (6), (7) and (8) of the Public Finance Management Regulations, 2015 in respect to management of imprests.

Response from the Department

The Department has since ensured that there are no multiple imprests issued to an individual and the seven (7) day limit is adhered to. The Department also submitted that standing imprests are regulated by a circular issued by the CECM, Finance and Economic Planning in the year 2022.

Committee observation

The Committee notes with concern that some imprests date back to 2019 and some of the officers have since left the service. The Accounting officer has failed to invoke the provisions of the PFM Regulations 93(5) in respect to the management of imprests.

Status of Implementation

Not implemented

Resolution No. 4

THAT, the Department **MUST** declare an accurate and detailed report on all pending bills to the County Assembly for proper budgeting and scrutiny by the Committee two weeks after adoption of this report.

Response from the Department

Accurate and detailed report on pending bills list was submitted to the County Assembly. The Department continues to update pending bills list to ensure accuracy and completeness at any given time.

Committee Observation

The updated list of pending bills was submitted. However this was not submitted on time.

Status of Implementation

Not implemented

OFFICE OF THE COUNTY ATTORNEY

Resolution No. 1

THAT, the County treasury **MUST** ensure correctness of the financial statements by consulting the user Departments before submission to the County Assembly for consideration.

Response from the Department

The County Treasury has centralized and taken the leadership in the preparation of financial statements to ensure their correctness.

Committee observation

The Department does not follow up on the reports submitted to ensure they are captured correctly. No evidence of the correspondence between the Department and the office was submitted.

Status of Implementation

Not implemented

Resolution No. 2

THAT, pending bills should be paid by 2nd quarter of each financial year to avoid litigations and also in line with the County treasury circular that put pending bills as first charge.

Response from the Department

Out of the Kshs.61 million budget proposal, Kshs.28 million has been budgeted for payment of pending bills. Budget allocations are insufficient to clear the pending bills and the uploading of half year budgets hamper quick processing of pending bills whose payments are further delayed by exchequer releases.

Committee observation

The Committee notes with concern that the Department failed to pay the pending bills despite having a budgetary provision to cater for the same.

Status of Implementation

Not implemented

Resolution No. 3

THAT, the Accounting Officers **MUST** comply with the provisions of Regulation 93(5), (6), (7) and (8) of the Public Finance Management Regulations, 2015 in respect to management of Imprests.

Response from the Department

The Office of the County Attorney does not process staff salaries'. Therefore, follow up on salary recoveries for unsurrendered imprests is quite a challenging process.

Committee observation

The Accounting officer has failed to invoke the provisions of the PFM Regulations with regard to management of imprests.

Status of Implementation

Not implemented.

Resolution No. 4

THAT, the Department **MUST** declare an accurate and detailed report on all pending bills to the County Assembly for proper budgeting and scrutiny by the Committee two weeks after adoption of this report.

Response from the Department

Delayed submission and sometimes submission of incomplete documentation of the payment requests by the suppliers of goods and services often cause delays in payments. To address this, the office ensures monthly updating of pending bills list is in place to ensure accuracy and completeness.

Committee Observation

The Department does not have an accurate and updated list of pending bills. The office does not follow up on the information submitted to the Treasury to ensure it is accurately captured.

Status of Implementation

Not implemented.

2. STATE OF THE COUNTY ADDRESS ACT 2023

Honorable Speaker,

This Act was passed by the County Assembly, assented to by H.E the Governor and published on 12th April 2023. Below is the response from the Department on the status of implementation.

Response from the Department

Section 4 requires the Governor to deliver the annual State of the County Address at the County Assembly providing a framework for implementation.

Status of Implementation

The County Government has implemented and operationalized all the provisions of this Section.

Section 7 (1) of the Act provides for the accompaniment of the Governor to the Chamber.

The Governor has been accompanied by the County Executive members during the state of the County Address.

The Act does not give leeway for the enactment of the regulations to operationalize it.

Committee Observations

Honorable Speaker,

The Committee observed as follows on the State of County Address Act 2023.

