

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

TUESDAY, 21ST JULY, 2026

Afternoon Sitting

3rd County Assembly

5th Session

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COUNTY ASSEMBLY OF BUNGOMA

THE DAILY HANSARD

TUESDAY, 21st JULY, 2026

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

(Temporary Speaker [Hon. Christine Mukhongo] in the Chair)

PRAYER

COMMUNICATION FROM THE CHAIR

Temporary Speaker: Communication from the chair, first we want to welcome our students from Nang'eni Secondary School who are here. These are History students from Webuye West Sub county. The primary reason of this educational visit is to expose students to the actual working of the County Assembly's including plenary session so that they can relate to the classroom theory with regard to devolution and real practice.

As I introduce the students who are 103 students and 4 teachers, I now call upon the students to stand up so that you're recognized by this House.

(Students rise)

(Applause)

(Students resume their seats)

We also have teachers; you'll be upstanding when you hear your name at the Speaker's Gallery;

Mr. Basil Lusweti,

Mr. Wanjala Wilfred,

Mr. Paul Wafula and

Mrs. Catherine Mung'au.

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(Teachers rise)

(Applause)

(Teachers resume their seats)

During the time of the statements, we shall allow Honourable members to acknowledge the visiting school. You're most welcome. Next.

QUESTIONS AND STATEMENTS

Temporary Speaker: We shall have the Honourable Members acknowledging our visiting school that's Nang'eni school.

We shall start off with the Honourable Member who's guarding the area of Nang'eni, Misikhu ward.

Hon. Millah Masungu: Thank you for giving me this opportunity to also welcome a great school, the sons and daughters of Misikhu Ward. I want to take this opportunity; pardon my voice; I have a bit of a cough. My children seated in the gallery are not used to this voice; today I have a cough, and I hope you will bear with me. I want to take this opportunity to really thank the teachers and the students of Nang'eni Secondary School who have made their way to this House this afternoon.

Honourable Members, Nang'eni Comprehensive School is found in Webuye West Sub-County, Misikhu Ward, and in Sirende Sub-Location. Madam Speaker, the school seated in the gallery today, Honourable Members, is one of the schools that have made me proud as a leader. Bunang'eni Secondary School is a day school with a population of 720 students.

It is one of the schools that have made my ward proud because of its brilliant and excellent performance. It is headed by the principal, Mwalimu Simon Mutembete. The students seated in the gallery, and their teachers, are people who know what they are doing at the right time and in the right place.

It is a day school, and it has always excelled in my ward in the number of students proceeding to university. I really want to congratulate them. I also want to thank the teachers, who thought it wise that, apart from touring, this would be an extension of education for the History students of Bunang'eni Secondary School.

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As you can see from the numbers, 103 students are visiting, and imagine that this is an examination class only. So you wonder how these classes, or this school, perform, because this is an examination class, it is a day school, and it has brought 103 students — quite something for a mere day school. This is a school that every Member of Misikhu Ward wishes to take his or her son or daughter to.

Apart from the performance, I want to commend the principal, Mr. Simon Mutembete. Madam Speaker, you have heard of the Misikhu Education Kitty; he is a champion, one of the officials leading that programme in my ward. The children of Misikhu are protected through education; they are empowered through education.

He is among the professionals leading that programme, and Madam Speaker, as we speak right now, we have already identified our students who completed Form Four just last year and are joining university through that programme. We came together as a community to bring these children together before helping them select courses and join university.

We prepared them, and of all the students who applied, Madam Speaker, every one of them managed to secure a place in a government university. Furthermore, we have already drawn up a programme for how we will apply for HELB for these children as they join university. As I speak, the team leading that group; the students from that secondary school; lead in the number of students going to university, and they lead in performance in my ward.

Madam Speaker, this reminds me of the previous governor, Governor Wangamati, and the bursary we used to give to these students. Bunang'eni Secondary School used to lead in receiving the Misikhu Ward bursary. I used to give that school 300,000 shillings and above, because the majority of students from that community are in that well-performing school.

Thank you teachers; thank you very much, students; and be very attentive. I am aware that you have been taken around the precincts of this Assembly, and right now you are in this Honourable House. It is in this Honourable House that we pass Bills and policies that assist the Executive in implementing all the works of the County Government.

So welcome. I am sure that today you have come to learn History practically, because you have been taken around; you now know where the Speaker sits, you now know where the Chambers are, and lastly, you are seeing how we legislate in this Honourable House.

So, Madam Speaker, I am proud and very happy, because whenever this school's results come out, Honourable Members, I am always celebrating, and thank you very much for taking this opportunity to bring this extension of learning to this County Assembly.

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I really want to welcome you, and in this House, my daughters and sons, you have seen very beautiful ladies seated here and very handsome men seated here. There is nothing we do here other than legislate, and it is not about being a woman or a man; that is what I tell you back home in the ward: there is no limit for any girl or boy. Right now, here, you will see how these sharp ladies and men legislate here.

I don't want to take much Hon. Speaker I want to end there and say that Bunange'ni feel at home because this is where you are supposed to be and today you are here, thank you.

Temporary Speaker: Thank you Hon. Millah Masungu...

(Applause)

...MCA Misikhu Ward talking with love about the school. Thank you so much. Hon. Jeremiah Kuloba

Hon. Jeremiah Kuloba: Asante *Madam* Spika, kwa kunipa fursa hii kuzungumzia na kuchangia kuwahimiza wanafunzi kutoka Bunang'eni...

Temporary Speaker: Honourable Members, low consultation please.

Hon. Jeremiah Kuloba: Kwanza napenda kuwashukuru na kushukuru mpango ambao uliwekwa ili hawa wanafunzi waweze kufika katika sehemu hii ya utungaji wa sheria. Langu kwa wanafunzi ni kuwahimiza wasome kwa bidii. Masomo pekeyake hayatawasaidia msonge mahali popote; muwe na nidhamu. Jua ulitoka nyumbani pekee yako ukiwa mwanafunzi wakati wa kurudi kule nyumbani baada ya mtihamu wa kidato cha nne ama mtihamu ule ambao utafanya, utarudi kwa wazazi wako pekee yako.

