

**COUNTY GOVERNMENT OF BUNGOMA**

**COUNTY ASSEMBLY OF BUNGOMA**

**COUNTY ASSEMBLY DEBATES**

**THE DAILY HANSARD**

**THURSDAY, 3<sup>RD</sup> JULY, 2025**

**Afternoon Sitting**

**3<sup>rd</sup> County Assembly**

**4<sup>th</sup> Session**

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**COUNTY ASSEMBLY OF BUNGOMA**  
**THE DAILY HANSARD**  
**THURSDAY, 3<sup>RD</sup> JULY, 2025**

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

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

**PRAYER**

**COMMUNICATION FROM THE CHAIR**

**VISITING STUDENTS FROM ST. JUDE SYOYA SECONDARY SCHOOL**

**Mr. Speaker:** Honorable members, communication from the Speaker to the visiting delegation in our public gallery; I'm pleased to welcome students and teachers from St. Jude Syoya Secondary School from Kabula Ward in Bumula Sub-County.

The purpose of their visit to this Assembly is to enable them to learn more from the Assembly majorly on how we carry out our duties.

The visiting delegation comprises of 52 students, be upstanding.

*(Students stood up)*

Kindly be seated, please.

*(Applause)*

They are accompanied by three teachers;

1. Mr. Sostin Mukhebi,
2. Mr. Oscar Wafula,

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3. Ms. Jane Nyota,

*(Teachers stood up)*

Kindly be seated!

*(Applause)*

Honorable members, during the statement hour, I will allow Honorable members to make brief encouragement remarks and to the learners. I have been briefed that basically there are four candidates of history class who have come to learn from us. We proceed.

## **QUESTIONS AND STATEMENTS**

### **BUSINESS OF THE COUNTY ASSEMBLY FOR THE WEEK COMMENCING TUESDAY 18<sup>TH</sup> TO THURSDAY 10<sup>TH</sup> JULY, 2025**

**Mr. Speaker:** Hon. Cornelius, do this work for us! I think it was oversight for us; we didn't share or agree on the one to share. Kindly assist us to share the tentative weekly program for next week.

**Hon. Cornelius Wanjala:** Thank you, Hon. Speaker. I stand here to present the tentative weekly program of the Business of the County Assembly pursuant to Standing Order No. 42, this is for the week commencing Tuesday, 8<sup>th</sup> to Thursday, 10<sup>th</sup> July, 2025.

**Tuesday, 8th July, 2025 at 2:30 p.m.**

Order of business;

#### **Papers**

1. Report of the sectoral committee on Labor Relations, Member Service, and Facilities on the Account Assembly Service Board for the year 2024.
2. Report of the Sectoral Committee on Finance and Economic Planning on implementation of the House resolutions for the year 2022 and 2023.
3. Report of the Sectoral Committee on Finance and Economic Planning on County Revenue fund quarterly report and financial statement for the period ended 31<sup>st</sup>, 2024.

#### **Notices of Motion**

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1. Report of the Sectoral committee on Labor Relations, Member Service and Facilities on the County Assembly Service Board for the year 2024.
2. Report of the Sectoral Committee on Finance and Economic Planning on implementation of the House resolution for the year 2022 and 2023.
3. Report of the Sectoral Committee on Finance and Economic Planning on County Revenue fund quarterly report and financial statement for the period ended December 31<sup>st</sup>, 2024.

### **Questions and Statements**

Pursuant to Standing Order No. 47(2)(c) Member from Mbakalo, Hon. Bernard Kikechi , to get a response from the Chairperson Sectoral Committee on Education and Vocational Training in respect to the budgetary implementation on the program of the teaching and learning material for Early Childhood Development ECDE and equipping Vocational Training Centers in the department.

### **Motion**

Report of the Sectoral Committee on Education and Vocational Training on first and second quarter financial statement for the period ended 31<sup>st</sup> December, 2024.

**Wednesday, 9<sup>th</sup> July, 2025 at 9:30 a.m.**

Order of business;

### **Papers**

1. Report of the Sectoral Committee on Education and Vocational Training on implementation of the House resolutions of adopted reports for the year 2022 and 2023.
2. Report of the Sectoral Committee on Lands, Urban, Physical Planning and Housing on implementation of the House resolutions for the year 2022 and 2023.

### **Notices of Motion**

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1. That this House adopts the report of the Sectoral Committee on Education and Vocational Training on implementation of the House resolutions of adopted reports for the year 2022 and 2023.
2. That this house adopts the report of the Sectoral Committee on Land, Urban, Physical Planning and Housing on implementation of the House resolutions for the year 2022 and 2023.

### **Questions and Statement**

Pursuant to Standing Order No. 47 (2)(C), Member for Township Ward Hon. Jeremiah Kuloba MCA, to get a response from the Chairperson Sectoral Committee on Land, Urban, Physical Planning and Housing in relation to irregular construction of buildings along Kitinda Road opposite Huduma Centre within Township Ward.

### **Motion**

1. Report of the Sectoral Committee on Roads, Transport, Infrastructure and Public Works on implementation of the House resolutions for the year 2022 and 2023.

**Wednesday, 9th July, 2025 at 2:30 p.m.**

Order of Business;

### **Papers**

1. Report of the Sectoral Committee on Education and Vocational Training on implementation of the House resolutions of adopted reports for the year 2022 and 2023.
2. Report of the Sectoral Committee on Lands, Urban, Physical Planning and Housing on implementation of the House resolutions for the year 2022 and 2023.