1. The Committee notes that the details of the measures and progress under Section 4 (a) have never been published in the Gazette. Further, section 5(1) has not been complied with.
2. A report on citizen participation in the affairs of the County Government has never been submitted to the County Assembly for scrutiny as per the provisions section 4(d) of the Act.
3. Section 4 requires the Governor to deliver the annual State of the County Address at the County Assembly providing a framework for implementation. However, this requirement has not been fully complied with.
4. The County Executive Committee does not recognize the Department of Public Service Management as the lead custodian Department which facilitates the coordination and the preparation of the County state Address by the H.E the Governor; this has seen other Departments do the same as observed during the State of the County Address 2025.

COMMITTEE RECOMMENDATIONS

Honorable Speaker, the Committee recommends as follows on the State of the County Address Act 2023.

1. **THAT**, pursuant to Section 5(1) of the State of the County Address Act, 2023, the County Executive Committee Member for Public Service Management ensures that all measures and progress reports under Section 4(a) are published in the Kenya Gazette within the timelines provided for by law.
2. **THAT**, the County Executive Committee Member for Public Service Management submits to the County Assembly a detailed report on citizen participation in the affairs of the County Government, as required under Section 4(d) of the Act, to facilitate legislative scrutiny and public accountability 30 days after adoption of this report..
3. **THAT**, H.E Governor fully complies with the provisions of Section 4 of the Act by delivering the State of the County Address annually in the County Assembly and ensuring that the Address provides a clear framework for implementation, as envisioned by the Act.
4. **THAT**, the County Executive initiates appropriate administrative measures to formally designate the Department of Public Service Management as the lead Department responsible for coordinating the preparation and delivery of the State of the County Address, to streamline the process and avoid duplication of roles by other Departments, as was witnessed during the 2025 Address.

3. THE BUNGOMA COUNTY FLAG, EMBLEMS AND NAMES PROTECTION ACT, 2015.

Honorable Speaker,

The Committee considered the status of implementation of this Act as one of its activities and prepared a comprehensive report which will be considered by this House.

4. THE BUNGOMA COUNTY DECENTRALIZED (ADMINISTRATIVE) UNITS ACT, 2015.

The Committee considered the status of implementation of this Act and the report was tabled and adopted by this Honorable House.

CHAPTER THREE

3.1 GENERAL OBSERVATIONS AND RECOMMENDATIONS

3.1. General Observations

Honorable Speaker,

The Committee made the following observations;

1. Evidence/supporting documents were not submitted to enable committee make a conclusion on the resolutions for instance on surrendered imprests.
2. Imprests remain unsurrendered from 2019, yet some officers have since left service. The Accounting Officer contravened the provisions of Regulation 93 (5), (6), (7) and (8) of the Public Finance Management Regulations, 2015 in respect to management of Imprests.
3. The Lake Region Economic Bloc (LREB) Bill was not passed by the Second County Assembly. Despite this, the Department has continued to allocate funds to facilitate the participation of H.E. the Governor in LREB meetings, in which he serves as the Vice Chairperson. The Committee observes that this expenditure lacks a legal framework and therefore constitutes an irregularity.
4. There was no budget to facilitate the Assumption office for his H.E the Governor. Funds were drawn from other Departments like Gender and Culture to facilitate this which has affected implementation of other programmes.
5. The report on the status of implementation of the Bungoma County Decentralized (Administrative) Units Act, 2015 was considered and adopted by the House.
6. The Committee considered the status of implementation of the Bungoma County Flags, emblems and names protection act and has forwarded the report for consideration by the House.

3.1.2 RECOMMENDATIONS

Hon. Speaker,

The Committee Recommends as follows:

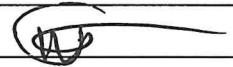
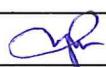
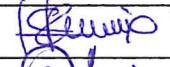
1. **THAT**, evidence of surrendered imprests be submitted to the County Assembly within thirty (30) days of the adoption of this report, to ensure accountability and facilitate appropriate follow-up action.
2. **THAT**, the Department of Public Service Management should ensure allocation of funds for the Assumption of Office of H.E the Governor in the FY 2027/2028 budget, to facilitate smooth and effective execution of related functions.
3. The Committee recommends that the CECM, Public Service Management to expeditiously develop and submit to the County Assembly appropriate legislation on the Lake Region Economic Bloc within thirty (30) days of the adoption of this report. This will provide the necessary legal framework to enable the County Assembly to allocate funds for facilitation of related activities
4. **THAT**, The Accounting Officers **MUST** comply with the provisions of Regulation 93(5), (6), (7) and (8) of the Public Finance Management Regulations, 2015 in respect to management of Imprests. Further, the Committee recommends that the Accounting Officer institutes proceedings to surcharge the responsible officers. Failure to do so shall render the Accounting Officer liable for appropriate action. The outcome of these actions should be reported to the Sector Committee within thirty (30) days of the adoption of this report.

