

COUNTY GOVERNMENT OF BUNGOMA
COUNTY ASSEMBLY OF BUNGOMA
COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

WEDNESDAY, 29TH APRIL, 2026

Afternoon Sitting

3rd Assembly

5th Session

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COUNTY ASSEMBLY OF BUNGOMA

THE DAILY HANSARD

WEDNESDAY, 29TH APRIL, 2026

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

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

MOTION

REPORT OF THE PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE ON THE REPORT OF THE
AUDITOR GENERAL ON THE COUNTY ASSEMBLY OF BUNGOMA FOR THE YEAR ENDED 30TH JUNE,
2025

Deputy Speaker: The PAIC committee, yes Hon. Sheila Sifuma, special elected member. Now, you call upon your members to see the attainment of the quorum. So PAIC members, committee members, be upstanding. Very well, thank you so much, Honourable members. You can take your seats. That was a mobilization was done by the Hon. Sheila Sifuma herself, because in the morning, there was a problem. She's a Tachoni lady.

Hon. Sheila Sifuma: Yes, correct.

Deputy Speaker: Proceed

Hon. Sheila Sifuma: Thank you, Mr. Speaker, Sir, for this opportunity to move the report by the Public Accounts and Investments Committee on the report of the Auditor General on the Auditor General's reports. So allow me just to go straight to chapter one

CHAPTER ONE

Preface

On behalf of the Members of the Public Accounts and Investments Committee and pursuant to the provisions of Standing Order No. 209 and in accordance with Article 227(8) of the Constitution of Kenya, 2010, it is my pleasure and duty to present to this Assembly, the

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Committee's report on the report of the Auditor General on the Bungoma County Assembly for the year ended 30th June, 2025

The Public Accounts and Investments Committee strongly holds the view that these provisions of the law were meant to ensure prudent and responsible use of public funds. The Committee has accordingly applied these provisions to recommend varying actions. The committee also places a premium on these principles, among others, and has been guided by them in the entire process that has culminated into the preparation and production of this report.

Confidentiality undertaking by the committee

To enhance the integrity of the Committee and its work, Members of the Public Accounts and Investments Committee have signed a confidentiality undertaking in accordance with Bungoma County Assembly Standing Order No 98. In relation to the provisions of the said Standing Order; Members have undertaken that in relation to this report, no Member of the Committee shall refer to the substance of the proceedings touching on the subject matter which shall include any evidence or documents presented to the Committee and any information under discussion or deliberation at its meetings before it is tabled in the County Assembly.

Methodology

The Report of the Auditor General on Bungoma County Assembly for the year ended 30th June, 2025, was committed to the Public Accounts and Investments Committee for consideration under the Committee's mandate.

The Committee carried out an analysis of the queries raised by the Auditor General in the report and wrote to the Accounting officer who provided responses and subsequently appeared before the Committee for interrogation on the 10th day of February, 2025 in the presence of officers from the office of the Auditor General from Kakamega.

The Committee hereby provides this report having considered the responses provided by the Accounting Officer of The County Assembly of Bungoma and the guidance provided by the Officers from the Office of the Auditor General who were the prosecutors of the report during the interrogation exercise.

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Members of the Public Accounts and Investments committee

1. Hon. Everton Nganga Chairperson
2. Hon. Job Mukoyandali Vice Chair
3. Hon. Charles Nangulu Member
4. Hon. Cornelius Makhanu Member
5. Hon. Mitrine Nangalama Member
6. Hon. Allan Nyongesa Member
7. Hon. Everlyn Anyango Member
8. Hon. Sheilla Sifuma Member
9. Hon. Kennedy Wanyama Member
10. Hon. Florence Juma Member
11. Hon. Maureen Wafula Member

Acknowledgment

The Committee wishes to express its gratitude to your office for allowing it to sit outside the precincts of the County Assembly to prepare this report, further the committee's great thanks goes to the office of the Clerk for facilitating the committee to execute its mandate and the County Assembly management for appearing before the Committee for interrogation and lastly the secretariat of the committee and the officers from the office of the Auditor General for exemplary technical support that led to the production of this report.

On behalf of the Public Accounts and Investments Committee, I now wish to move this report and urge the Honourable House to adopt it with the recommendations therein.

CHAPTER TWO

REPORT OF THE AUDITOR-GENERAL ON COUNTY ASSEMBLY OF BUNGOMA FOR THE YEAR ENDED 30 JUNE, 2025

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Qualified Opinion

A Qualified Opinion is issued when the Auditor-General concludes that, except for material misstatements noted, the financial statements are fairly presented in accordance with the applicable financial reporting framework.

Basis for Qualified Opinion.

REPORT ON THE FINANCIAL STATEMENTS

Unconfirmed Capital Fund Balance

The statement of financial position reflects capital fund balance of Kshs.34, 048,370 as at 30 June, 2025. However, the statement of changes in net assets reflects nil capital fund balance, resulting to unexplained variance of Kshs. 34,048,370.