### **Notices of Motion**

1. Report of the Sectoral Committee on Education and Vocational Training on implementation of the House resolutions of the adopted reports for the year 2022 and 2023.
2. Report of the Sectoral Committee on Lands, Urban, Physical Planning and Housing on implementation of the House resolutions for the year 2022 and 2023.

### **Questions and Statements**

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Pursuant to Standing Order No. 47 2(c), Member for Township Ward, Hon. Jeremiah Kuloba MCA to get a response from the Chairperson of the Sectoral Committee on Lands, Urban, Physical Planning and Housing in relation to illegal irregular construction of buildings along Kitinda Road opposite Huduma Centre within Township Ward.

**Notices of Motion**

1. Report by the Sectoral Committee on Tourism, Environment, Water and Natural Resources on implementation of the House resolutions in the year 2022 and 2023.

**Thursday 10<sup>th</sup> July, 2025 at 2:30 p.m.**

**Order of Business;**

**Papers**

1. Report of the Committee on Delegated County Legislation on the Post-Legislative Scrutiny of the Bungoma County Parking Management Act, 2017.

**Notice of motion**

1. That this House adopts the report of the Committee on Delegated County Legislation on the Post-Legislative Scrutiny of the Bungoma County Parking Management Act 2017.

**Questions and Statement**

A member of Township Ward Hon. Jeremiah Kuloba to get response from the Chairperson, Sectoral Committee on Roads, Transport, Infrastructure and Public Works in relation to the status of various roads within Township Ward.

**Motion**

1. Report of the Sectoral Committee on Trade, Energy and Industrialization on implementation of house resolutions in the year 2022 and 2023.

**Mr. Speaker:** Are you having challenges with your eyes Hon. Cornelius Makhanu?

**Hon. Cornelius Makhanu:** Honourable Speaker, on the same Thursday afternoon, we have another statement,

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2. John Kennedy Wanyama to request for a statement from the Chairperson Sectoral Committee on Lands, Urban, Physical Planning and Housing in relation to the upcoming administration block that will house officers for the executive.

That is the end of the weekly tentative programme.

**Mr. Speaker:** Honourable Members, as ably put by Hon. Cornelius Makhanu, this is our tentative programme of the House next week, starting from Tuesday to Thursday, before we adjourn the sittings of the House for a short recess accordingly.

### **ENCOURAGEMENT MESSAGES TO STUDENTS AND TEACHERS OF ST. JUDE SYOYA SECONDARY SCHOOL**

**Mr. Speaker:** Honourable Members, at this time let me to allow Honourable Members to make word of encouragement for the visitors in the gallery. They are students from St Jude Syoya Secondary School from Kabula Ward. Hon. Vitalis Wangila, you are the one to start, kindly proceed.

**Hon. Vitalis Wangila:** Thank you, Mr. Speaker. First of all, allow me in a special way to welcome St Jude Syoya Secondary School Students and teachers to this particular Honourable House. This is a school that comes from my Ward.

I have two homes and this particular school, Mr Speaker,

**Mr. Speaker:** Do you have to have two homes?

**Hon. Vitalis Wangila:** I have two homes and this particular School likely comes from the neighbor of my second home, which is in Syoya.

This school borders South Bukusu, I'm sure some of the students from this school come from South Bukusu Ward. Previously when we're having Bursary Programme, I don't know, but I hardly heard Hon. Isaiah Sudi telling me even one time if he had allocated any scholarship to students of Syoya Secondary School.

I want to tell you that if you happen to have never been to St Jude Syoya Secondary School, you can just look at the beautiful girls and smart boys in the gallery, that is the real picture of the School, it's one of the best schools from my Ward.

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This school has merited in very many parts especially in sports, it's one of the Schools that does very well in sports in my Ward and the current MCA of Kabula Ward, I am proud of their performances.

I'm happy to receive them here today I want to tell the students and the teachers that what they have done is good because they have brought the students here to learn how the County Assembly operates.

Where I am standing is not opposition side, but the minority side and I'm the Minority Leader of this particular House. So I think from here, you are very lucky when you go home let your parents know that I'm the Minority leader of this particular House.

When you go back to School study hard so that you succeed in your exams, so that one of these good days after I have left this particular chair, this chair is for Minority Leader and it's only meant for me. If I'm absent for two days, nobody will occupy this particular seat. And I'm sure for the coming maybe twenty years I'll still be on this particular chair.

I'm requesting that you learn very hard to make sure that you, the MCA that will be elected after I have left for like 20 years to come, will still occupy this particular chair of the Minority Leader. And I started by saying that we are not on the opposition side, but this is the minority side as you see are having numbers.

I don't know where the majority is, most seats are empty and our side, most seats are full, which means I'm doing my best as the Minority Leader to make sure that most members are present.

Honourable members, I am taking this particular chance to say thank you to the students from my school for coming to this particular House and we shall continue learning more.

**Mr. Speaker:** Yes, Hon. Sudi,

*(Loud Consultations)*

**Hon. Isaiah Sudi:** The Honorable member for Bumula doesn't have his card.

*(Laughter)*

No, I have seen he has logged in now. Proceed.

**Hon. Isaiah Sudi:** Hon. Speaker, thank you for giving me an opportunity also to congratulate the students from St. Jude Syoya Secondary. As the Honourable Minority Leader has said, it borders

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my ward and some of the students are from South of Bukusu. I take this opportunity to welcome them in this House. I am very sure the Sergeants have taken them around. They have seen how we work and operate. And when we had bursary Syoya Secondary School has been getting its bursary from my Ward. I have students from Kibachenche, Lumboka who goes to St Jude Syoya Secondary School. All I can say is just wish them well so that as we retire they come and take over because this House is not just a unique House for a few but if they work hard in school, then one or two of them may come here because you cannot be two, Kabula Ward needs only one MCA.