Namaanisha kwamba, jaribu kuepuka vikundi vibovu ambavyo haviwezi kukusaidia maishani. Jaribu kuweka nidhamu mbele na ujaribu kuangalia ufafanuzi wa neno nidhamu utapata kwamba nidhamu ni kufanya jambo ambalo linatakiwa katika wakati unaotakiwa mahali ambapo panatakiwa na njia inayotakiwa.

Ukiwa na hivyo vitu utakubalika katika jamii; unaeza kuwa mzuri darasani katika masomo ufaulu lakini katika jamii hauhitajiki. Kwa hivyo weka nidhamu iwe mbele.

La pili mjaribu kusikiza mawaidha ambayo yanatolewa na wazazi wenu, waandamizi wenu wale waliowatangulia nyinyi pia mnajaribu kuangalia mawaidha ambayo yatatolewa na walimu. Karibu asilimia tisini ya kazi ni yako asilimia kumi ama kumi na tano ndiyo inayotoka kwa

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walimu. Kwa hivyo walimu hawa msikize vizuri wanapo waongoza katika mambo yote ambayo mnaifanya shuleni.

Katika hili jumba watakiwa uwe msomi lazima uwe unaelewa kitu gani unafanya maishani. Bila kusoma hutakuja hapa na ufafanue sheria za Jumba hili ambapo kazi yake ni kutunga sheria ambazo unatakiwa ujue kuwa zinawakandamiza watu ambao walikuchagua ama hapana. Lakini nimeona mtangulizi wangu ambaye ni mwakilishi wenu anawaminia sifa chokochoko akisema kuwa nyinyi ni wazuri darasani na hizo sifa chokochoko...

(Laughter)

...ndiyo hizo wote tunabadilisha ni lugha inabadilishwa kila siku. Lugha inakua kwa hivyo wewe ulikuwa unajua kochokocho lakini pia chokochoko hiyo pia ni lugha.

(Applause)

Madam Spika kulingana na zile sifa ambazo nimeminia hawa wanafunzi msije mkamrudisha nyuma. Tunataka wakati mwingine mkiwa na wanafunzi mwakilishi wenu akiya hapa anasema kuwa vile mlikuja hapa wale wanafunzi walifuzu vizuri katika mitihani yao. Muangalie mahali ambapo mmetoka; angalia nyuma mahali ambapo wazazi wako wapo na uangalie mahali ambapo unataka kupeleka hiyo familia yenu. Usikubali kuchoma shule. Mmenisikiza vizuri?

Msikubali kuchoma shule; shule hiyo siyo yako ni ya jamii na wewe ukitoka wengine lazima watumie hiyo nafasi. Msikubali kufuata mawaidha ambayo hayawasaidii maishani. Mkitoka hapa nendeni mpeleke salamu zetu kwa wazazi wenu. Najua wengine wenu ni wa shule ya kutwa muwaambie kuwa kiongozi wenu ambaye anawaakilisha hapa anafanya kazi vizuri na Mungu akipenda nendeni mminie hizo sifa kwa wazazi wenu wenyewe watajua lile la kufanya wakati mwafaka ukifika. Asante *Madam Spika*.

Temporary Speaker: Nashukuru sana kwa mawaidha hayo mazuri Mheshimiwa Kuloba. Kwa sasa tutampa Mheshimiwa Sheila Sifuma.

Hon Sheila Sifuma: Thank you Madam Speaker Sir. Thank you for the opportunity to address students who are joining us in the gallery today together with their teachers. As it has been said my name is Sheila Sifuma, I am a nominated member representing the interest of women and I want to welcome you here. I think much has been said by my colleague Mr. Chopo Chopo

Temporary Speaker: Hapana Mheshimiwa Sifuma

Hon Sheila Sifuma: I withdraw.

Temporary Speaker: Asante

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Hon Sheila Sifuma: Anyway, much said, I just want to encourage young people in the Public Gallery to do your best in school. You know you are not in school for a very long time, just there for a period and it shall pass. Some of us are fresh from there. You can see we are the Gen-z of the House; you will be in school for a short while. Make it count because out here life depends on how much you put effort even in your academics.

Sometimes maybe people will say academics is not important because it will not help me in life but it pushes you to a level. It teaches you discipline. How to hustle even when you come out here, so I want to wish you all the best, give it to your best and for some subject you have a problem, cause sometimes you are not good in all the subjects.

If you have a challenge in a particular subject, please look for someone who is good and let them help you, and the ones you are good perfect them so that they can actually perfect your average score. So as you go back to your school, put your best foot forward and do your best and above all remember God in your studies because at the end of the day, God is able to do exceedingly above what you can think and imagine.

I want to wish you all the best, *mkuje bunge* very soon enjoy with this Honorable members here, you come and serve this country in different capacities even as you are going to Singapore, you become doctors, pilots and mechanics in the new Singapore,.

May God bless you so much and thank you our teachers for bringing the students here because it gives them exposure and we know we say education is an equalizer, so please continue giving them exposure because it differentiates between average and excellence.

I want to thank you very much and being a daughter of a teacher, I am proud here because there is a teacher who worked on me. So please work on these kids and they will excel.

Temporary Madam Speaker: Thank you, Hon. Sheila Sifuma. I call upon Hon. Everline Anyango. Also I want a member of Education committee Hon. Francis Chemion will represent the Chair after Hon. Everline Anyongo.

Hon. Everline Anyango: Thank you Madam Speaker for catching my eye. To the students of Bunang'eni Secondary School and the teachers; I want to take this opportunity to welcome you to this Honorable House. You have been given a lot of advice, and the word of God says a good listener is never given too much. Few words and you pick what belongs to you and take off with it and make use of it.