In the circumstances, the accuracy and completeness of capital fund balance of Kshs. 34,048,370 as at 30 June, 2025 could not be confirmed.

Management Response

Management agrees with the audit observation that the Statement of Financial Position reflects a Capital Fund balance of Kshs. 34,048,370, while the Statement of Changes in Net Assets reflects a nil balance. The amount of Kshs. 34,048,370, which represents the opening balance for Property, Plant and Equipment (PPE), had initially been erroneously classified under the Capital Fund balance.

Management has reviewed the classification and resolved that the amount should appropriately be recognized under Accumulated Surplus in line with applicable public sector accounting standards. Consequently, the financial statements were revised to reflect the reclassification.

Committee observation

The issue was addressed

Inaccuracy of the Statement of Cash Flows

The statement of cash flows reflects net cash flows from operating activities amounting to Kshs.145, 510,754 as disclosed in Note 40 to the financial statements. However, Note 40 to the

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financial statements on cash generated from operations reflects decrease in payables of Kshs.20, 142,953 instead of re-calculated decrease Kshs. 20,375,438 resulting to unexplained variance of Kshs. 232,485. Further, the statement reflects purchase of property, plant and equipment amount of Kshs.145, 494,209, while Note 26 to the financial statements on property, plant and equipment reflects additions of property, plant and equipment amount of Kshs.145, 251,723 resulting to unexplained variance of Kshs. 242,486.

Management Response

- a) Management disagrees with the audit finding that Note 40 to the financial statements on cash generated from operations should reflect a decrease in payables of Kshs. 20,375,438 instead of the reported Kshs. 20,142,953.
- b) The decrease in payables of Kshs. 20,142,953 represents payables arising strictly from operating activities, in accordance with IPSAS requirements on the classification of cash flows. Payables relating to investing activities, specifically Property, Plant and Equipment (PPE), were deliberately excluded from the computation, as they do not form part of operating activities under IPSAS 2; Cash Flow Statements.

Trade Payables (Operating activities only excluding PPE)

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Balance b/f	Opening balance	Payment during the year (In cash flow stmt but not in stmt of financial performance)	Payables expensed (In the stmt of financial performance but not in cash flow)	Changes
Trade Creditors	15,547,789.00	15,317,337.00	656,358.80	14,660,978.20
Employee arrears	2,608,805.00	2,608,805.00	2,608,632.40	172.60
Tax	18,501,801.00	8,293,236.30	2,811,434.15	5,481,802.15
	36,658,395	26,219,378.30	6,076,425.35	20,142,952.95

Management reiterates that the recalculated figure of Kshs. 20,375,438 cited in the audit finding appears to incorporate payables associated with PPE and other investing or financing activities, which are not appropriately classified under operating activities in the Statement of Cash Flows. In line with IPSAS 2, only movements in working capital items directly attributable to operating activities should be reflected in cash generated from operations.

Management therefore maintains that the reported decrease in payables of Kshs. 20,142,953 is correctly computed and appropriately disclosed in Note 40 to the financial statements in compliance with IPSAS requirements.

Furthermore, management remains committed to enhancing the clarity of disclosures and reconciliation schedules in future financial statements to facilitate a clear distinction between operating and investing-related payables and to minimize the risk of misinterpretation.

- a) Management disagrees with the audit finding that there was an unexplained variance of Kshs. 242,486 between the Property, Plant and Equipment (PPE) balance disclosed in Note 26 and the PPE figure reflected in the Statement of Cash Flows.

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The variance arises from the application of the accrual basis of accounting in accordance with IPSAS 1 – Presentation of Financial Statements and IPSAS 45 – Property, Plant and Equipment, which require that expenditure on PPE be recognized when incurred, regardless of the timing of cash settlement. The Statement of Cash Flows is prepared in accordance with IPSAS 2 – Cash Flow Statements, which recognizes only actual cash inflows and outflows during the reporting period.

Accordingly, Note 26 reflects the total cost of PPE acquired during the year on an accrual basis, including both paid and unpaid amounts, while the Statement of Cash Flows reflects only actual cash payments made during the year, irrespective of the period to which the expenditure relates. This difference in recognition bases explains the observed variance.

PPE as per Note No. 26 (Accrual basis- recognized when incurred)	145,251,723.08
PPE as per Cash flow (Cash basis - Actual cash outflows)	(145,494,208.60)
	(242,485.52)

The variance is attributable to timing differences between accrual recognition and cash settlement of PPE-related transactions, as detailed below:

	Details	Amount	Comment
	PPE Payable b/f from Fy 2023/2024 paid in FY 2024/2025	715,000.00	Included in cash outflows in the Statement of Cash Flows but excluded from PPE additions in Note 26, as the asset was recognized in the prior year on an accrual basis.
Less	PPE Payable c/d incurred in FY 2024/2025 but not paid during the year		
	Furniture & fittings (Elegance)	462,000.00	Recognized in Note 26 but not paid during the year.