Syoya is where my parents were born because we migrated from Kabula to Mateka, and I want to thank their parents for voting for Hon. Vitalis and I know that he is worried that if I contest in Kabula then I have a huge population there of about 40 per cent.

When they go home, let them tell their parents what Sudi has said, the name Sudi is a household name in Kabula that we vote for Hon. Vitalis again. We are working together. Hon. Vitalis is a good leader. He does representation well and you can see we have promoted him. He is above me as you have seen he is the Minority Leader. It's a very big position and we wish that he continue being the minority leader.

I want to thank teachers for finding time to bring your students here, not many schools have thought about that. Just imagine they are supposed to go to Nairobi. Let me inform you that this House is a replica of the National Parliament; What happens here is exactly what the National Parliament does, so when you go back tell other schools from Kabula to come and learn. Otherwise, I wish you Journey mercies as you go back home.

I want to encourage students to work hard because the exam is not very far. You have also been to school and we know what it means. One day, just like in an election it means a lot. Go and concentrate and be disciplined because you cannot pass the exam when you are not disciplined. When you are an indisciplined person, you cannot even be in this House. You will be chased away by the speaker. So you can imagine what indisciplined means. Be disciplined; respect your teachers and your parents at home, then God the Heavenly Father will reward by passing your exam.

**Mr. Speaker:** Thank you, Hon. Sudi. Hon. Ali Machani, proceed.

**Hon. Ali Machani:** Thank you, Hon. Speaker for allowing me also to add a voice on the visitors who are in this House to see how it operates. First of all, I want to thank the learners from St. Jude Syoya Secondary School. This is a school, I am not very much familiar with it but through the elected leader who is in this House, I am also becoming very close to it because once you

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have a leader who is more versed with the learning institutions in this area, you also get associated with it.

Some of the areas developed in terms of educational institution and any other activities surrounding the learning environment, those areas in Nairobi, Mount Kenya, Rift Valley they were very keen to familiarize themselves with the development and they were very keen taking their children to school. Parents also in those areas are flexible in facilitating school activities such as trips organized in school but in our region it is rare for us to get a school taking students to Nairobi to learn either in the legislative arm or in any other industries.

I want to appreciate those who fought for Devolution; which has brought services and resources closer to the doorsteps. We have County Government of Bungoma which consists of the County Executive and County Assembly courtesy of Devolution.

I want to thank the Hon. Vitalis; when he came in the Second Assembly, he took time to learn about the functions and he did more development in his Ward. He was very keen, running up and down to perform from where he was elected. I have been very able to traverse in Kabula Ward and I can say confidently that the Honorable member seated here, did a lot in his first term in roads connectivity that made residents of that Ward to give him another term. So I want to thank the members of that community from Kabula through the students who are here in this House, that they did the right choice by re-electing Hon. Vitalis Wangila.

So Hon. Vitalis is here today as a Minority Leader and as he has said, being in a minority does not mean that you are disadvantaged. Being in a minority side, you have a legal mandate to put the Executive of the day on toes on the running of the Government. Even being in government side which is the Majority side led by Hon. Joseph Nyongesa, is all about articulating issues to assist the government of the day to do development for the citizens of this County.

We are in Azimio Coalition saw it good to give the Leadership to Hon. Vitalis Wangila, and he has served us well and he has delivered his roles as a leader of Minority as expected.

I will ask students to be discipline and respect your teachers, because you never know about tomorrow; today you can rubbish your teacher but tomorrow when you will be progressing or looking for employment, maybe your teacher who taught you in class that time will be a CECM or Chief Officer who can assists you only if you were disciplined in class.

What I'm saying in a nutshell is that work hard in class, respect your teachers, parents and fear God and be prayerful, and you will succeed in your forthcoming exams ...

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**Mr. Speaker:** Honourable Members, the consultations are growing louder and louder. Kindly consult in low tones.

**Hon. Ali Machani:** The members who are here....

**Mr. Speaker:** Hon. Ali Machani that is my work. Just stick to your contributions

**Mr. Speaker:** I'm the only one allowed to point out something on that direction.

**Hon. Ali Machani:** Thank you, Hon. Speaker.

*(Applause)*

**Mr. Speaker:** Honourable Members, we have a motion which is voluminous ahead of us. I will have Hon. Sheila and Hentry each one minute at most, please. Hon. Hentry, proceed.

**Hon. Hentry Nyongesa:** Thank you, Hon. Speaker. I am on my feet to welcome the students of St. Jude Syoya Secondary School and I am saying you can't choose or buy neighbour in the market because a neighbour comes naturally, so St. Jude Syoya Secondary School is a neighbour and it borders my Ward. We share some clan that is the Bakhwami and the Babuyas, who come from the other end of Bumula Ward.

For the students, there is one thing you can enjoy in this world, that even if you come from whichever background. If you want to share a plate with a son or a daughter of the President of this country, you can only do that when you are in school. So, you can only meet a child of a President of this country when you meet in the university. So, I am urging that if you want to reach that level then you must make sure that you put things in order in terms of learning. I want to encourage our daughters here that you can also have a privilege to marry a son of the President if you have met also in the university or the highest level of Education.