Thank you,

I move

4.0 ADOPTION SCHEDULE

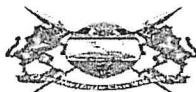
The Members of the Sectoral Committee on Public Administration and ICT hereby adopt and append the signatures to this report with the contents herein.

S/N	Name	Designation	Signature
1	Hon. Tony Barasa	Chairperson	
2	Hon. Caleb Wanjala	V/Chairperson	
3	Hon. Joseph Juma	Member	
4	Hon. Jack Wambulwa	Member	
5	Hon. Sudi Busolo	Member	
6	Hon. Grace Sundukwa	Member	
7	Hon. Francis Chemion	Member	
8	Hon. Stephen Kaiser	Member	
9	Hon. Johnston Ipara	Member	
10	Hon. Job Mukoyandali	Member	
11	Hon. Dorcas Ndasaba	Member	
12	Hon. Timothy Chikati	Member	
13	Hon. Cornelius Makhanu	Member	
14	Hon. Brigid Katasi	Member	
15	Hon. Florence Juma	Member	

Annexures

1. Submissions from the department
2. The Bungoma County State of the County Address Act 2023.

COUNTY GOVERNMENT OF BUNGOMA



DEPARTMENT OF PUBLIC SERVICE MANAGEMENT, ADMINISTRATION & ICT OFFICE OF THE COUNTY EXECUTIVE COMMITTEE MEMBER

Telephone: 0705707116
E-mail: publicadministration@bungoma.go.ke

Municipal Building
P. O Box 437- 50200
BUNGOMA

Our Ref: CG/BGM/PSM&ADM/CECM//CAB/VOL.III (38) 15 MAY 2025 Date: 15th May, 2025

The Clerk of the County Assembly of Bungoma
P.O BOX 1886-50200
BUNGOMA

Thro'

The County Secretary & Head of Public Service
County Government of Bungoma.
P.O BOX 437-50200
BUNGOMA

*CC- PSM&ICT
J. N. K
15 MAY 2025*

RE: RESPONSE ON IMPLEMENTATION STATUS REPORTS ON ADOPTED REPORTS AND ENACTED COUNTY LEGISLATIONS

Reference is made to your letter Ref: CAB/ADM/6 VOL.V (93) dated 8th May 2025 submission of implementation status reports on adopted reports and enacted county legislation.

In this regard, please find attached reports outlined below for your use.

1. Office of the Governor
2. County Secretary
3. County Attorney
4. Public Service Management Administration and ICT

22/23

for
Dr. David Wamamili
CECM - Public Service Management Administration and ICT



CC County Chief Officer- Public Service Management Administration and ICT

18/

OFFICE OF THE COUNTY SECRETARY

IMPLEMENTATION STATUS REPORT ON COMMITTEE RECOMMENDATIONS

S/N O	RECOMMENDAT ION	ACTION UNDERTAKEN	PROGRE SS ACHIEV ED	CHALLEN GES	TIMELINE FOR FULL IMPLEMENTAT ION
1.	Consultations with the County Treasury to ensure correctness of the Financial Statements before their submission to the County Assembly	Preparations and submissions of Financial Statements to the County Assembly are now being centrally handled by the County Treasury under the leadership of the Director Accounting Services to ensure their correctness.	Decreased variations in the County Treasury reports and the reports emanating from our department.	No challenge experienced so far.	Continuous process
2.	Payment of pending bills by 2 nd quarter in line with the County Treasury circular that put pending bills as first charge in addition to the need to avoid litigations.	Ringfencing of pending bills funds for ease of processing their payments.	In the budget allocation proposal FY 2025/26, Kshs. 2.76 Million has been proposed for payment of the pending bills.	Insufficient budget allocations, uploading of half year budgets and delayed exchequer releases negatively affect payment of pending bills	30 th June 2025
3.	Complying with the provisions of Regulation 93 (5), (6), (7) and (8) of the Public Finance	Attachment of unsurrendered/delayed imprests to individual salaries. The department	Reduced number of imprests as a result of	Delayed facilitation of activities as a result of delayed exchequer	30 th June 2025