The Honourable Member representing your Ward has just said you are an examination class and for you to pass examination, you have to be disciplined. To all the students that come here, we

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always remind them of discipline, because in this House without discipline, you will be thrown out. I think you have seen these sergeants walking around and they are the ones who received you and handled you well the whole day. In this House you misbehave, you are thrown out so what holds us here is discipline.

Thank you, teachers, for bringing these students here as a Member has just alluded on exposure which differentiates two things in your life, what you are used to and what other people are used to, because at home maybe you are only meeting a few people on the road but exposure will take you to town and now you will only meet only vehicles and you have to walk alongside those vehicles. That is exposure and you will know how to different things.

As you leave this House today, go and tell your parents for those who come within the Ward that truly they brought a good representative in this House. Hon. Milliah Masungu is a no joke; she is a good representative of her Ward and she will always stand firm to ask for what belongs to her people. I think you have seen that woman and a man in this House are all equal, because our work is to represent.

To the girls and the boys while in class remain students and be good learners and be good listeners and respect your teachers. Before you leave today, just remember again that education will propel you but it is only discipline that will have to hold you high. As you go back, God bless you all and I wish you success in your examinations. Thank you.

Temporary speaker: Thank you Hon Anyango for those good advices. I call upon Hon. Chemion on behalf of Education Committee.

Hon. Francis Chemion: Thank you Hon. Speaker. On behalf of our chair, the committee and the County Assembly, I would wish to first of all acknowledge and thank the teaching fraternity of the school for organizing this trip. Having been a teacher for the number of years you worked as a teacher, you know that one of the teaching methods that is very critical in our schools is field executions and field trips. This is what exactly the school has done. They have moved away from the normal classroom situation and they have come to the County Assembly of Bungoma, where they have interacted with the staff, Honorable members and they have seen using their own naked eyes, what happens exactly in the County Assembly.

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I like reminding the students that nothing comes on a silver platter, you must work for it. I know some of you are students of religion, you may have heard of the story of manna that was dropped those years but today in this century, if you want to be a successful person in future you must strive, work for it. Pull up your socks if you are not performing very well because we don't expect something to come just from heaven and you become successful.

Honorable members, we acknowledge also the member of the area, Hon. Masungu whom we have now worked with for almost 10 years. She is a strong lady, an iron lady and she does what she is supposed to do as per the law, as per the County Government Act, The Constitution of Kenya. That is what she exactly does here. And therefore you are well represented. Teachers of that school know that you have a very strong representative in this House whose absence, if she misses even a day is felt across. So you did very good to have elected Hon. Masungu to this Honorable House. Otherwise, I know you may want to know more of what happens here, I will stop there and wish you well in your academic endeavors and your future lives.

Temporary Speaker: Thank you Hon. Chemion. Just to wind up, I want to thank the administration, teachers, students and also parents for organizing for the students to be here from Bunang`eni Secondary School. Your area MCA Hon. Milliah Masungu has really talked positively about you and being your neighbor, I am going to be keen to know because I know some of the students come from Kimilili. I am going to be keen to see how it works and we thank Hon. Milliah for the scholarships that you give your students, we are promoting education. Thank you for coming and continue being with us as we proceed. Next.

MOTIONS

REPORT OF THE COMMITTEE ON DELEGATED COUNTY LEGISLATION ON POST LEGISLATIVE SCRUTINY OF THE BUNGOMA COUNTY CLIMATE CHANGE FUND ACT 2022

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Temporary speaker: Chairperson Committee of Delegated County Legislation. Thank you Hon. Waiti Wafula.

Hon. Waiti Wafula: (Mover) Thank you Madam Speaker for allowing me present this motion to this Honorable House. A motion from the Committee on Delegated County Legislation on Report on Post Legislative Scrutiny of the Bungoma County Climate Change Fund Act 2022.

CHAPTER ONE

EXECUTIVE SUMMARY

The Bungoma County Climate Change Fund Act, 2022 was enacted to establish a legal framework for mobilizing, coordinating and managing climate finance within the County. The Act seeks to support climate change adaptation and mitigation interventions at both county and community levels through the establishment of a Climate Change Fund and related institutional structures.

Pursuant to its oversight mandate, the Committee on Delegated County Legislation undertook a Post-Legislative Scrutiny (PLS) exercise to assess the implementation, effectiveness and impact of the Act since its commencement on 29th November 2022. The review examined whether the objectives of the Act have been achieved, the status of operationalization of the institutional structures established under the Act, adequacy of regulations, utilization of the Fund and challenges encountered during implementation.

The Committee observed that the Act provides a comprehensive framework for climate change financing and governance. However, implementation has faced challenges including inadequate funding, delays in operationalizing some institutional structures, limited public awareness, and the absence of comprehensive regulations to guide implementation.

The Committee therefore recommends full operationalization of all structures established under the Act, increased budgetary allocations to the Fund, development of implementing regulations, enhanced public participation and strengthened monitoring and evaluation mechanisms.

INTRODUCTION

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Climate change continues to pose significant environmental, social and economic challenges in Bungoma County. The County has experienced adverse climate-related events including prolonged droughts, floods, environmental degradation and declining agricultural productivity. These challenges necessitated the enactment of the Bungoma County Climate Change Fund Act, 2022 to provide a sustainable framework for climate financing and climate resilience interventions.

The Committee on Delegated County Legislation undertook a Post-Legislative Scrutiny exercise to evaluate the implementation and effectiveness of the Act. The exercise was aimed at determining whether the Act has achieved its intended objectives, identifying implementation gaps and proposing recommendations for improvement.

Objectives of the Scrutiny

The Committee sought to:

1. Evaluate the effectiveness of the institutional structures established under the Act.
2. Determine whether the Fund has enhanced climate change adaptation and mitigation interventions.
3. Recommend measures to strengthen implementation and improve the legislative framework.

PREFACE

What follows is preface. I refer members to Standing Order 214, it guides on that.