I want to take this opportunity to wish the students of the Syoya Secondary School the best of luck in their forthcoming exams because I know most of them may be candidates for this year. I want to thank teachers for being closer to the students; you are now the parents of these students at school. I appreciate the efforts you are putting to make students better people in the future, so we encourage the teachers and the students to work hand in hand.

I urge students to respect the teachers because those are your parents in school. I wish them the best of luck as they enjoy the environment around.

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**Mr. Speaker:** Thank you, Hon. Henry. Unfortunately when you were saying that you wished them, I had given up Hon. Sheila, for your lady, proceed.

**Hon. Sheila Sifuma:** Thank you, Mr. Speaker Sir. And it is just for that particular reason that I have stood on my feet to represent the gender aspect so that the students also know that women have a voice in this Assembly.

And the Honourable Member who has just sat down has alluded that when you go to university, Nairobi is when you can meet the President's daughter or son, but I want to tell you that you can be the President yourself. If you work hard in school, there is no limitation on who becomes who in this society. It just depends on how hard and smart you work. They normally say, by the time you are 30 years, you cannot keep complaining and saying I come from a humble background because you are the humble background and you are the problem.

So I want to tell you that you have to work hard. This humble background situation ends very soon in life. So make sure, even if you come from a very humble background, the family that comes out of you doesn't have to be humble in terms of resources. So I want to encourage you to work hard and smart.

Two things, I want to also let you know as you go back to school. Being a history class, I think the most important thing you can take away from here today is about devolution. County Assemblies were established after the 2010 Constitution. And there are 47 County Assemblies in Kenya and the National government. Now there are 48 governments in Kenya. And the Devolution happened so that resources are closer to the people, so when that question comes to the exam, please make sure you don't fail that question.

So go learn more about Devolution because we sit here because of the gains of the 2010 Constitution that introduced devolution in Kenya. And this is the third session of devolution, we had the first Assembly was 2013 – 2017, the second 2017 -2022, and now we have the third session of the Assemblies.

There's no limitation to what you can achieve as long as you put your hands on it. And even as you grow up, you will realize that certificate that you get in Form 4 is very important, because if you want any government job, for example in County, we will have to ask for a Form 4 certificate.

So imagine you want to be a whole waziri and you got Es in all the subjects. You know even you as a waziri you would be very questionable. But if you come here and we want to vet you for you to become a waziri and we see you scored very good grades, we will have confidence in you. So that paper is very important in your life, so work hard for it. My name is Sheila Sifuma, nominated member of this Assembly.

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**Mr. Speaker:** Thank you, Honorable Members for your contributions. Allow me on behalf of the other Honorable Members and the management of the Assembly to wish the candidates all the best in their KCSE exams.

Next item,

## MOTION

### REPORT OF THE SECTORAL COMMITTEE ON GENDER, CULTURE AND SOCIAL WELFARE ON IMPLEMENTATION OF HOUSE RESOLUTIONS IN THE YEAR 2022 AND 2023

**Mr. Speaker:** Yes, ask your members to be upstanding so that we confirm the quorum.

**Hon. Florence Juma:** Thank you, Honorable Speaker, Members of the Gender and Culture Committee.

*(Members of Gender Committee stand in their places)*

**Mr. Speaker:** Yes we have Hon. Jack, Juma, Mulongo, Godfrey, Metrine Nangila, Mukhanya, Kibaba,, Maureen Katila, Juma Florence, John Kennedy, Sheila, Mildred and Eunice. The quorum is now flowing. Proceed.

**Hon. Florence Juma:** Thank you, Honorable Speaker.

**Mr. Speaker:** What is your issue Hon. Chikati?

**Hon. Timothy Chikati:** Honorable Speaker, please give me the Mic.

**Mr. Speaker:** If you demand with arrogance, I can decline; it is as simple as that. Yes, what is the issue?

**Hon. Timothy Chikati:** Mr. Speaker, my issue was that before the members who have just stood, before we approve the motion either yes or nay, those members have remain in the until the end of the motion, because they stand and they walk out of the door before we finish the motion.

**Mr. Speaker:** The only issue I am having is that in this compound we have washrooms. So are you saying they are not supposed to go out? The only thing I must agree with you is that Hon. Chikati, the idea of members being here at the commencement of the motion and then they disappear at the time of voting. Members, I think you have noticed that when you give a proper commencement, stay around until the motion is over.

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Yes, Hon. Meshack.

**Hon. Meshack Simiyu:** Asante Mheshimiwa Spika, yale Mheshimiwa Chikati amesema ni ukweli wa mambo. Wenzetu wakiamka wakati wa kuanza kusoma ripoti wanakuwa hapa kwa wingi lakini wakati wa kumaliza unakuta wamebaki watu watatu but kulingana na wewe lazima pia tulete hiyo kwa *Standing Orders* ndiyo hii *Assembly* tutakuwa tunahakikisha kwamba wanakamati wanakaa hadi mwimho wa kusoma na kujadili ripoti. Lazima ulete hiyo mjadala na kazi iwe mzuri. Kazi yangu kama majority whip...

**Mr. Speaker:** Hon. Kawa, he is speaking as the Chief Whip of your Coalition.

**Hon. Meshack Simiyu:** Mheshimiwa Kawa, huwa anabishana na yeye ndiye mmoja wao wa kutoka nje na kwenda. So kutoka leo walete hiyo kitu.

**Mr. Speaker:** Thank you, Hon. Meshack. Hon. Florence, proceed.

*(Laughter)*

Hon. Kawa order please.

**Hon. Florence Juma:** Thank you, Honourable Speaker. I am on my feet to present a report on the status of implementation of House resolutions for the year 2022/2023 on the Committee on Gender Culture and Social Welfare.