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Public Procurement Capacity Building Levy (Midland Construction)	1,469.75	Recognized in Note 26 but not paid during the year.
Public Procurement Capacity Building Levy (Mbig Ltd)	2,412.10	Recognized in Note 26 but not paid during the year.
Public Procurement Capacity Building Levy (Shamim)	6,632.40	Recognized in Note 26 but not paid during the year.
	472,514.25	

Net Reconciliation

Description	Amount (Kshs.)
PPE payables paid in FY 2024/2025 (relating to prior year)	715,000.00
Less: PPE payables incurred in FY 2024/2025 but unpaid	-472,514.25
Net timing difference (variance)	242,485.75

Management therefore reiterates that the variance of Kshs. 242,486 is not unexplained but is a reconcilable timing difference arising from the application of the accrual basis of accounting under IPSAS and the cash-based presentation of the Statement of Cash Flows.

In line with IPSAS 1, IPSAS 2, and IPSAS 45, management confirms that the treatment and disclosure of PPE in Note 26 and the Statement of Cash Flows are appropriate and consistent with IPSAS requirements. To enhance clarity and transparency, management will strengthen disclosure notes and reconciliation schedules in future financial statements to explicitly highlight timing differences between accrual-based PPE recognition and cash-based payments.

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Committee observations

The issue is addressed.

Budgetary Control and Performance

The statement of comparison of budget and actual amounts reflects on comparable basis budgeted receipts of Kshs.1,359,030,420 and actual receipts of Kshs.1,233,030,611 resulting to an under-funding of Kshs.125,999,809 or 9% of the budget. Further, the statement reflects budgeted development expenditure of Kshs.246, 455,224 against actual expenditure of Kshs.127, 757,445 resulting to an under-expenditure of Kshs.118, 697,779 or 48% of the budget.

Management Response

The Management agrees with the audit findings on 9% underfunding of budgeted receipts and 48% capital under-expenditure. The underfunding of Kshs. 7,303,544 under recurrent receipts was attributed to system challenges (IFMIS) which hindered full absorption while the under-expenditure of Kshs. 118,697,779 under Development expenditure arose from delays by contractors in submitting payment certificates which would determine the absorption rate of the development expenditure.

The Development Funds has been rolled over to FY 2025/2026 through a supplementary budget to ensure full implementation of the planned projects.

Committee observation

The management explained that the under expenditure was due to delay in the contractor issuing demand certificates for payment.

Committee Recommendations

The committee recommends that going forward; the management should put appropriate strategies in place to ensure the contractors issue their demand certificates on time for timely payments.

Further, the management should ensure that budget guidelines are strictly complied with.

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REPORT ON LAWFULNESS AND EFFECTIVENESS IN THE USE OF PUBLIC RESOURCES

Irregular Subscriptions Fees

The statement of financial performance reflects use of goods and services expenditure amounting to Kshs.486, 042,682 which, as disclosed in Note 10 to the financial statements, includes other operating expenses amount of Kshs.123, 540,021 out of which, an amount of Kshs.5,000,000 was paid to the County Assembly Forum (CAF) as subscription fees. However, policy or law guiding on payment of subscription to such body was not provided for audit review.

Management Response

The management agrees with the audit findings that Kshs. 5,000,000 was paid to County Assembly Forum (CAF) as subscription fees.

The management affirms that no further payments will be made to CAF until the institution has been duly and legally recognized.

Committee observation

The committee notes that there is no policy or law guiding on payment of subscription to CAF.

Committee Recommendation

The Committee recommends that no further payments/subscriptions should be made to CAF until the entity is procedurally anchored into law.

Long Outstanding Payables

The statement of financial position and Note 32 to the financial statements reflect a balance of Kshs.16,282,957 in respect of trade and other payables. However, the ageing analysis showed that payables amounting to Kshs.10,212,668 have been outstanding for between one (1) and two (2) years. Management did not provide evidence of efforts made to settle the long outstanding payables. This was contrary to Regulation 41(2) of the Public Finance Management (County Governments) Regulations, 2015 which states debt service payments shall be a first charge on

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the County Revenue Fund and the Accounting Officer shall ensure this is done to the extent possible that the County Government does not default on debt obligations.

In the circumstances, Management was in breach of the law.

Management Response

The management agrees with the audit findings that Note 32 to the financial statements reflect a total balance of Kshs. 16,282,957 in respect of Trade and other Payables.

Out of this, payables due to the Kenya Revenue Authority (Kshs. 10,212,668) arose from an assessment report for FY 2023/2024. The assessment was issued towards the close of FY 2024/2025 and submitted when no budgetary provision had been made for settlement. The demand notice from KRA dated 5th May, 2025, was received in the County Assembly on 9th June 2025.

Management has since cleared the KRA liability through system reconciliation done by the KRA officials, leading to the issuance of a Tax Compliance Certificate valid for twelve months up to 8th September 2026.

