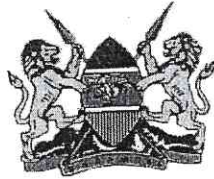


BCA/IC/01/2015/19

REPUBLIC OF KENYA



COUNTY GOVERNMENT OF BOMET

COUNTY ASSEMBLY

FIRST ASSEMBLY- THIRD SESSION

ANNUAL PROGRESSES REPORT- FOR THE FINANCIAL YEAR
ENDING 30TH JUNE, 2015

COMMITTEE ON IMPLEMENTATION

7TH SEPTEMBER, 2015



Tabled on 8/10/2015
[Signature]

BOMET COUNTY ASSEMBLY
JOURNALS & TABLE OFFICE
TABLED: 8/10/2015
P. O. BOX 590-20400
BOMET.

TABLE OF CONTENTS

1.0 Introduction

1.1 committee Membership.....	1
1.2 committee's Mandate	1
1.3 Acknowledgment	2
1.4 Ownership of the report	3

2.0 Reviewing the Legal Framework guiding the execution of the Committee's Mandate

2.1 legal Framework	4
2.21 The Constitution	5
2.22 The County Governments Act.....	5
2.23 The Standing Orders.....	5

3.0 General Observations and Recommendations

3.1 Major Issues Transacted.....	6
3.2 Committee Sitzings.....	6
3.3 Committee's Observation.....	6
3.4 Challenges.....	6
3.5 Committee's Recommendations.....	7
3.6 Conclusion.....	8

1.0 INTRODUCTION

The Committee on Implementation is one of the select committees established under the **Standing Orders No 192 (1)**. The committee was first constituted in the month of May, 2015 and assigned the role of following up on the resolutions of the Assembly as passed and monitoring the implementation by the relevant executive sector.

1.1 Committee Membership

The committee consists of a Chairperson, Vice chairperson and seven other members. The Committee on implementation as currently constituted comprises of the following Honourable Members:-

1. Hon. Julius Korir- chairperson
2. Hon. Taplelei Rotich - Vice chairperson
3. Hon. Aurelia Chepkirui
4. Hon. Rose Boiyon
5. Hon. Philip Siele
6. Hon. Robert Serbai
7. Hon. Bernard Ngeno
8. Hon. Robert Bett
9. Hon. John Chepkwony

1.2 MANDATE OF THE COMMITTEE

As stipulated under Standing Orders No. 192(4), the functions of the Committee includes to-

- a) Scrutinize the resolutions of the County Assembly (including adopted committee reports), petitions and the undertakings given by the County Executive Committee and examine,

- b) Whether or not such decisions and undertakings have been implemented and where implemented, the extent to which they have been implemented; and whether such implementation has taken place within the minimum time necessary; and
- c) Whether or not legislation passed by the County Assembly has been operationalised and where operationalised, the extent to which operationalisation has taken place within the minimum time necessary.
- d) The relevant County Executive Committee member shall within 60 days in respect of any matter under Standing Order 192(4) under whose portfolio the implementation of the matter falls shall provide a report to the relevant Committee of the County Assembly through the committee on implementation.
- e) The Committee may propose to the County Assembly sanctions against any member of the County Executive Committee who fails to report to it on Implementation status without justifiable reasons.

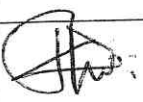
1.3 ACKNOWLEDGMENT

The committee is grateful to the Office of the Speaker and the office of the Clerk of the County Assembly for facilitating and providing technical support to the Committee during the period under review.

The committee also wish to appreciate the members of the committee on Implementation who worked tirelessly in discharging their duties in the committee.