## **PREFACE**

Pursuant to the provisions of Standing Order No. 205, all the reports of the Sectoral Committee of Gender, Culture and Social Welfare adopted by the House were conveyed to the CECM for Gender, Culture, Youth and Sports. The CECM is required, within 60 days to submit a report to the Committee in accordance with Article 183 (3) of the Constitution.

However, the CECM has never reported on the implementation status of the committee resolutions adopted by the House. As a result, the Committee interrogated the department on the implementation status of the Committee resolutions considered by the House in the year 2022 and 2023.

During the period under review; the following reports and legislations considered by the Sectoral Committee on Gender, Culture and Social Welfare were adopted by the House and conveyed to the CECM Gender, Culture, Youth and Sports;

- i. Report on the status of Gender Based Violence cases in Bungoma County

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- ii. Report on the Nine months financial statements for the period ended 31st March, 2023.
- iii. Report on Assessment of Application of laws guiding the implementation of programs by the department of Gender and Culture.
- iv. The Bungoma County Alcoholic Drinks Control Act, 2015
- v. The Bungoma County Cultural Heritage Act 2023
- vi. The Bungoma County Public Entertainment Act, 2023

The County Executive Committee Member was invited for the interrogations via a letter referenced CAB/ADM/6VOL.V (93). This Committee conducted its interrogation on 17th May 2025 at 8:00 a.m. at the County Assembly Precincts.

This report contains the responses from the department, committee observations and recommendations.

## **MANDATE OF THE COMMITTEE**

The Sectoral Committee on Gender, Culture and Social Welfare derives its mandate from the provisions of Standing Order 217 (5) of the Bungoma County Assembly Standing Orders which shall be to:

- a) Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations, coordination, control and monitoring of budget;
- b) Consider quarterly reports of the assigned departments and report to the House within twenty-one (21) 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 House to approve, except those under Standing Order 204 (Committee on Appointments); and

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h) Make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.

## 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. Joseph Nyongesa	Member
4. Hon. Aggrey Mulongo	Member
5. Hon. Godfrey Mukhwana	Member
6. Hon. Alfred Mukhanya	Member
7. Hon. George Tendet	Member
8. Hon. Eunice Yeko	Member
9. Hon. John Wanyama	Member
10. Hon. Metrine Nangila	Member
11. Hon. Florence Juma	Member
12. Hon. Mildred Barasa	Member
13. Hon. Alice Kibaba	Member
14. Hon. Maurine Wafula	Member
15. Hon. Sheila Sifuma	Member

## ACKNOWLEDGEMENT

I take this opportunity to express my gratitude to your office and that of the Clerk of the County Assembly for the logistical support accorded to the Committee which enabled the successful execution of its mandate.

Further, the Committee is grateful to the CECM for Gender, Culture, Youth and Sports, County Chief Officer for Gender and Culture who honored the invitation of the County Assembly to appear before this Committee for the interrogation on implementation status of the adopted reports and enacted County legislations related to the department of Gender and Culture.

Finally, the significant role played by the Committee Members and the Secretariat of this Committee cannot be overlooked.

It is now my pleasant duty and privilege, on behalf of the Sectoral Committee on Gender, Culture and Social Welfare, to present to this House the report of the Committee for consideration and adoption.

Report signed By Hon. Jack Kawa Chairperson, Committee on Gender, Culture and Social Welfare

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## **EXAMINATION OF THE IMPLEMENTATION STATUS OF THE COMMITTEE REPORTS AND VARIOUS COUNTY LEGISLATION IN RESPECT TO THE DEPARTMENT OF GENDER AND CULTURE**

This chapter provides examination and analysis of the implementation status of the following committee reports and various County Legislation in respect to the department of Gender and Culture;

- i. Report on the status of Gender Based Violence cases in Bungoma County adopted on 19th April, 2023.
- ii. Report on the Nine months financial statements for the period ended 31st March, 2023 adopted on 20th September, 2023.
- iii. Report on Assessment of Application of laws guiding the implementation of programs by the department of Gender and Culture adopted on 1st November, 202
- iv. The Bungoma County Alcoholic Drinks Control Act, 2015
- v. The Bungoma County Cultural Heritage Act, 2023
- vi. The Bungoma County Public Entertainment Act, 2023

On 12<sup>th</sup> May, 2025, the Committee held a consultative meeting with the department of Gender and Culture to examine the implementation status of the three reports and three legislations that had been considered by the House in 2023 in respect to the department

**The following are the House resolutions for each of the aforementioned reports, departmental response and committee observation.**

### **Report on the status of Gender Based Violence cases in Bungoma County**

#### **Resolution 1**

**THAT**, the County department of Gender to ensure adequate budgetary allocations in subsequent budget cycle FY 2023/24 for the implementation of GBV interventions. This will invest in leveraging partnerships with the private sector to enhance their corporate social responsibility, NGOs and CBOs to strengthen community-based prevention and response initiatives and with development partners to seek out funding for GBV services. Further, there should be a deliberate effort to ensure annual allocations for GBV prevention and response from the County Government subsequent Years on GBV.

#### **Department Response**

The departmental work plan for FY 2024/2025 was submitted; Kshs. 1,000,000 had been allocated for awareness on GBV and Kshs. 500,000 for GBV recovery centre programmes for SGBV survivors.

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**Committee observation**

More resources should be allocated to the department for GBV to be adequately budgeted.