Committee observations

The management has hence cleared the amounts of Ksh.10,212,668 initially owed to KRA and the compliance certificate was availed.

The Ksh.6, 070,289 owed to conference facilities and suppliers has been cleared.

The issue is therefore addressed.

Non-Compliance with Law on Ethnic Diversity

Review of the County Assembly staff records for the month of June, 2025 revealed that the County Assembly had a total of one hundred and forty-four (144) employees. However, all the Five (5) County Assembly Service Board members are from the dominant community. Similarly, out of sixteen (16) senior management employees, fourteen (14) or 88% are from the dominant community, and out of one hundred and twenty-eight (128) other employees, one-hundred and twenty-three (123) or 96% are from the dominant community. This was contrary to Section 7(1) and (2) of the National Cohesion and Integration Act, 2008 which states that all public offices shall seek to represent the diversity of the people of Kenya in employment of staff

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and that no public institution shall have more than one third of its staff establishment from the same ethnic community.

In the circumstances, Management was in breach of the law.

Management Response

The management agrees with the audit findings. However the County Assembly has reached the staff capacity ceiling as per the advisory from commission on Revenue Allocation. In the case of vacancies arising, the management will work progressively towards attaining the requirement of the provisions of Section 65(1) (e) of County Government Act on ethnic inclusivity.

Committee observations

The committee observed that due to the homogenous ethnographic population in the county, it may not be feasible for the attainment of the threshold provided under section 7(2) of the National Cohesion and integration Act, 2008.

It is also noted that the County Assembly Service Board has always openly advertised vacancies in the print media and the positions are open to all who qualify to apply.

Committee Recommendation

For future employment opportunities, the management should progressively work towards attaining the ethnic threshold as per the requirement of the provisions of Section 7(3) of the National Cohesion and Integration Act, 2008.

Borrowing from Other County Assembly Entities

The statement of financial position reflects current portion of borrowings balance of Kshs.9, 774,164 as disclosed in Note 38 to the financial statements. The balance refers to borrowing by the County Assembly from Bungoma County Assembly Members' and Employees' Car Loan and Mortgage Schemes Funds. However, the balance has been outstanding for more than three (3) years. Further, there was no approval from the County Assembly. This was contrary to Section 142 (1) and (3) of the Public Finance Management Act,2012 which provides that the County Assembly may authorize short-term borrowing by county Government entities for cash management purposes only and a county Government entity that has any such borrowing shall ensure that the money borrowed is repaid within a year from the date on which it was borrowed.

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In the circumstances, Management was in breach of the law.

Management Response

The Management agrees with the audit findings that at the time of audit there was an outstanding balance of Kshs. 9,774,164 to Bungoma County Assembly Members, and Employees' Car Loan and Mortgage Schemes Funds. The balance has been processed for payment.

Committee Observations

The Committee observed that the repayment of the amounts borrowed had been done and the payment vouchers were availed to the committee.

The issue is therefore addressed.

CONCLUSION

The Report of the Auditor-General on the County Assembly of Bungoma for the year ended 30 June 2025 presents a **Qualified Opinion**, signifying that although the financial statements generally reflect a fair view of the Assembly's financial position and performance, there were material issues that required clarification and corrective action. The audit highlighted weaknesses relating to financial reporting inconsistencies, budgetary performance, compliance with statutory provisions, and governance practices.

With regard to financial reporting, discrepancies were noted in the Capital Fund balance and the Statement of Cash Flows. However, management provided explanations and reconciliations, and corrective measures were undertaken to address classification errors and timing differences arising from the application of accrual and cash accounting principles under IPSAS. The Committee reviewed the responses and confirmed that these matters were addressed, demonstrating management's responsiveness and willingness to improve financial reporting accuracy and transparency.

On budgetary control and performance, the Assembly experienced a 9% underfunding of receipts and a significant 48% under-expenditure in development expenditure. While management attributed this to IFMIS system challenges and delays by contractors in issuing payment certificates, the situation underscores weaknesses in project implementation planning and cash

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flow coordination. The Committee rightly emphasized the need for stronger monitoring mechanisms to ensure timely certification, adherence to budget implementation guidelines, and improved absorption of development funds to enhance service delivery outcomes.

In terms of compliance and lawful use of public resources, the audit identified irregular subscription payments to the County Assembly Forum (CAF), long outstanding payables, non-compliance with ethnic diversity requirements, and unauthorized borrowing from internal funds. Although management subsequently regularized most of these matters; including clearing KRA liabilities, settling outstanding supplier balances, and repaying borrowed funds; these findings reflect systemic governance and internal control gaps that require sustained corrective action. The issue of ethnic imbalance, in particular, calls for progressive, deliberate measures to align staffing practices with the provisions of the National Cohesion and Integration Act, 2008.