	Management Regulations, 2015 in respect to management of imprests.	has also appointed an accountant specifically in charge of imprests with a view of ensuring that no individual holds more than two imprests at a time.	new regulations that encourage sundry payments and discourage imprests.	releases affect surrender timelines.	
4.	Declaration of an accurate and detailed report on all pending bills to the County Assembly for proper budgeting and scrutiny	Timely updating of pending bills list accuracy and completeness.	Accurate and detailed report on pending bills list submitted to the County Assembly	Incomplete documentation of pending bills.	30 th June 2025
5.	Implementation of budgets as approved pursuant to PFMA 149 (1)	Implementation of performance management in the public service	All staff placed on performance appraisals	Inadequate training funds	30 th June 2025

OFFICE OF THE COUNTY ATTORNEY

IMPLEMENTATION STATUS REPORT ON COMMITTEE RECOMMENDATIONS

S/N O	RECOMMENDATION	ACTION UNDERTAKEN	PROGRESS ACHIEVED	CHALLENGES	TIMELINE FOR FULL IMPLEMENTATION
1.	Consultations with the County Treasury to ensure correctness of the Financial Statements before their submission to the County Assembly	The County Treasury has centralized and taken the leadership in the preparation of Financial Statements to ensure their correctness.	Reduced variations in the reporting.	No challenge experienced so far.	Continuous
2.	Payment of pending bills by 2 nd quarter in line with the County Treasury circular that put pending bills as first charge in addition to the need to avoid litigations.	Sharing of suppliers' credit funds among the suppliers of goods and services for equity in payment of the pending bills.	Out of the Kshs.61 million budget proposal, Kshs.28 million has been budgeted for payment of pending bills.	Budget allocations are insufficient to clear the pending bills and the uploading of half year budgets hamper quick processing of pending bills whose payments are further delayed by delayed exchequer releases.	30 th June 2027 <i>(Prepare report to court)</i>
3.	Complying with the provisions of Regulation 93 (5),	Preparation of monthly imprest	Reduced cases of delayed	The Office of the County	30 th June 2025

① Pending bills litigation 163ml, some payments were made

	(6), (7) and (8) of the Public Finance Management Regulations, 2015 in respect to management of imprests.	reports for timely actioning through recommending salary attachments for individuals with unsurrendered imprests,	surrender of imprests. This is a continuing process.	Attorney does not process its staff salaries', therefore follow ups on salary recoveries for unsurrendered imprests is quite a challenging process.	
4.	Declaration of an accurate and detailed report on all pending bills to the County Assembly for proper budgeting and scrutiny	Monthly updating of Pending bills list is in place to ensure accuracy and completeness.	Submission of accurate and detailed report on pending bills to the County Assembly.	Delayed submission and sometimes submission of incomplete documentation of the payment requests by the suppliers of goods and services often cause delays in payments.	30 th June 2025
5.	Implementation of budgets as approved pursuant to PFMA 149 (1)	Work plans are prepared after the approval of budgets by the County Assembly and strictly in accordance with the approved budgets.	Staff performance appraisals are based on the workplans that are prepared basing on the approved budgets.	Performance appraisals have been introduced not so long ago, training is needed whose funding has always been inadequate.	30 th June 2025

DEPARTMENT OF PUBLIC SERVICE MANAGEMENT, ADMINISTRATION & ICT

IMPLEMENTATION STATUS REPORT ON COMMITTEE RECOMMENDATIONS

S/N O	RECOMMENDATION	ACTION UNDERTAKEN	PROGRESS ACHIEVED	CHALLENGES	TIMELINE FOR FULL IMPLEMENTATION
1.	Consultations with the County Treasury to ensure correctness of the Financial Statements before their submission to the County Assembly	Periodic Meetings on the preparations and submissions of Financial Statements to the County Assembly have been centralized in the County Treasury under the leadership of the Director Accounting Services to ensure their correctness.	Reduced variances between County Financial Reports and those from the department.	No challenge experienced so far.	Continuous
2.	Payment of pending bills by 2 nd quarter in line with the County Treasury circular that put pending bills as first charge in addition to the need to avoid litigations.	Timely processing of pending bills for payment in accordance to the available budget allocations and exchequer releases.	16% of current (FY 2024/25) pending bills amounting to Kshs.12.8 Million out of 82.1 Million have been paid in the 2 nd quarter of the Financial Year.	Inadequate budget allocations, delayed exchequer releases, uploading of half year budgets and delayed submission of invoices. Delayed exchequer release from treasury	30 th June 2025
3.	Complying with the provisions of	Attachment of unsurrendered/de	Increased employee	Delayed exchequer	30 th June 2025