**Resolution 2**

**THAT**, the department of Gender and Culture fast-tracks the submissions to the County Assembly within 90 days from the adoption of this report the following legislations;

- a) Sex and Gender- Based Violence Bill, 2019
- b) Gender Mainstreaming policy

**Department Response**

The Sex and Gender - Based Violence Bill, 2019 and Gender Mainstreaming Policy were submitted to the County Assembly but only the Gender Mainstreaming Policy has been approved by the County Assembly.

**Committee observation**

The Gender Mainstreaming Policy was approved but the Sex and Gender Based Violence Bill, 2019 had not been submitted. A copy of the legislative proposal was submitted to the committee during the interrogation.

**Resolution 3**

**THAT**, to effectively address multiple and cross-cutting issues related to GBV, it is important that all the relevant players participate fully in the process. There is need to strengthen collaboration and accountability within both state and non-state actors to access holistic survivor-centered response services and effective prevention programs.

**Department Response**

A gender sector working group is in place which is a multi-sectorial formation drawing members from state and non-state actors and Kenya-Finland Bilateral programme on Gender Based Violence was implemented in the County.

**Committee Observation**

The Kenya Finland Bilateral programme booklet was submitted to the committee that showed the GBV duty bearer for the 45 wards.

**Resolution 4**

**THAT**, the department should create community awareness on FGM, early marriage, physical violence, sexual violence, other forms of GBV and the law

**Department Response**

The department submitted that it had under taken the following;

- Trainings on positive parenting yielded reduced numbers in teenage pregnancies

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- Sharing of GBV reports in GSWG meetings
- Enactment of gender mainstreaming policy that provides for gender equality measures
- Formulation of the Bungoma women manifesto by the support of ECHO network
- Involvement of boda boda leadership on GBV Prevention.

#### **Committee observation**

Other than the Gender mainstreaming policy that was approved by the House, evidence to confirm that the other activities were implemented was not submitted to the Committee.

#### **Resolution 5**

**THAT**, the department of Gender and Culture in collaboration with the department of Health should establish facilities and infrastructure to deliver GBV prevention and response services such as GBV recovery centers, forensic labs, gender desk in every public hospital and safe shelters

#### **Department Response**

The resolution has not been submitted due to;

- Frequent transfers of trained police officers
- No forensic labs established
- GBV forensic science is expensive
- Lack of enough manpower to manage GBV desks in public hospitals
- No safe houses
- No goodwill to unlock the politics surrounding the Ndengelwa GBV centre

#### **Committee Observation**

The resolution has not been implemented

#### **Resolution 6**

**THAT**, the department should set up a toll free number that would support calls and SMS for the residents. Further sensitization is required on the importance and proper usage of the line.

#### **Department Response**

A GBV toll free number 0800724651 had been established in the county sponsored by the partner who withdrew and switched off the line.

#### **Committee Observation**

There is no toll free number

#### **Resolution 7**

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**THAT**, the department of Gender and Culture should be involved in a series of sensitization activities and outreach within the 45 wards, using various platforms including door to door sensitization, through gender sector working groups and use of local radio stations.

**Department Response**

The Kenya Finland Bilateral program supported intensive sensitization, GSWG involvement on GBV prevention and response was done in all the 45 wards.

**Committee observation**

The list of duty bearers and rights holders used for GBV prevention and response services across the 45 wards in the Kenya- Finland Bilateral program was submitted. But the lapse of the bilateral programme hugely affected sensitization in the county because the department has no budget to match up.

**Resolution 8**

**THAT**, duty bearers should be better resourced and frequently trained on GBV so that they can detect and handle both child and adult cases appropriately and effectively in their line of duty.

**Department Response**

The department submitted that Police officers, health workers, gender officers and teachers were trained.

**Committee observation**

Evidence for the trainings was not provided.

**Report on Bungoma County Government Nine Months Financial Statements for FY 2022/23 with Respect to the Department of Gender and Culture**

**Resolution 1**

**THAT**, the County Treasury should indicate how much each department received as exchequer for easy comparison in the three quarters.

**Department Response**

The department submits to the treasury the total funds it received and how it was spent but treasury does not indicate it in the consolidated report.

**Committee observations**

During the interrogations of the quarterly financial statements and reports, the department usually avail to the committee the funds it received in the quarter and how it was spent.

**Resolution 2**

**THAT**, the department should submit departmental monthly/annual work plan and budget implementation reports for comparison purposes with the financial report by the committee

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### **Department Response**

The work plans for FY 2024/2025 for all the directorates in the department were submitted during interrogation.

### **Committee Observation**

The departmental work plans should be submitted to the committee at the beginning of the financial year and the budget implementation reports at the end of each quarter for effective oversight.

### **Resolution 3**

**THAT**, the department should report expenditure for Gender, Culture, Youth and Sports separately to ease scrutiny by the committee.

### **Department Response**

Expenditure reports for Gender and Culture has been prepared separately from Youths and Sports, a copy was share but the County Treasury while consolidating, it combines with the one for Youth and Sports.

### **Committee observation**

During interrogation, the department submits its expenditure that does not include that of youth and sports.

### **Resolution 4**

**THAT**, the department should give pending bills first charge during budgeting.

### **Department Response**

Pending Bills are not fully budgeted for.

### **Committee observation**

The pending bills are not given first charge during budgeting.

## **Report on the assessment of application of laws guiding the implementation of programmes by the department of Gender and Culture**

### **Resolution 1**

**THAT**, the department should ensure that the directorate of Liquor licensing is fully operational in compliance with section 4 of the Bungoma County Drinks Control Act, 2015.