Overall, the County Assembly demonstrated cooperation with the audit process and took steps to resolve the identified issues. However, the recurrence of compliance and control weaknesses indicates the need for strengthened internal controls, enhanced financial management oversight, stricter adherence to the Public Finance Management framework, and improved governance structures. Going forward, sustained commitment to transparency, accountability, and prudent resource management will be essential to ensure full compliance with legal requirements and to safeguard public resources.

Honourable Speaker, I move. I want to call Hon. Job Mukoyandali to come and second.

Deputy Speaker: Very well, Hon. Sheila Sifuma, Hon. Lumbwani Mukoyandali Job, member for West Bukusu kindly you are now free to second the report.

Hon. Job Mukoyandali: First of all, Honourable Speaker, let me take this minute to applaud my beautiful darling, the Honourable Member Sheila Sifuma, the Tachoni lady, who has moved the report in a very good way.

Secondly, I applaud the committee for coming up with such a good report. When you go through the report, you can see that basically the County Assembly is not doing badly in terms of reporting, apart from a few issues which generally, even across the counties, might not be easily resolved especially when we touch on the issue of staff ethnicity. It is a query which has been recurring on many occasions, and I even anticipate that when we do our books for FY 2025/2026, you will see the same query being repeated.

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Basically, this particular region has Luhyas who are the majority, so anytime you are employing, you will see that you are employing more Luhyas than any other community. Resolving such a query might not be so easy, and that is why the committee has come out clearly that maybe in future, if we have opportunities to employ people, let us consider those who come from outside communities more than those who come from Bungoma County, or who are Luhyas in this particular case, because basically that is the issue affecting Bungoma County.

On financial reporting, the report is very clear because most of the issues were resolved by the OAG when they appeared before the committee...

Deputy Speaker: Maybe, Hon. Job, sorry for disrupting; I do not like that, but for the purpose of records, I think when we talk about the issue of ethnicity, they are Luhyas as a whole, not Bukusus considered as one. So, the entire 18 sub-tribes are considered one, not Bukusu alone.

(Applause)

Hon. Job Mukoyandali: Thank you, Honourable Speaker, for that clarification. So, the Luhyas are many in terms of ethnicity in Bungoma County, and when it comes to matters of employment, automatically we will be affected. Moving forward, the committee has recommended that we actually look at other communities if there will be any future opportunities for employment so that this issue is permanently resolved.

On matters of financial reporting, the report is very clear, Honourable Speaker, that the Auditor did not raise many issues on matters of financial reporting, which means the Assembly actually did very well in terms of financial reporting and compliance. Initially, there was a query on the issue of KRA, where we had KShs. 10 million unpaid, but you can see in this particular report that the issue of KRA, which had long been outstanding, has been resolved and therefore we have a good report in this particular case.

As I sum up, I wish to acknowledge the work the Assembly is doing and ask them to put in more effort so that even in the financial year 2025/26, we are able to get a final report from the OAG that is even better than what we have had.

I second, Honourable Speaker.

Mr. Deputy Speaker: Thank you, Hon. Job Mukoyandali, for seconding the report. Honourable Members, the report having been moved and duly seconded, allow me now to propose that this House adopts the report;

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(Motion proposed)

Our Leader of Majority, Hon. Joseph Juma Nyongesa.

Hon. Joseph Nyongesa: Thank you, Honourable Speaker. First, allow me to appreciate the mover, Hon. Sheila, and the seconder, Hon. Mukoyandali. I am rising on one issue on which I think we need clarity because I am seeing as if we may be in trouble regarding this issue of CAF. Now, the committee has recommended that there should be no more payment of KShs. 5 million to CAF and even now, there is an activity in Mombasa. So then, how should we handle it, Mr. Speaker, now that we ourselves are recommending that we should not pay CAF, yet we are also insisting on attending CAF meetings?

When in Mombasa, Mr. Speaker, I observed the body language of the Auditor General, the COB, and even the Senate, especially members of the Senate who attended that meeting. To me, Mr. Speaker, they agreed with this issue of CAF; it is just that we are finalizing the issue of perhaps providing for it in law. So, as we approve this report, Mr. Speaker, I do not know which direction we should take. Should we approve it by saying we should not pay CAF or what should we say? Otherwise, Mr. Speaker, I support the report.

Mr. Deputy Speaker: Thank you so much, Hon. Joseph Nyongesa. Online, we have Hon. John Kennedy, Hon. Erick, and Hon. Isaiah Busolo, but because of House leadership precedence, let us have the Whip contribute first, then Hon. Ken will follow.

Hon. Isaiah Sudi: Thank you, Honourable Speaker, for catching my eye. Despite the fact that I support the report, I will support it with an amendment, particularly on the recommendation regarding CAF. We cannot pass it the way it is, saying it is not in law, and yet here we are pushing the Clerk to facilitate our trip to Mombasa. You want the Clerk to pay you and yet here you are making recommendations that tie his hands. How are we going to go to Mombasa? Because when we pass it as it is, Speaker, it seems that now we should not participate in any activity of CAF.