MANDATE OF THE COMMITTEE

Allow me refer members to Standing Order 214(3). With your permission, I move to 1.5

COMMITTEE MEMBERSHIP

The Committee as currently constituted comprises of:-

- | | |
|------------------------------|------------------|
| 1. Hon. George Kwemoi Tendet | Chairperson |
| 2. Hon. Ndasaba Dorcas | Vice chairperson |
| 3. Hon. Godfrey Wanyama | Member |
| 4. Hon. Martin Chemorion | Member |
| 5. Hon. Angeline Rugut | Member |

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6. Hon. Job Mukoyandali	Member
7. Hon. Metrine Wilson	Member
8. Hon. Wafula Waiti	Member
9. Hon. Aggrey Bosire	Member

ACKNOWLEDGEMENT

The Committee wishes to express its appreciation to the Office of the Speaker and the Clerk of the County Assembly for the administrative and technical support accorded during the scrutiny exercise.

The Committee is also grateful to all Members of the Committee for their commitment, dedication and valuable contributions throughout the scrutiny exercise.

On behalf of the Committee, it is my pleasant duty and privilege to present this Report on the Post-Legislative Scrutiny of the Bungoma County Climate Change Fund Act, 2022.

CHAPTER TWO

LEGISLATIVE CONTEXT

Hon. Speaker,

The Bungoma County Climate Change Fund Act, 2022 was enacted pursuant to the Constitution of Kenya, 2010, particularly Articles 42, 69 and 70 which guarantee the right to a clean and healthy environment and impose obligations on public institutions to protect and conserve the environment.

The Act further derives its legal foundation from:

1. The Constitution of Kenya, 2010.
2. The Climate Change Act, 2016.
3. The Public Finance Management Act, 2012.
4. The County Governments Act, 2012.
5. The Environmental Management and Coordination Act (EMCA), 1999.
6. Relevant national climate change policies and international climate agreements ratified by Kenya.

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The Act came into operation on 29th November 2022 and established a County Climate Change Fund as the primary financing mechanism for climate change adaptation and mitigation initiatives within Bungoma County.

LEGISLATIVE SUMMARY OF THE BUNGOMA COUNTY CLIMATE CHANGE FUND ACT, 2022

This chapter presents a legislative summary of the Bungoma County Climate Change Fund Act, 2022, which was enacted to provide a structured framework for mobilization, management and disbursement of climate finance within Bungoma County. The Act establishes institutional mechanisms, funding structures and implementation processes aimed at enhancing climate resilience at both County and community levels.

Purpose and Objectives of the Act

The purpose of the Act is to establish a dedicated **County Climate Change Fund** to support climate change adaptation and mitigation initiatives. Specifically, the Act seeks to:

1. Facilitate financing of community-based climate change projects.
2. Establish climate finance mechanisms aligned with county and national frameworks.
3. Promote climate awareness, information sharing and public education.
4. Support integration of climate change in county planning and budgeting processes.
5. Enhance compliance with national and international climate change obligations.
6. Promote community participation in climate governance.
7. Coordinate and streamline climate change response across county agencies.

Establishment and Administration of the Fund

The Act establishes the Bungoma County Climate Change Fund, domiciled in the department responsible for climate change affairs. The Fund is administered by the County Climate Change Steering Committee and managed by a designated Fund Administrator.

Funding Sources

The Fund draws resources from:

1. A minimum of 2% of the county's annual development budget;

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2. National Climate Change Fund allocations;
3. International climate finance windows;
4. Donations, grants and endowments;
5. Climate-related charges, levies or penalties;
6. Accrued interest or lawful income.

Allocation of Resources

The Act provides the following allocation framework:

1. 70% – Ward-based climate change projects;
2. 20% – County-wide projects, research and climate awareness;
3. Not less than 3% – Administrative costs for Planning and Ward Committees.

Institutional Framework Created Under the Act

The Act establishes a three-tier institutional structure for planning, implementation and oversight.

County Climate Change Planning Committee

The Committee noted that Section 9 of the Bungoma County Climate Change Fund Act, 2022 establishes the County Climate Change Planning Committee as the principal technical committee responsible for coordinating, reviewing and guiding climate change planning and implementation across the County.

The Committee comprises the following members:

1. Chief Officer responsible for Environment and Climate Change – Chairperson;
2. Chief Officer responsible for County Treasury – Vice-Chairperson;
3. Chief Officer in charge of Water and Natural Resources;
4. Chief Officer in charge of Agriculture;
5. Chief Officer in charge of Livestock;
6. Chief Officer in charge of Health;
7. County Director Climate Change – Secretary;
8. Fund Administrator – Ex-officio Member;
9. County Director, National Environment Management Authority (NEMA);
10. County Director, Kenya Meteorological Department;

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11. County Ecosystem Conservator, Kenya Forest Service; and
12. Representative of academic and research institutions with knowledge in environment and climate change.

The Committee is responsible for:

1. Reviewing, appraising and prioritizing ward project proposals;
2. Coordinating technical support for Ward Climate Change Planning Committees;
3. Developing annual climate reports and monitoring and evaluation frameworks;
4. Organizing inter-ward consultations; and
5. Undertaking resource mobilization and capacity-building initiatives.

Ward Climate Change Planning Committees

The Committee further noted that the Act establishes a Ward Climate Change Planning Committee in every ward to facilitate community participation in climate change governance, planning and implementation of climate resilience projects at the grassroots level.

The Ward Climate Change Planning Committee comprises:

1. One person nominated by elders in the Ward;
2. Two youth representatives (one male and one female);
3. One person nominated by women in the Ward; and
4. One person nominated by persons with disabilities in the Ward.

Other Members

5. One representative of ward-based public benefit organizations; and
6. One representative of faith-based organizations in the ward.