	Regulation 93 (5), (6), (7) and (8) of the Public Finance Management Regulations, 2015 in respect to management of imprests.	laid imprests to individual salaries. The department has also appointed an accountant specifically in charge of imprests with a view of ensuring that no individual holds more than two imprests at a time.	awareness of the Public Finance Management Regulations, 2015 in respect to the management of imprests that continues to reduce delayed cases of unsurrendered imprests.	releases leading to delayed facilitation of activities that end up affecting surrender timelines.	
4.	Declaration of an accurate and detailed report on all pending bills to the County Assembly for proper budgeting and scrutiny	The department continuous to update pending bills list to ensure accuracy and completeness at any given time.	Accurate and detailed report on pending bills list submitted to the County Assembly.	Delayed invoicing and forwarding of payment requisitions by the suppliers of goods and services.	30 th June 2025
5.	Implementation of budgets as approved pursuant to PFMA 149 (1)	Implementation of performance management in the public service	All staff placed on performance appraisals	Inadequate training funds	30 th June 2025

OFFICE OF THE GOVERNOR

G O 4

S/NO	COUNTY ASSEMBLY RECOMMENDATION	ACTIONS UNDERTAKEN	PROGRESS ACHIEVED	CHALLENGES ENCOUNTERED	TIMELINES FOR FULL IMPLEMENTATION
1	Correctness of the financial statement	Continuous consultation with the county treasury to ensure correctness of the financial statements	The department has continuously consulted with the county treasury to ensure the correctness of the financial statements	No challenges so far	Continuous assessment
2	Payment of Pending bills by 2 nd quarter	Continuous payment of the pending bills Attached is current status	The Department has since paid most of the pending bills under review	Uploading of half budget has hindered the department from paying the pending in the 1 st and 2 nd quarter	Continuous assessment

3	Management of imprests	<ul style="list-style-type: none"> • The Department has since ensured that there are no multiple imprests issued to an individual • The Department is continuously ensuring that the 7 day limit is adhered to. • The standing imprests are regulated by a circular issued by CECM finance in 2022. • SDU reports have since been prepared 	Delayed exchequer releases	Continuous assessment
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				• Preparation of SDU reports
5	Declaration of the pending bills	The department has since declared the pending bills as per the attached submission	Most of the pending bills allocated funds have since been paid	Lack of funds to pay all the pending bills
6	Enactment of LREB bill	Signed LREB agreement	Signed agreement has given mandate to undertake LREB activities	The LREB agreement encompasses the LREB bill
7	Implementation of Budgets PFMA 149(1)	Adherence to the appropriated budget	The Department has since adhered to the appropriated budget	Limited funding

**THE BUNGOMA COUNTY STATE OF THE COUNTY ADDRESS
ACT, 2023**

No. 2 of 2023

Date of Assent: 3rd April, 2023

Date of Commencement: See Section 1

ARRANGEMENT OF SECTIONS

Section

PART I—PRELIMINARY PROVISIONS

- 1 — Short title.
- 2 — Interpretation.
- 3 — Purpose of the Act.

**PART II—DELIVERY OF THE ANNUAL STATE OF THE
COUNTY ADDRESS**

- 4 — The Governor's Address.
- 5 — Notification of place, date and time.
- 6 — Governor entering or leaving the Chamber.
- 7 — Delivery of Governor's Address.
- 8 — Tabling and debate of Address.

PART III—MISCELLANEOUS PROVISIONS

- 9 — Public access.
- 10 — Accredited media.

No. 2 *Bungoma County State of the County Address* 2023

THE BUNGOMA COUNTY STATE OF THE COUNTY ADDRESS ACT, 2023

AN ACT of the County Assembly of Bungoma to provide for the delivery of the annual state of the County Address by the Governor of Bungoma County to the County Assembly of Bungoma; and for matters incidental thereto.