Honourable Speaker, they need to change the recommendation and state that on the issue of CAF, the National Government should hasten the process of regularizing it so that, as we move forward, it is lawful. The way they have made the recommendation, there is no way the Clerk will take this Honourable House anywhere for any activity organized by CAF because it will be unlawful.

I remember I was a member of PAIC during Mosongo's time as Clerk, and we passed a recommendation that really changed our lives here, and Hon. Nganga was here. For the members

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who are new, we made a recommendation in PAIC during our first session and it started affecting us. I want to request that let us not harm ourselves. It may look small, Honourable Speaker, but the consequences are very serious.

We are directing the Clerk that he must adhere to the law and when we say this is the law, what do we mean? The Chairman of PAIC...he likes laughing even on very weighty matters. He has made a mistake by making a poor recommendation and he is laughing, yet he will be the one pushing the Clerk to take us to Mombasa. Speaker, he is supposed to sit where he always sits. You see, this is a very weighty matter and even if you are disciplining your own child, you do not discipline to destroy; you discipline to correct. Let us correct, but let us not destroy ourselves.

We participated in CASA and we emerged number one, and now you are recommending that all those activities are not anchored in law. Then why did we participate? Why did we host CASA in Bungoma last year, organized by the County Assembly of Bungoma, if it is unlawful?

Recently, we came from the summit organized by CAF and all the departments, even the Auditor General's office, were there. If the Auditor General had an issue with CAF, he would not have attended because he should have been advised accordingly. Even the Controller of Budget said that it is in the Second Reading stage in Parliament for it to be anchored in law. We need to recognize that we are part of this system.

The National Parliament is working on it. The way the recommendation is framed, Honourable Speaker, it is very tricky, even to you as the member for Mitua/Soyasambu. I rest my case, Honourable Speaker.

I have proposed that we pass the amendment, Honourable Speaker, and my seconder is Hon. Ipara.

(Loud consultations)

Deputy Speaker: Very well. Hon. Sudi has moved a motion within a motion about amending the report and proposed that Hon. Ipara seconds the same.

Hon. Johnston Ipara: Thank you, Honourable Speaker. I rise to second the proposal by Hon. Busolo Sudi that this recommendation, where it is stated that the committee recommends that no further payments/subscriptions should be made to CAF until the entity is procedurally anchored in law...Honourable Speaker...

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Deputy Speaker: Hon. Ipara, a moment...please resume your seat. There is a point of information from Hon. Allan. What is it, Hon. Allan?

Hon. Allan Nyongesa: *(On a Point of Order)* Thank you, Speaker. Speaker, I want your guidance to this House. There is always a timeline for tabling amendments before this House. My question is: are they amending verbally or do we have written submissions for the amendment, Honourable Speaker?

(Loud consultations)

Deputy Speaker: Order, Members. We shall have a way forward. This is a House of rules and procedure, so we shall have a way forward. What is the point of order, Hon. Mutoka?

Hon. Ali Machani: *(On a Point of Information)* Chair, as a point of information, I wanted us to note that when a report is brought to the floor and the motion or report has been proposed and seconded, a member can identify a grey area that needs correction. You can raise that through a proposal and it can be seconded. That means we put aside the initial motion, discuss the amendment, and once we are done, we go back to where we started.

Deputy Speaker: Thank you. Hon. Allan, are you satisfied or do you have something else?

Hon. Allan Nyongesa: Honourable Speaker, there is a reason why those reports are sent to us in advance, for members to go through them. If they feel there is an amendment to be made, they are supposed to do it as per the Standing Orders, Honourable Speaker. So if they did not go through the report early enough, it is their own problem, Honourable Speaker. But as of now, Honourable Speaker, they are late...

(Loud consultations)

Honourable Speaker that is the procedure.

Deputy Speaker: Order, Members...Order...Order...Order. I am on my feet and I want order. Now, we have amendments that go through the Office of the Speaker within the stipulated timelines, and we also have amendments that can be moved on the floor of the House while the motion is under consideration. This is why we have to acquaint ourselves with the Standing Orders so that we know which motions require timelines and approval through the Speaker's office and which amendments can be moved on the floor of the House.

(Applause)

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Order, Members...so acquaint yourselves with the Standing Orders in this regard. So Hon. Okasida, proceed.

Hon. Johnston Ipara: Honourable Speaker, based on the argument of Hon. Allan Nyongesa, he should not be paid any allowance for the visit he made to Mombasa on an official function by CAF because he is not interested, and we, as the people of Tongaren, feel he has never been a team player and we want to question his integrity. Where we sit, we shall even share this with the people of Tongaren because he is a letdown to us.

Deputy Speaker: Order, Hon. Okasida, withdraw that.

Hon. Johnston Ipara: Honourable Speaker, with all the honour and respect I have for Hon. Allan, I withdraw.

Deputy Speaker: Very well.

Hon. Johnston Ipara: I have withdrawn, honestly.

Deputy Speaker: Proceed, proceed. You have withdrawn; proceed.