Ex-Officio Members (Non-Voting)

7. Sub-County Environment Officer of the respective sub-county; and
8. Ward Administrator of the respective ward.

Each Ward Climate Change Planning Committee is mandated to:

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1. Mobilize communities and facilitate climate-related consultations;
2. Conduct public education, awareness creation and capacity building;
3. Identify priority climate resilience projects;
4. Develop and submit project proposals; and
5. Monitor and report on ward-level implementation of climate change interventions.

County Climate Change Steering Committee

The Committee observed that the County Climate Change Steering Committee is the apex policy and oversight organ established under the Act to provide strategic leadership, policy direction and oversight in the management of climate change programmes and resources within the County.

The County Climate Change Steering Committee comprises:

1. Governor – Chairperson;
2. Deputy Governor – Chairperson in the absence of the Governor;
3. County Executive Committee Member (CECM) responsible for Environment and Climate Change – Secretary;
4. CECM responsible for County Treasury;
5. CECM responsible for Agriculture, Livestock and Fisheries;
6. CECM responsible for Public Administration;
7. CECM responsible for Health;
8. CECM responsible for Lands, Urban Physical Planning and Housing;
9. County Commissioner or representative;
10. Representative of the private sector nominated by registered professional associations;
11. Representative of civil society organizations involved in climate change matters; and
12. Representative of academia/private institutions with knowledge in environment and climate change.

Its functions include:

1. Mainstreaming climate change considerations in county planning and budgeting;
2. Approving climate-funded projects and ensuring prudent utilization of resources;
3. Overseeing fund disbursement and budget execution;
4. Coordinating institutions implementing climate-related programmes; and

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5. Receiving and addressing reports on challenges, complaints and disputes relating to climate change interventions.

County Climate Finance Framework and Regulations

The Act requires the development of:

- a) An annual County Climate Finance Framework, outlining climate impacts, risks, priority areas and county preparedness levels;
- b) Fund Regulations providing detailed procedures for fund access, project eligibility, proposal development, disbursement, complaints handling, monitoring and reporting.

Both instruments must be approved by the County Assembly.

Project Identification, Eligibility and Approval

Community Consultations

Ward Committees must conduct community consultation forums in at least three locations annually to:

1. Raise climate awareness;
2. Discuss eligibility criteria;
3. Identify ward-level climate priorities.

Eligibility Criteria

Projects must demonstrate:

1. Promotion of adaptation, mitigation or climate resilience;
2. Benefit to the wider community, including vulnerable groups;
3. Gender responsiveness;
4. Sustainability, ownership, and technical viability;
5. Environmental impact assessment;
6. Clear monitoring and evaluation plans.

Approval Process

The process involves:

1. Ward Committees submitting project proposals to County planning committee;
2. The Planning Committee reviewing and recommending proposals within set timelines;

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3. The Steering Committee granting final approval before funding and implementation.

Financial Management, Accountability and Oversight

The Act integrates all financial operations of committees with the **Public Finance Management Act**, requiring:

1. Preparation of annual estimates of revenue and expenditure;
2. Maintenance of proper books of accounts and records;
3. Annual audits conducted within three months after the financial year;
4. A functional complaints redress mechanism coordinated by the Fund Administrator.

Offences, Penalties and Protection from Liability

The Act outlines penalties for:

1. Obstruction of committee work;
2. Submission of false or misleading information;
3. Violation of instructions issued under the Act.

Members acting in good faith are protected from personal liability, except in cases of negligence leading to loss or damage.

Transitional Provisions

The Act requires the County Climate Change Steering Committee and County Planning Committee to be constituted within two months from the commencement of the Act to ensure immediate operationalization of the Fund.

CHAPTER THREE

COMMITTEE OBSERVATIONS

Following the scrutiny exercise, the Committee made the following observations:

1. Section 6 of the Act requires the County Executive Committee Member (CECM) responsible for Climate Change, in consultation with the CECM responsible for Finance, to prepare and publish an annual Climate Finance Framework for the County. The Framework should address, among other matters:

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- a) The status of climate change awareness in the County;
- b) Climate change adaptation and mitigation projects being implemented within the County and their anticipated impacts; and
- c) The effects of climate change on the County.

The Committee further observed that the Climate Finance Framework must be aligned with the County Planning Framework and submitted to the County Assembly for approval.

2. Pursuant to Section 24 of the Act, the County Climate Change Steering Committee is mandated to mainstream climate change programmes, projects, and activities into County planning and budgeting processes and ensure their incorporation into the County Integrated Development Plan (CIDP).
3. The Committee observed that the Act was largely fund-centric. Consequently, the development of regulations solely focused on the Fund and may limit the broader implementation of climate change interventions envisaged under the Act. The Committee noted there was need to review the Act to expand its scope beyond financial mechanisms and strengthen the County's overall climate change governance framework.
4. Section 7 of the Act mandates the CECM responsible for Finance to develop regulations for the administration and management of the Climate Change Fund.
5. Section 28 of the Act requires the County Planning Committee to develop and publish eligibility criteria for accessing funding under the Act.

Committee Recommendations

The Committee recommends that:

1. **THAT**, the Department of Tourism, Environment, Water and Natural Resources ensures that the Annual Climate Finance Framework required under Section 6 of the Act is prepared, approved, submitted to the County Assembly within sixty (60) days, and thereafter published annually in full compliance with the provisions of the Act.
2. **THAT**, the Department of Tourism, Environment, Water and Natural Resources, through the County Climate Change Steering Committee, ensures meaningful participation and representation of marginalized groups, women, youth, and persons with disabilities in the planning, implementation, monitoring, and evaluation of climate change programmes and projects at the community level.
3. **THAT**, the CECM responsible for Finance develops regulations in compliance with Section 116 of the Public Finance Management Act and Sections 4 and 7 of the Act. The regulations should provide for:
 - a) Administration and operation of the Fund;
 - b) Eligibility criteria for accessing the Fund;
 - c) Preparation and approval of project proposals and applications for disbursement of funds;

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- d) Complaints and grievance redress mechanisms; and
- e) Monitoring, evaluation, and reporting frameworks.