1.4 OWNESHIP OF THE REPORT

We, Honourable members of the Committee on Implementation, do hereby append our signatures to this report to affirm our approval and confirm its accuracy, validity and authenticity:-

No.	Name	Position	Signature
1.	Hon. Julius Korir	Chairperson	
2.	Hon. Hellen Taplelei Rotich	V. Chair	
3.	Hon. John Chepkwony	Member	
4.	Hon. Benard Ngeno	Member	
5.	Hon. Rose Boiyon	Member	
6.	Hon. Philip Siele	Member	
7.	Hon. Robert Bett	Member	
8.	Hon. Robert Serbai	Member	
9.	Hon. Hon. Aurelia Chepkirui	Member	

2.0 REVIEWING THE LEGAL FRAMEWORK GUIDING THE EXECUTION OF COMMITTEE'S MANDATE

2.1 LEGAL FRAMEWORK

The committee in exercise of its mandate, is guided by the legal framework in place; the Constitution of Kenya, the County Governments Act and the County assembly standing Orders.

2.21 The Constitution

The Constitution of Kenya, 2010 at **Article 185** establishes the mandate of a County Assembly and states as follows;

- (1) The legislative authority of a county is vested in, and exercised by, its county assembly.
- (2) A county assembly may make any laws that are necessary for, or incidental to, the effective performance of the functions and exercise of the powers of the county government under the Fourth Schedule.
- (3) A county assembly, while respecting the principle of the separation of powers, may exercise oversight over the county executive committee and any other county executive organs.
- (4) A county assembly may receive and approve plans and policies for—
 - (a) the management and exploitation of the county's resources; and
 - (b) the development and management of its infrastructure and institutions.

Under **Article 183(3)**, the County executive committee is obligated to provide the county Assembly with full and regular reports on matters relating to the county.

2.22 The County Governments Act

The **County Government Act Section 39(2)** provides that a committee of the County Assembly may require a member of the Executive Committee to;

- a) Attend or appear before the committee, and
- b) Answer any questions relating to the member's responsibilities.

2.23 Standing Orders

Pursuant to **Standing Orders No.192(4)**, the County Assembly Committee on Implementation has been given a major role of over sighting the County executive particularly on implementation of the resolutions of the County Assembly (including adopted committee reports), petitions and the undertakings given by the County Executive Committee.

Standing Orders No.192 (3) stipulates that the committee shall not meet more than once in a month unless otherwise with the approval of the Speaker.

- i. *The Committee has a lot of workload owing to the fact that it has newly been created yet resolutions have been piling up over a long period of time before the committee was constituted.*
- ii. *Lack of proper records on County Assembly's resolutions during the first year of its inception hence making it difficult for the committee to commence necessary follow up to establish the status of implementation by the County Executive.*
- iii. *Wrong notion by the members of other committee that the committee on Implementation is mandated to follow up on all resolutions as passed by the Assembly yet oversight role of Sectoral Committees still remain with each respective committee.*
- iv. *Provision that the Standing Orders limit the transaction of the business to once a month which affects its work negatively.*
- v. *The committee was not able to benchmark with other County Assemblies and parliament on the best practices in discharging the mandate.*

3.5 Recommendations

- i. *The County executive should be submitting information on the status of implementation of Assembly's Resolution on regular basis to the Assembly and on time so that the Committee can be able to discharge its mandate effectively.*
- ii. *Capacity building and training for members to effectively discharge on the committee's mandate must be facilitated.*
- iii. *The committee should be facilitated to benchmark with other County Assemblies and Parliament on the best practices in discharging the mandate.*
- iv. *All Sectoral committees need to have oversight on their respective sectors and only refer specific serious matters where implementation has not been done to the committee.*

- v. The committee recommends that Standing Orders 192 (3) be amended to allow the committee to meet as often as possible owing to the fact that the committee has a lot of pending work.

3.6 Conclusion

It is worthy to note that the committee has recently been established to deal specifically with the issue of implementation of the County Assembly resolutions. However, during the period under review the committee has been faced with several challenges considering that the Assembly has made several resolutions whose status of implementation is not clear. The committee therefore has been dealing with setting up structures and mechanism to ensure that it fully covers all the necessary resolutions and discharges its mandate as required.

During the period under review, the committee has been able discharge its mandate satisfactorily in spite of some few challenges that were faced. The committee is hopeful that with necessary support being offered and implementation of its recommendations, it will be able to deliver on its mandate as expected.