Hon. Johnston Ipara: Honourable Speaker, I have withdrawn it, honestly.

Honourable Speaker, there is a word that I want us to delete so that this recommendation reads as follows: "The committee recommends that further payments and subscriptions should be made to CAF until the entity is procedurally anchored in law."

I second, Honourable Speaker. Let us remove the word "no" so that the rest of the sentence remains the same. Honourable Speaker, we have just read our own Standing Orders, which guide every member who respects himself or herself. Let us abide by our own Standing Orders, which allow amendments to be made on the floor of the House so that we can be judged correctly, Honourable Speaker. If we allow these wrong things to be passed by this House, are we rubber stamps? We are not rubber stamps, Honourable Speaker.

Every person in this country respects CAF, as evidenced by the people who attended the conference; the Controller of Budget herself was present. The Auditor General was represented, senior members of the Senate were represented, and all of them were paid per diem to attend those meetings. If this organization was illegal, why were they in attendance? They knew that what was delaying the process were the legal requirements, which are already before the National Assembly and currently at the Second Reading stage.

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I want to plead with the Honourable Members that let us approve this amendment for our own future and to allow us to attend future meetings. Also, do not forget that next month, on the 2nd, we are supposed to proceed to Mombasa for a function organized by CAF and if you say that no further payments should be made, what it means is that you are telling the Chief Executive Officer of the County Assembly, who happens to be the Clerk, not to pay us any money because the activity is illegal.

If that is your position, then let us do what you want. Honourable Speaker, I second that amendment.

Mr. Deputy Speaker: Now, Honourable Members, allow me now, after a motion within a motion having been moved to adopt this report with amendments by Hon. Sudi Busolo, under Standing Order 66(1), that this House resolves that payments should be made to CAF awaiting enactment of the law.

(Motion proposed)

Hon. Waiti Wafula: Thank you, Hon. Speaker. I rise to support the motion of amendment because even before I entered this House, everywhere you move in the corridors of this Assembly, even the employees are asking questions as to when we are leaving for Mombasa for the ELASCA activity that is ahead of us, which is organised by CAF.

Hon. Speaker, as policymakers, how do we now tie our hands and close the old chapter that we cannot pay or subscribe to the same? It will be a scenario where, like some two or three months ago, we heard a song about the Christmas tree. We can go and, now that we have tied our hands not to pay or subscribe to the same, we can reimburse the same amount in the future. Remember a scenario where you are no longer in this Assembly and you are just at home. You lost in the election and you are now demanded to pay back the money. How will you get it?

I want to support the amendment so that we are free and, as Honourable Members like myself, I am a player. In a scenario where Hon. Iddi is accompanying me just to cheer me up, he has to mingle with other Members of other county assemblies by enjoying and refreshing himself so that when he comes back, he will have learned something. I support this amendment. Thank you.

(Applause)

Mr. Deputy Speaker: Very well. Hon. Eric Wekesa, you are now on the floor.

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Hon. Eric Wekesa: Thank you, Hon. Speaker. I rise to support the amendment of the motion within a motion. I had noted with concern that this Honourable House was going to pass something that would have tied our legs. I want to applaud the Honourable Members who are keen because, as the report was being read, I stumbled on that and it shocked me. The queries we are having from the Auditor General are because there is someone who sat somewhere and categorized CAF as illegal.

We cannot sit in this House again and refuse to give our input. Whether acceptable or not, County Assembly Members are not lesser beings. The President came and addressed us in an organization, in a function organised by CAF. Can we say that the Head of State came to an illegal meeting? It cannot be. It is only that somehow some senior legislators have deemed MCAs as lesser representatives. That is why we have this issue of CAF.

We do not just come together for functions and allowances, no. We go for serious engagements, exchange programmes, and debates that can help us compare the progress of these county assemblies. So, I rise to support the amendment to allow the CEO and the County Assembly of Bungoma to remit that money pending the ratification of the law that is under legislation in the National Assembly. Thank you so much. I support.

(Applause)

Mr. Deputy Speaker: Very well. That was a motion within a motion. I do not know, Hon. Ken was on the other issue. So therefore...

(Low consultations)

Now, Honourable Members, I want the mover to respond, and that is Hon. Sudi.

Hon. Sudi Busolo: Hon. Speaker, looking at the support that the motion has, I want to say the following. Hon. Speaker, even recently, we were paid some backdated arrears on our salaries. That is the work of CAF. Were it not for CAF, that money would have been lost. Even now, our salaries have been enhanced and, in the near future, while we are still here, we are going to earn some good money, and that is because of CAF.

I am shocked that someone sits and recommends that we should do away with CAF. That is our mouthpiece. That is where we air our grievances. All of us cannot now... you see, Hon. Speaker, even if we complain individually, it cannot go anywhere. It is only through CAF. Even look at the Council of Governors. It is also not registered, but they use it to negotiate. That is our negotiating vehicle.