Upon development, the regulations shall be submitted to the County Assembly for consideration and approval in accordance with the law.

4. **THAT**, all committees established under the Act publish, publicize, and facilitate public access to climate change information in their possession in order to promote transparency, accountability, and public participation.
5. **THAT**, the Department of Tourism, Environment, Water and Natural Resources initiates amendments to the Act to broaden its scope beyond climate finance mechanisms and incorporate comprehensive provisions on climate change governance, adaptation and mitigation measures, resilience building, and the promotion of low-carbon, climate-resilient development in the County.

THAT, all committees established under the Act to ensure that climate change programmes and interventions are people-centred, responsive to community needs, and designed to deliver measurable socio-economic and environmental benefits.

Hon. Speaker we have the annexures of the adoption schedule and also annexures of Bungoma County Climate Change Fund Act 2022. Looking at the adoption schedule 9 Members appended their signatures in support of the report and that marks the end of my report. I now call upon Hon. Job Mukoyandali to second the report. Thank you Madam Speaker.

(Applause)

Temporary Speaker: Thank you, Hon. Waiti Wafula for taking us through. Now, Hon. Mukoyandali you have the privilege to second this report.

Hon. Job Mukoyandali: Thank you, Madam Speaker. I rise to second the motion, which was eloquently read by Hon. Wafula Waiti. For a very long time, the issue of climate change money has been seriously mismanaged within the county. We have had no regulations. We have had no clear outline on how that money is supposed to be spent, but for the first time, this Assembly, through the Committee on Delegated Legislation, has actually come up with procedures; they have laid down proper procedures on how that money can be expended so that it benefits our people on the ground. That is why, if you look at the recommendations that have been drawn up in line with what we are looking at, the issue of climate change, you will see that they are so clear and elaborate.

If this House actually adopts them, you will realize that the issue of mismanagement of those funds will no longer be there. On so many occasions, we have had to call the director in charge

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of climate change to this floor, and she has never appeared here. Every time you call upon her to appear, she becomes sick. The reason is she doesn't know when she comes here, what she is coming to tell this House; because there is no clear framework on how that money is supposed to be used.

But through this report, you will find that there is now a clear outline which can help us catch anybody who tends to mismanage that particular fund. I second this report, and I ask the House to adopt it for the proper running of that particular fund. I second.

(Applause)

Temporary Speaker: Thank you, Hon. Mukayandali. Honorable Members, I now propose a question;

(Question proposed)

(Question put and agreed to)

(Applause)

REPORT OF THE SECTORAL COMMITTEE ON GENDER, CULTURE AND SOCIAL WELFARE ON THE FINANCIAL STATEMENTS AND REPORTS FOR THE PERIOD ENDED 31ST DECEMBER, 2025

Temporary Speaker: Chairperson, Sectoral Committee on Gender, Culture and Social Welfare. As Hon. Sheila is coming to take over, I want to know the quorum of this committee?

(Loud Consultations)

How special is that? It was overwhelming, so can we have members? You are 15 in number. Hon. Jack Kawa, Hon. Abraham Obama, Hon. Joseph Juma, Hon. Charles Nangulu, Hon. George Kwemoi, Hon. Metrine Nangila, Hon. Alfred Mukhanya, Hon. Eric Wekesa, Hon. Alice Kibaba, Hon. Maureen Wafula, Hon. Florence Juma, Hon. John Wanyama, Hon. Sheila Sifuma, Hon. Mildred Barraza, Hon. Eunice yego. You are six members out of 15.

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(Loud Consultations)

We shall take back to HBC. So that...

(Loud Consultations)

Hon. Benjamin Otsiula: Hon. Speaker, I am rising... I think my colleague can take a seat. I know the precedent has been that when Members of the committee are outside on official duties, we count how many Members are outside. Then they have to raise the quorum depending now, if for example, five are outside and there are here six that is a quorum.

(Applause)

So how I wish...

Temporary Speaker: Is that so?

Benjamin Otsiula: Yes, Honourable Speaker. That is what the directions that were given by the Speaker.

Temporary Speaker: Under which Standing Order?

Honourable Speaker, I'm saying the precedence that has been set by the House before you give your ruling Honourable Speaker. That's why I wanted to inform the House before you give your ruling that as well you can give your directions.

Temporary Speaker: Okay, we are guided. You can check we have the HBC is out on official duty, we are counting. So, we have Hon. Kawa, are you in HBC? Hon. Joseph Nyongesa and Hon. Nangulu are in HBC. Those are two, and then we have Alfred Mukhanya, Erick Wekesa, Florence Juma was around, I'm not seeing her, she's not in HBC and Mr. John Wanyama not in HBC, Mildred Barasa, HBC. So, those plus three. So, we have the quorum.

(Applause)

So, can we go ahead.

(Applause)

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Hon. Sheila Sifuma: Thank you, thank you Honourable Speaker. Thank you for your wisdom.

(Laughter)

Temporary Speaker: Hon. Sheila you have the privilege to take us through the report.

Hon. Sheila Sifuma: Thank you, Madam Speaker Sir.

Temporary Speaker: Madam...

(Laughter)

Okay, Members let us be attentive as we are taken through the report.

Hon. Sheila Sifuma: Thank you Madam Speaker...

Temporary Speaker: Hon. Catherine, I'm hearing you from here please.

Hon. Sheila Sifuma: Okay, Thank you Madam Speaker. Thank you for your guidance. I think its wisdom of the highest order. I think I would be moving the report on the financial statements and report for the period ended 31st December, 2025.

Temporary Speaker: Yes.

Hon. Sheila Sifuma: Madam Speaker please allow me to skip chapter one as it is just preliminaries and then I start at chapter two.