### **Department Response**

The Directorate was established under the County Public Service. The directorate operates as a county committee of 12members but the director has not been appointed by the County Public Service Board.

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Intent letters were forwarded to the County Public Service Board, Advertisement were done and interviews conducted but the position of the director is yet to be filled.

**Committee observation**

The directorate is in place but a substantive director has not been appointed.

**Resolution 2**

**THAT**, the directorate once fully operational must ensure that the ACT is fully implemented including the development of subsidiary legislations referred to under sections 10 and 74 of the Bungoma County Alcoholic Drinks Control Act, 2015.

**Department Response**

The Bungoma county Alcoholic drinks regulations were formulated and are awaiting endorsement by the county assembly and gazettment for complete operationalization. A copy of the regulations was submitted to the committee.

**Committee observations**

The Regulations have not been formally tabled in the County Assembly.

**Resolution 3**

**THAT**, the department should ensure budgetary allocation for sub-county Liquor licensing committees in the subsequent budgets.

**Department Response**

In the 1<sup>st</sup> Supplementary FY 2024/2025, funds were allocated to operationalize the sub county liquor licensing committees.

**Committee observation**

There is need to enhance the allocation for liquor licensing committees.

**Resolution 4**

**THAT**, the department should fast track the submission of the draft policies on child protection, Cultural heritage and protection, Gender mainstreaming and Disability mainstreaming to the County Assembly for processing and approval within 60 days from the approval of this report.

**Department Response**

The Policies were submitted and considered by the House.

**Committee observation**

The policies were approved and should be operationalized.

**Resolution 5**

**THAT**, the department should use the legal and policy frameworks in implementing its programmes. E.g. recognizing heroes and heroines in the County in order to ensure transparency, openness, accountability and prudent use of public funds/resources

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### **Department Responses**

The department has fully applied the existing legislation in implementing its programmes and the Bungoma County cultural heritage Act, 2023 is in place to guide in the recognition of the heroes and heroines.

### **Committee observation**

Regulations are required to fully operationalize the Bungoma County Cultural Heritage Act, 2023

## **The Bungoma County Alcoholic Drinks Control Act, 2015**

### **Department Response**

The Act has partially been operationalized;

- Alcoholic Drink Control Directorate is in place but the director has not been employed
- Rehabilitation facilities and programmes not put in place
- Alcoholic Drink fund not established
- Control of alcoholic drink has been done partially
- Sub-county committees established but the department is not able to currently absorb funds for operationalization of the sub county committees due to a mandatory advisory by COB to gazette committees before drawing any allowances.
- Minimal Budget has been allocated to fully implementing the Act.
- Revenue is collected by the Finance department
- The department has not initiated the review of the Act

### **Committee observation**

The department has never submitted any report on the implementation of the Act and to fully operationalize it, the Regulations should also be fast tracked.

## **The Bungoma County Cultural Heritage Act, 2023**

### **Department Response**

The Act was gazetted and fully operational in the implementation of the following programmes;

- Construction of phase two of the Sang'alo multipurpose cultural hall at the Sang'alo Cultural Centre
- Training of cultural circumcisers for safe cutting of the initiates
- Embalu partnership between Bamasaaba Uganda chapter and Kenya chapter
- Sensitization forum with cultural practitioners and awareness creation on cultural values.

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- Implementation of KICOSCA/EALASCA games
- Kenya national Music and cultural festival

#### **Committee observation**

The department did not demonstrate how the Act has affected the implementation of the above activities.

### **The Bungoma County Public Entertainment Act, 2023**

#### **Department Response**

It is in the process of harmonizing the public amenities in the County and due to budget constrain it has not implemented the Act.

#### **Committee observation**

The Act has not been implemented.

### **COMMITTEE OBSERVATIONS**

The Committee observed the following:

1. The budgetary allocation to the Department of Gender and Culture remains inadequate to effectively implement its core programs in line with its mandate, sustain donor-initiated interventions and fully operationalize the legislations enacted under its purview.
2. The department submitted to the Committee that the Sexual and Gender-Based Violence Bill 2019, the Bungoma County Alcoholic Drinks Control Regulations, and the amended Bungoma County Women and Disability Fund Regulations had been forwarded to the County Assembly. However, the referenced documents are not in the County Assembly and the department could not avail copies of the documents.
3. When the Department claims to have implemented a majority of the resolutions previously adopted by the House, it did not provide adequate documentary evidence to substantiate these claims. Most of the submissions presented were unverified, casting doubt on the actual scope and effectiveness of the reported implementation.
4. The Department submitted its financial year 2024/2025 work plans across all directorates, reflecting an effort towards forward planning. However, the absence of the corresponding budget implementation report impedes the Committee's ability to evaluate consistency between planning and the actual execution. Furthermore, the continued consolidation of expenditure reports by the County Treasury hampers transparency and limits programmer specific accountability.
5. The Department has not undertaken any efforts to review or amend the Bungoma County

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Alcoholic Control Act 2015 despite significant shift in the county's economic and social context. Considering that the Act serves as a legal basis for revenue collection. Its continued implementation without revision raises valid concerns regarding its relevance, effectiveness and alignment with current realities.