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If we say we do not subscribe, then you are not qualified to be an MCA. Maybe you have already become a Member of Parliament. So, CAF for us is very key. It is through CAF that we have hosted what Hon. Eric has said. Surely, can you have a meeting where a Prime Cabinet Secretary attends and then say that it is illegal, organised by an illegal entity? The Prime Cabinet Secretary, who is like the President, and you say that it is an illegal entity that we should not subscribe to. Then who are you? Even the President came and shared with us and even gave us transport back home. If it were illegal...

(Laughter)

(Applause)

Indeed, if the gathering was illegal, Hon. Speaker, I do not think we would have gotten transport back home. There is a procedure which CAF is undergoing and, in the near future, as we move forward, it will be entrenched in law, but it has to be the way it is before it becomes law.

I want to beg members, especially those who have packed their clothes and want to go to Mombasa. Some have already paid for air tickets. Let us support the motion. Let us support the amendment deleting that paragraph which stated that we should not subscribe or make further payments. It should instead state that we should continue paying as the law is being put in place by the Member of Parliament, which is now in the Second Reading. With that, I rest my case.

(Applause)

Mr. Deputy Speaker: Thank you, Honourable Members, and Hon. Sudi for your replies. Honourable Members, allow me now to put the question that this report moved before this House, which stated that the committee recommends that no further payments or subscriptions should be made to CAF until it is procedurally anchored into law, be amended to read that this House resolves that payments should be made to CAF awaiting enactment of the law.

(Question put and agreed to)

The Ayes have it.

(Laughter)

(Applause)

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The amendments are now part of the report as we pass this report with amendments. Now we go back to the main motion and have Hon. John Kennedy Wanyama, Specially elected Member, proceed. ICT team, I am not able to control the screen. It is blank.

(Loud consultations)

It is a problem emanating from here, not anywhere else.

(Loud consultations)

Sorry for that. The screen has been blank. Now, I am back on. I will catch your eye or capture you. Very well, Hon. John Kennedy, proceed.

Hon. John Kennedy: Thank you, Hon. Speaker. I rise to support the amended version of the report by the Committee on PAC. I want to highlight an issue for the attention of this House, and this is the issue of under-expenditure, which, as we have clearly noted in our report, stood at 49 per cent, equivalent to Kshs 118,697,779. If this related to recurrent expenditure, I would not be so much worried, but it caught my eye because it relates to development.

So, Mr. Speaker, I want to urge management to ensure that they put in place stringent monitoring and evaluation measures to ensure full absorption of all funds allocated towards development. I support.

Mr. Deputy Speaker: Thank you, Hon. John Kennedy, for your contribution. I am not seeing any other member, so I call upon the mover to reply.

Hon. Sheila Sifuma: Thank you, Mr. Speaker. Maybe I should start by appreciating all members for participating in the debate. This is a House of debate. It is where members come and share their opinions. So, there are many things that have been said, and the motion that ensued within this motion has been duly passed. As the mover of this motion and a respecter of democracy and the rules that this House stands for, which is being a House of debate, agreements are part of aligning things.

I adopt the position that the House has taken, and I also want to notify the House that we had to prepare a report in line with the law, and that is why that recommendation was drafted the way it was. No party is wrong, but for our own interest and welfare, I think what we have moved as a House is in order and, therefore, Mr. Speaker, sir, that is strongly welcomed.

(Applause)

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And maybe also for future reference, I think we need to push our representatives at CAF to ensure that CAF is entrenched in law very soon because there are many things that CAF has defended on behalf of the assemblies and which have actually been implemented. For example, the autonomy of county assemblies.

(Applause)

That is something that CAF actually pushed for, and it was implemented in assemblies across the country. So, there is something that you can point to and say CAF is actually supporting devolution and county assemblies. So, on that, Mr. Speaker, I say yes.

(Applause)

Mr. Speaker: Hon. Sheila, you will have to correct that assertion. You have to request the House to adopt, not to second.

Hon. Sheila Sifuma: Yes. Okay. Thank you, Mr. Speaker, for that correction. So, based on that and the unanimous support that we have gotten from the House, I request the House to adopt the report with the amendments that have been passed. Thank you.

(Applause)

Mr. Deputy Speaker: Thank you so much, Hon. Sheila. Honourable Members, allow me now to rise and put the question. A report having been moved eloquently and duly seconded by a committee member, I now put the question that this House adopts the report of the Public Accounts and Investments Committee on the report of the Auditor General on the County Assembly of Bungoma, as amended, for the year ended 30th June, 2025, laid on the Table of the House on Tuesday, 7th April, 2026.

(Question put and agreed to)

The Ayes have it.

(Applause)

The report is adopted with amendments as proposed by the House.

ADJOURNMENT

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Mr. Deputy Speaker: Thank you. Well, Honourable Members, that being our last item on the Order Paper for the day, we shall adjourn and resume tomorrow, 30th April, 2026, at 2.30 p.m.

The House rose at 3.42 p.m.

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