FISCAL AND LEGAL FRAMEWORK

The County Assembly discharges its oversight function on the executive through the Committee system. According to Section 166 of the Public Finance Management Act, 2012, an accounting Officer for a County Government entity shall prepare a report for each quarter of the Financial Year in respect of the entity. Further, the section requires the accounting officer of the County Government entity to ensure that the quarterly report;

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

Obligations of Accounting Officers

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

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

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

Accounting officers will be accountable to County Assembly for;

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

•

DEPARTMENTAL EXPENDITURE ANALYSIS

The department of Gender and Culture had an approved annual budget of Kshs.59, 877,650 comprising Kshs. 42,532,524 recurrent and Kshs. 17,345,126 developments.

2.3 Budget Absorption

On recurrent expenditure, the County Treasury submitted that the department utilized Kshs. 25,266,993 against the approved allocation of Kshs. 42,532,524 translating to 59.4 % absorption this was contrary to the department's submissions which indicated that Kshs. 26,186,535 was utilized accounting for 61.57% that is above the 50% required by law.

During interrogations, the department responded that it had submitted the correct figures and that discrepancies arise when County Treasury doesn't consult with the Department.

Development expenditure with an approved budget of Kshs. 17,345,126, no expenditure was recorded translating to 0% absorption. The department submitted that no funds were utilized due to the introduction of e-GP system that led to delayed procurement process.

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

Recurrent Expenditure

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Utility supplies with a budget of Kshs. 200,000 recorded 0% absorption.

Telephone, telex, facsimile and mobile phone services with an approved allocation of Kshs. 100,000 recorded no expenditure representing 0% absorption.

Internet connections with a budget of Kshs. 100,000 recorded 0% absorption.

Travel costs(airline, bus, railway, mileage allowances etc.) with an approved allocation of Kshs. 500,000,Kshs. 193,175 was utilized representing 38.6 % absorption .The funds were paid to blue chip airline company as transport cost.

Accommodation (domestic travel) with a budget of Kshs. 831,062 utilized Kshs. 323,421 translating to 38.9%.The expenditure was in regard allowances paid to staff for review of the Alcoholic Drinks Control Act,2015

Daily subsistence allowance with a budget of Kshs. 1,000,000 incurred an expenditure of Kshs. 469,500 .The funds were utilized on daily subsistence allowance for staff in the department who attended Devolution conference.

Field allowance with a budget of Kshs. 28,587,062 out of which Kshs. 20,033,200 was utilized. The department submitted that the funds were utilized on KICOSCA 2025. Breakdown of the expenditure is as below;

- KICOSCA allowances for 568 participants Kshs. 18,231,200 (see attached breakdown per discipline)
- KICOSCA registration Kshs. 250,000
- Hire of buses Kshs. 595,000
- KICOSCA preparatory meetings Kshs. 957,600

Field operational allowance with a budget of Kshs. 800,000 recorded 0% absorption.

Accommodation allowance with a budget of Kshs. 594,400, out of this Kshs. 176,800 was utilized. The department submitted that funds were utilized on training fee for two officers in the department Kshs. 88,400 each.

Advertising, awareness and publicity with a budget of Kshs. 300,000 recorded no expenditure.

Tuition fees allowance with a budget of Kshs. 1,000,000, the department utilized Kshs. 345,618. The funds were paid to Kenya School of Government Kshs. 197,618 being payment for Senior Management Course for one staff in the department and ICPAK Kshs. 148,000 for the accountant and Finance officer for the department.

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Gender mainstreaming with a budget of Kshs.500, 000. The department did not utilize the funds in the period under review translating to 0% absorption.

Catering services with a budget of Kshs. 500,000 out of this, the department utilized Kshs. 135,600 .The funds were utilized on office imprest for the County Executive Committee Member Kshs. 100,000 and allowances to staff in the department for development of Alcoholic Drinks Regulation Kshs. 35,600.

Boards, committees, conferences and seminars with a budget of Kshs. 1000,000 out of this amount Kshs. 482,400 was spent. The department responded that the expenditure was in regard to office imprest for Chief Officer Kshs. 300,000 and Kshs. 182,400 for staff facilitation for review of Alcoholic Drinks Control Act 2015.

National celebrations with a budget of Kshs. 500,000 recorded 0% utilization. The department responded that no funds were utilized as the International Disability and International Women's day did not fall in the period under review.

Motor vehicle insurance with a budget of Kshs. 250,000 recorded 0% utilization.

Purchase of uniforms with a budget of Kshs. 4,000,000 no expenditure was recorded. .The department responded that the funds were committed but were not paid as at 31st December, 2025.

General office supplies with a budget of Kshs. 100,000 no expenditure was recorded in the period under review.

Sanitary and cleaning materials with a budget of Kshs. 100,000 utilized nothing representing zero % absorption.

Refined fuels and lubricants for transport with an allocation of Kshs. 700,000, Kshs. 250,000 was utilized. The department responded that the funds were utilized on fuel.

Membership fees, Dues and subscriptions to professional body recorded no expenditure out of the Kshs. 20,000 allocated.

Temporary committee expenses with a budget of Kshs. 500,000, out of this Kshs. 219,900 was utilized .The funds were utilized on facilitation of staff in the department for development of the Alcoholic Drinks Regulations.

Maintenance expenses motor vehicle with a budget of Kshs. 200,000 the department recorded 0 % absorption.

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Pre-feasibility and Appraisal studies with a budget of Kshs. 200,000, the department recorded zero utilization.

In regard to procurable goods and services with zero per cent utilization, the Department explained that this was occasioned by the migration from IFMIS to the Electronic Government Procurement (e-GP) system. Further, the zero per cent absorption recorded under non-procurable vote items was attributed to the non-disbursement of the requested funds during the period under review.

Development

The department's development budget in the period under review was Kshs. 17,345,126,

Broken down as;

- i. Women Empowerment Fund Kshs.5, 125, 000 where no funds were utilized reflecting a 0% absorption rate.
- ii. Disability Empowerment Fund Kshs.5, 125,000 the department recorded no expenditure, representing 0% absorption rate.
- iii. Construction of six cultural homes Kshs. 3,000,000
- iv. Drilling and equipping of a borehole at Sang'alo cultural center Kshs. 4,095,126

Pending Accounts Payable (pending bills)

The department's total pending bills stood at Kshs. 17,512,606, comprising Kshs. 10,167,310 for recurrent expenditure and Kshs 7,345,296 for development expenditure.