## COMMITTEE RECOMMENDATIONS

The Committee recommends the following;

1. THAT, the County Executive Committee CEC prioritizes increasing budgetary allocations to the Department of Gender and Culture. This will ensure the effective implementation of Departmental mandates, sustainability of donor initiated interventions and the full operationalization of enacted legislation pursuant to article 203 (1)(a)(b) of the constitution of Kenya 2010, which supports equitable resource allocation and the need to address marginalization.
2. THAT, the Department should submit to the County Assembly the sexual and Gender-Based Violence Bill, The Bungoma County Alcoholic Drinks Control Regulations and the amended Women and Disability Fund Regulations 30 days from the adoption of this report. This will facilitate timely legislative review in accordance with article 185 (1) of the constitution. The Department is further advised to develop an internal tracking mechanism for legislative submissions to enhance legislative efficiency.
3. THAT, the Department should ensure the submission of verifiable reports supported by adequate documentation on all the reports adopted by the County Assembly within 60 days from the adoption of this report as per the provision of Standing Order no. 205 (2).
4. THAT, the Department should be submitting the annual work plans within 30 days after the approval of the annual budget estimates and quarterly and annual budget implementation reports in compliance with section 166 (4) part a of the PFM Act 2015. The Committee also recommends that the County Treasuries separate expenditure reports to reflect specific allocations and spending per department to enhance program-specific accountability and transparency.
5. THAT, the Department should initiate comprehensive review and amendment of the Bungoma County Alcoholic Drinks Control Act 2015 30 days from the adoption of this report taking into account the evolving socio-economic changes in the county. The review process should be guided by Section 5(2) of the County Governments Act 2012, which mandates periodic evaluation of County Legislation for relevance.
6. Finally, the Department should implement all the Committee recommendations illustrated herein and within the timeline stipulated, in case of any failure the Committee shall issue sermons pursuant to Standing Order (254) of the County Assembly of Bungoma and Article( 195) part 1 of the Constitution of Kenya 2010.

Attached is the adoption schedule and all the other relevant documents that the Executive was able to submit. At this juncture allow me call Hon. Ken Wanyama to second the report.

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(Applause)

**Mr. Speaker:** Hon. Ken, proceed.

**Hon. Ken Wanyama:** Thank you, Honourable Speaker. I rise to second the report on the status of House resolutions from the Committee on Gender Culture and Social Welfare. Year in year out, we have experienced inadequate Budgetary allocation to this Department which has actually affected delivery of services. This is a very key Department because it is department that is actually dealing with the most vulnerable in the society that is women and persons living with disability.

This Department also deals with the issue of Culture and what is discouraging is that from our interrogation with the Department is that despite the Department preparing and submitting work plans that includes this programs, but usually when it gets to the Cabinet level somehow the same are actually removed, so I just want to urge the Executive to be more serious with this Department so that it can be able to discharge its mandate.

We have various bills and regulations that are pending in this Department; the first one is Sexual and Gender based Violence Bill 2019. Mr. Speaker, as you may be aware Bungoma County was actually voted amongst Counties with the highest cases of Gender based Violence, so the Department needs to fast-track this bill so that issues of GBV can be dealt with appropriately.

The second regulation; is Alcoholic Drinks and control regulations, the Directorate on the Liquor Licensing, that despite the Department trying to have even Ward Committees at the ward level to carry out these functions, the same team is not facilitated at all. There is no budgetary allocation for them. It is even worse because there is no Director for that section of the Department and this is despite the Department making several requests to the Public Service Board, there is no positive results. The Public Service Board should fast-track appointment of the Director of Liquor Licensing so that the Directorate can be fully operational.

Thirdly, we have the Women and Disability Fund regulation; we have previously witnessed Budgetary allocation towards Women and Disability Fund but the same has always been reallocated and the reason being that we do not have regulations in place, so we urge the Executive to fast-track so that in the coming Financial years Women and other vulnerable people in society can also have a budget to run their programs.

We have also witnessed a scenario where the County Treasury while reporting expenditure is actually consolidating the expenditures for the Department of Gender and the Department of Youth and Sports and for accountability, we need to have the expenditures reported separately, that will enable the committee to scrutinize the expenditure and a case in example is pending bills for this department. When you look at the figures reported for this department, and what is

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reported as pending bills for the department of Youth and Sports, and you compare the same with what the Treasury is reporting. They actually do not reconcile and so for accountability we urge the County treasury to separate this expenditure reports so that as a committee, we can be able to do proper oversight.

On the issue of oversight in regard to work plans; we have recommended that the department should submit work plans 30 days after approval of the annual budget estimates. If work plans are submitted early, then it will enable us as a committee to be able to do budget tracking and give the needed guidance and advise so that expenditures are actually done within the approved budgets.

Lastly, this is in regard to the review and operationalization of the Alcoholic Drinks Control Act 2015. The department has not actually operationalized this Act despite this Act being very key in terms of even assisting the County increase the own source revenue. In the last financial year 2024/2025 as a committee, we pushed and appropriated Kshs.5million towards this function. So we are waiting for the department, they have told us by 31<sup>st</sup> of August this year, they will have operationalized this Act, so that then it can enable the department to collect revenue from the alcoholic drinks. I second.

*(Applause)*

**Mr. Speaker:** Thank you Hon. Ken Wanyama for seconding the committee report that was moved by Hon. Florence. Allow me people to propose a motion for debate

*(Motion proposed)*

So it appears the Committee report is self-explanatory, I don't want to coerce any contributions...

*(Laughter)*

*(Applause)*

Allow me proceed to put the question so that Members are able to make the decision for the same. I now proceed and put the question;

*(Question put agreed to)*

*(Applause)*

The report, its observations and recommendations are hereby adopted.

## **ADJOURNMENT**

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Honourable members that was the last business on our Order Paper for today. We will adjourn the House and resume next week on Tuesday 8<sup>th</sup> of July 2025 2:30 p.m. session.

***The House rose at 4:00 p.m.***

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