ENACTED by the County Assembly of Bungoma, as follows—

PART I—PRELIMINARY PROVISIONS

Short title and commencement

1. This Act may be cited as the Bungoma County State of the County Address Act, 2023 and shall come into force on the fourteenth day after its publication in the *Kenya Gazette* and County *Gazette*.

Interpretation

2. In this Act unless the context otherwise requires—

“Address” means the state of the County Address delivered by the Governor in the County Assembly;

“Chambers” means the County Assembly debating chambers;

“County” means the County of Bungoma;

“Gazette” means the *Kenya Gazette* and County *Gazette*;

“Governor” means the Governor of the County Government of Bungoma;

“Member” means a member of the County Assembly of Bungoma as enshrined in Article 177 of the Constitution;

“Speaker” means the Speaker of the County Assembly of Bungoma; and

“Year” means the calendar year for the period beginning January and ending December.

Purpose of the Act

3. The purpose of this Act is to provide for the delivery of the annual state of the County Address by the Governor of Bungoma County to the County Assembly of Bungoma.

PART II—DELIVERY OF THE ANNUAL STATE OF THE COUNTY ADDRESS

The Governor's Address

4. (1) The Governor shall deliver the annual State of the County Address at the County Assembly during a special sitting.

(2) The Governor shall deliver the annual state of the County Address not later than the 30th day of March each calendar year.

(3) The Governor shall notify the Speaker in writing of his/her intent to deliver the annual state of the County Address at least fourteen days prior to the delivery.

(4) The Governor's address shall contain—

- (a) a report on all the measures taken and the progress achieved in the realization of the national values referred to in Article 10 of the Constitution of Kenya, 2010;
- (b) a report on the implementation status of the County policies and plans;
- (c) a report on the performance reports of the County Executive Committee and public service based on the performance management plan;
- (d) a report on citizen participation in the affairs of the County Government; and
- (e) any other information that the Governor may deem fit.

(5) The Governor shall cause to be published in the *Gazette* the details of the measures and progress under section 4(a) above.

Notification of place, date and time

5. (1) The Speaker shall notify the Members and the general public of the place, date and time of the sitting under section 4(1) *vide* a *Gazette* Notice at least seven days prior to the delivery of the Address.

(2) Whenever the Speaker has been informed that the Governor will address a special sitting of County Assembly on a specified day and time, then on that day, no Motion for the adjournment of the County Assembly shall be made before the time for which the Governor's arrival has been notified.

No. 2 *Bungoma County State of the County Address* 2023

Governor entering or leaving the Chamber

6. Members shall be called to order and stand in silence whenever the Governor enters or leaves the Chamber.

Delivery of Governor's Address

7. (1) The Governor may be accompanied in the Chamber.

(2) During the address of the Governor to the County Assembly, the Speaker shall take the seat on the right of the Governor.

(3) When delivering the address to the County Assembly, the Governor shall be heard in silence and the address shall not be followed by any comment or question.

Tabling and debate of Address

8. (1) A Member shall lay the Address on the table of the County Assembly in the next sitting of the County Assembly following the reading of the Address.

(2) A Member may give a notice of Motion that “The Thanks of the County Assembly be recorded for the exposition of public policy contained in the Address of the Governor”.

(3) The debate on the Motion in subsection (2) shall not exceed four sitting days.

PART III—MISCELLANEOUS PROVISIONS

Public Access

9. (1) The public may access the County Assembly during the delivery of the address subject to section (4).

(2) The County Assembly may not exclude any person from a sitting of the County Assembly or of a committee unless, in exceptional circumstances, the Speaker has determined that there are justifiable reasons for the exclusion.

Accredited Media

10. (1) The proceedings of the County Assembly may be broadcast by the County Assembly Broadcasting Unit established under the County Assembly Standing Orders.

(2) No accredited media Assembly or other person may broadcast any proceedings of the Assembly except as received from the broadcast feed provided by the County Assembly Broadcasting Unit or with the permission of the Speaker.

(3) An accredited media that receives a broadcast feed from the County Assembly Broadcasting Unit shall broadcast it without any manipulation or distortion.

(4) No camera or other recording or broadcasting equipment shall be allowed in the Assembly without authorization.

(5) Accredited journalists shall be allowed access to designated areas for purposes of following the proceedings and taking notes and any journalist so allowed shall observe the Standing Orders and these Rules.