Breakdown is as below:

- Development of departmental policies Kshs.4,851,196.50
- Purchase of stationery Kshs. 242,665
- Payment for supply of fuel and lubricants Kshs.742,507.44
- Advertisement of Sang'alo multipurpose hall Kshs. 216,920
- Provision of M/V insurance cover Kshs. 199,300
- Payment of air ticket Kshs. 98,621
- Tuition fee for KISM Kshs. 75,400
- Supply of motor vehicle Kshs. 570,750
- Payment of air ticket Kshs. 193,175
- Provision of conference facility for evaluation of tenders Kshs. 498,000
- Provision of insurance cover for motor vehicles Kshs. 200,000
- Supply and delivery of;

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- i. cleaning materials Kshs. 103,795
- ii. newspaper Kshs. 54,000 FY 2019/2020
- iii. KICOSCA uniforms Kshs. 690,000
- iv. tonners Kshs. 279,700
- v. office stationery Kshs. 73,000
- vi. tonners Kshs. 73,000
- vii. catering items Kshs. 306,430
- viii. catering items Kshs. 498,850
- ix. tonners Kshs. 200,000
- x. office stationery Kshs. 200,000

Development

- 1. Completion of Sang'alo multipurpose hall Kshs. 4,395,126.40
- 2. Construction of toilet and renovation of Administration block at Sang'alo Cultural Center Kshs. 2,950,170.00

Account receivables

The department recorded Kshs. 21,083,300 as outstanding imprests which were issued on 21st November, 2025 in the period under review. During interrogation, the department submitted that most of the outstanding imprests were in regard to KICOSCA 2025 but had since been surrendered. Proof of surrender was not provided for committee's verification.

CHAPTER THREE

COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

Committee Observations

- 1. The committee noted that a number of sub-programmes recorded zero percent expenditure as at 31st December, 2025 case in point is as bellow;
 - i. Electricity Kshs. 100,000
 - ii. Water and Sewerage charges Kshs. 100,000
 - iii. Telephone, telex, facsimile and mobile phone services Kshs. 100,000
 - iv. Internet Connections Kshs. 100,000
 - v. Motor vehicle insurance Kshs. 250,000
- 2. As at 31st December, 2025 the department's pending bills stood at Kshs. 17,512,606 broken down as Kshs. 10,167,310 recurrent and Kshs. 7,345,296 development some dating back to the FY 2019/2020.

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3. The committee noted that the department has an outstanding imprest of Kshs. 21,083,300 contrary to Regulation 93(5) and (6) of the Public Finance Management (PFM) Regulations, 2015.
4. The committee noted discrepancies in reporting between the County Treasury and the department for instance recurrent expenditure, the County Treasury submitted that the department utilized Kshs. 25,266,993 translating to 50 % absorption this was contrary to the department's submissions which indicated that Kshs. 26,186,535 was utilized.
5. The committee noted that the development vote recorded no expenditure in the period under review.

Committee Recommendations

The committee made the following recommendations;

1. THAT, the Chief Officer Gender and Culture should strengthen expenditure, planning and implementation to ensure that budgeted activities and services are executed within the specified period in accordance with Sections 107 and 149 of the Public Finance Management Act, 2012.

2. THAT, the Chief Officer Gender and Culture in collaboration with the County Treasury, should develop and submit to the County Assembly a clear settlement plan for the pending bills amounting to Kshs. 17,512,606, particularly those dating back to FY 2019/2020. The County Treasury should prioritize verification and settlement of eligible pending bills in line with Regulation 41 of the Public Finance Management (County Governments) Regulations, 2015 to prevent accumulation of liabilities and litigation risks.

3. THAT, the Accounting Officer should ensure immediate surrender and accountability of all outstanding imprests amounting to Kshs. 21,083,300 and enforce strict compliance with Regulation 93(5) and (6) of the Public Finance Management (County Governments) Regulations, 2015. Failure to which surcharge of the responsible officers should be initiated.

4. THAT, the County Treasury and the Chief Officer Gender and Culture should be reconciling their financial records and submit harmonized expenditure reports to the County Assembly. Further, the County Treasury should establish internal controls to ensure consistency, accuracy, and reliability of financial reporting in compliance with Section 166 of the Public Finance Management Act, 2012 and the applicable Public Sector Accounting Standards.

5. THAT, the Chief Officer Gender and Culture should expedite procurement and implementation of approved development projects to enhance absorption of development funds.

Hon. Sheila Sifuma: There is the adoption schedule signed by all committee Members. Thank you Madam Speaker

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Temporary Speaker: Call your seconder please.

Hon. Sheila Sifuma: I call upon Hon. Mourine Katila to second.

Temporary Speaker: Hon. Katila you have the privilege to second the report.

Hon. Mourine Katila: Thank you Honourable Speaker for giving me this opportunity to second. I first want to applaud the mover of the motion; she has done a good job. It has been so clear.

I want to talk about strengthening of the ceiling that the department should try to strengthen the ceiling of our committee so that some of the pending bills are paid. Otherwise I want to second.

Temporary Speaker: Thank you Hon. Mourine Wafula for seconding. Honourable Members now I propose a question;

(Motion proposed)

Honourable Members I don't know why the mood is like this; is it because of the Gender presiding over this House has changed or what is it? Considering the mood of the House now I put a question;

(Question put and agreed to)

Next

ADJOURNMENT

Honorable Members this being our last item on our Order paper, I take this opportunity to thank all of you who have taken time to stay up to this time as we finish up the House. We adjourn until tomorrow Wednesday at 9:30 a.m.

The House rose at 4:07 p.m.

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